

GNI Statement on Recent Digital Regulations in Bangladesh

The Global Network Initiative (GNI), a multistakeholder organization of over 100 academic, civil society, investor, and tech company members, with a focus on freedom of expression and privacy in the technology sector, appreciates the Interim Government of Bangladesh's expressed desire to reform information and communications technology (ICT) governance in the country. We nevertheless wish to express concerns regarding the lack of transparency and inclusion regarding recent regulatory initiatives, specifically the draft [Cyber Security Ordinance, 2025](#) and the draft [Personal Data Protection Ordinance, 2025](#). The previously existing legal framework for digital and cyber issues exhibits significant gaps in fundamental rights and rule of law protections that should be addressed, especially in the aftermath of the devastating [internet shutdowns](#) during the student protests last year. However, the absence to date of transparent and inclusive consultations around these two ordinances is unfortunately reminiscent of the regulatory approach exhibited by previous governments and risks exacerbating long-standing issues regarding executive overreach. In addition, and likely as a result of this process failure, the proposed ordinances appear to fail to adequately address historical concerns related to the exercise of unchecked executive powers over online service providers by the telecommunications regulator and national security agencies, posing serious and continued threats to freedom of expression and privacy in Bangladesh. In order to ensure that Bangladesh takes advantage of this important opportunity to develop a new, modern, resilient, and sustainable framework for ICT governance, GNI calls on the Interim Government of Bangladesh to adopt a rigorous, transparent, forward-looking, and rights-based approach to these and other reform initiatives, engaging with and taking into account expert, multistakeholder input.

The draft Cyber Security Ordinance, 2025 proposes excessive executive power over the digital sphere: police are to have overly broad investigatory and enforcement powers, while the Bangladesh Telecommunications Regulatory Commission (BTRC), the National Security Operations Center, and the Cyber Security Agency would have disproportionate authority to obtain access to user data, as well as to impose restrictions on content from a wide range of service providers. GNI has [consistently raised concerns against](#) similar provisions in other countries, which have been used to target journalists, human rights defenders, and others for exercising rights protected under international law. Violations can be prevented by explicitly incorporating the domestic and international human rights principles of legality, proportionality, and necessity within the law's foundational framework, as well as by positively affirming freedom of expression and the right to privacy as guiding principles for its implementation. In addition, the "right to uninterrupted internet access" that has been introduced under the

definition of “cyber security” in the draft Ordinance is framed in a way which is far too weak to create a proper right in law or meaningfully guard against state disruptions of internet access.

We are also concerned that the law enforcement and regulatory agencies continue to operate under the direction of the National Cyber Security Council without independent experts or civil society representation. This structure risks replicating the unaccountable and non-transparent approach of previous laws, making the law susceptible to abuse against dissenting voices.

In terms of the law-making process, a version of the draft Cyber Security Ordinance was published on 1 December 2024 on the ICT Ministry’s website, allowing a mere three days for stakeholder input. Thereafter, it has undergone several rounds of revision through informal and arbitrary consultations with selective groups of stakeholders, notably excluding key representatives from industry, constitutional experts, technologists, and civil society. The absence of official translations of the drafts has further limited stakeholders from participating in the consultation processes. As a result, there has been significant confusion regarding the final content of the proposed Ordinance, which was reportedly approved by the Council of Advisors of the Interim Government of Bangladesh on 24 December 2024.

Even more troubling are recent developments regarding the draft Personal Data Protection Ordinance, 2025, which draws heavily on the [widely criticized](#) data protection law drafted by the previous regime. Media reports [indicate](#) that the draft Ordinance was opened for public input from 22 to 28 January 2025. However, the Interim Government of Bangladesh did not issue clear official communications in this regard and, as a result, the draft was not readily accessible for stakeholders to review and comment on. Given the procedural and substantive similarities between the Interim Government’s approach to this issue and that of the prior regime, GNI is deeply concerned that it will result in an ordinance that is not inclusive, fit-for-purpose, future-proof, or sufficiently protective of citizen’s right to privacy.

GNI acknowledges the important role that the Interim Government of Bangladesh is playing in reforming the country’s ICT sector and encourages it to use this opportunity to ensure, in a timely way, the rule of law, due process, transparency, and accountability. The development of rights-respecting laws requires carefully considered approaches that recognize the diversity of ICT products and services that contribute to a healthy tech ecosystem, balance the powers of relevant actors, and protect the fundamental rights of Bangladeshi citizens. An open, transparent, iterative, and multistakeholder consultation process is a necessary starting point to achieve these objectives. The multistakeholder and geographically-diverse expertise of GNI members positions us to offer unique and important perspectives regarding the development of such critical legislation, and we remain eager to engage with the Interim Government of

Bangladesh to ensure the protection for fundamental freedoms and digital rights under international best practices and principles.

About GNI

GNI is the leading multistakeholder forum for accountability, shared learning, and collective advocacy on government and company policies and practices at the intersection of technology and human rights. Over the last several years, GNI has reviewed, commented on, and helped shape a range of “[online safety](#)” bills, [data protection](#) laws, and [intermediary liability](#) laws across several jurisdictions. Our human rights analysis and recommendations for policymakers can be found in the [Content Regulation & Human Rights Policy Brief](#), which uses international human rights principles to analyze a wide range of legislative efforts and provides proactive guidance on how to address online safety and digital regulations in a rights-protective manner.