

# Reporters Without Borders

<http://www.rsf.org/grenada-governor-general-urged-to-veto-law-23-09-2013,45209.html>

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Americas - Grenada

Open letter

## Governor-General urged to veto law

23 September 2013

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Dame Cécile La Grenade  
Governor-General  
St. George's, Grenada,

Dear Governor-General La Grenade,

Reporters Without Borders, an international organization that defends freedom of information, would like to express to you its concern about parliament's final approval of the [Electronic Crimes Act](#) on 9 September.

We do not dispute the principle of this law or some of its provisions. The Internet should not escape the authority of the law altogether and we believe that it is perfectly legitimate to sanction such crimes and offences as the theft of documents or data, online identity theft or, even more serious, child pornography.

However, we regard some of the clauses in this law as extremely damaging to the free flow of news and information and to public debate. For example section 6 (1.a) of Part II says: "*A person shall not knowingly or without lawful excuse or justification send by means of an electronic system or an electronic device (...) information that is grossly offensive or has a menacing character.*"

Offenders can be sentenced to up to a year in prison and/or a fine of 100,000 East Caribbean dollars (37,000 US dollars).

Under what criteria can information be considered "offensive," regardless of factual accuracy (which this clause refrains from mentioning)? This provision could very easily constitute an obstacle to the dissemination of information of public interest. It could, for example, provide any demonstrably corrupt public figure with a strong argument for refusing to be held accountable.

We are also concerned about the range of the law's applicability. Clause 3(e) of Part 1 says that it applies where "*an offence under this act was committed by any person, of any nationality or citizenship or in any place outside or inside Grenada, having an effect on the security of Grenada or its nationals, or having universal application under international law, custom and usage.*"

Here again, the lack of precision about the nature of the security to which this clause refers could result in significant obstacles to freedom of information.

The danger posed by these provisions is, in our view, all the greater because the law gives the police and judicial authorities a great deal of scope to access the personal data of someone who is being investigated.

For all these reasons, we urge you not to sign this act into law in its present form and to ask parliament to amend the most sensitive clauses.

We thank you in advance for the attention you give to this letter.

Sincerely,

Christophe Deloire  
Reporters Without Borders secretary-general

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