



*Civil Society Statement read by the Association for Progressive Communications to the Human Rights Council on human rights principles applicable to communications surveillance.*

Agenda item 3:/General Debate/  
Speaker: Shawna Finnegan

Thank you Mr. President.

I speak on behalf of several civil society organizations from around the world<sup>1</sup> to express grave concerns about new threats to democratic principles and the rule of law. The Council has agreed that “the same rights that people have offline must also be protected online”<sup>2</sup> Arbitrary mass surveillance offline violates human rights and is incompatible with democratic principles. But revelations about global mass surveillance online raise serious concerns about the application of human rights to the online lives of citizens around the world.<sup>3</sup>

The impact of the internet on human rights is a relatively new area for the Council. Civil society has been at the forefront of asking the Council and Member States to uphold human rights and fundamental freedoms online including freedom of expression, freedom of association and the right to privacy for all people.

To assist the Council and Member States, civil society groups have now developed a set of “International Principles on the Application of Human Rights to Communications Surveillance”.<sup>4</sup> The Principles, which will be elaborated in a side event during this session, have been developed by international experts in human rights, communications surveillance law, policy and technology. Endorsed by over 200 civil society groups and fully consistent with work of UN Special Rapporteur Frank La Rue,<sup>5</sup> the Principles explain how international human rights law applies in the online environment, in light of communications surveillance technologies and techniques. Our concerns and the 13 principles, as well as recommendations for action, are detailed in our written statement to this Session.<sup>6</sup>

Mr President, the Council and Member States must uphold human rights principles, democracy and the rule of law in this new online environment, just as they are required to do offline. Thank you.

---

<sup>1</sup>Including: Reporters Sans Frontiers, Access Now, Electronic Frontier Foundation, Privacy International

<sup>2</sup>Resolution A/HRC/20/1

<sup>3</sup>These concerns were also raised with the Council by civil society during HRC 23: See “Statement to the Human Rights Council on the impact of State Surveillance on Human Rights addressing the PRISM/NSA case” <http://bestbits.net/prism-nsa>

<sup>4</sup>The full text of the Principles is available at: <https://necessaryandproportionate.org/>

<sup>5</sup>Special Rapporteur on Freedom of Opinion and Expression, “State surveillance of the Internet” (A/HRC/23/40).

<sup>6</sup>Reporters Sans Frontiers, “13 Principles for a state surveillance framework” Written Statement, 4 Sept 2013, A/HRC/24/NGO/31