

Rights groups urge UN to back privacy protection (Update)

21 November 2013, by Edith M. Lederer

Human rights groups urged the U.N. General Assembly Thursday to approve a resolution to protect the right to privacy against unlawful surveillance in the digital age and criticized the U.S. and its key allies for trying to weaken it.

Brazil and Germany, whose leaders have allegedly been targeted by U.S. eavesdropping, circulated a revised draft late Wednesday after intense negotiations. The rights organizations said Thursday the text was "relatively undamaged," despite lobbying by the U.S., Britain, Canada, Australia and New Zealand which comprise the "Five Eyes" intelligence-sharing group.

The key compromise dropped the contention that the domestic and international interception and collection of communications and personal data, "in particular massive surveillance," may constitute a human rights violation. The new text expresses deep concern at "the negative impact" that such surveillance, "in particular when carried out on a mass scale, may have on the exercise and enjoyment of human rights."

The draft resolution directs the U.N. human rights chief to report to the Human Rights Council and the General Assembly on the protection and promotion of privacy "in the context of domestic and extraterritorial surveillance ... including on a mass scale."

The five rights groups—Amnesty International, Human Rights Watch, The Electronic Frontier Foundation, Access and Privacy International—said this provision will ensure that the issue stays on the front burner at the United Nations.

The General Assembly's human rights committee is expected to vote on the resolution in the next week. It would then need final approval from the General Assembly in December.

General Assembly resolutions are not legally

binding but they do reflect world opinion and carry moral and political weight.

"We are confident that this important message will find broad support within the international community," said Christian Doktor, spokesman for Germany's U.N. Mission.

"For people affected by surveillance measures, it does not matter whether such acts are undertaken in a purely domestic or an extraterritorial context," he told The Associated Press. "The resolution therefore stresses the importance of protecting privacy against all types of unlawful or arbitrary surveillance, regardless of their author."

A spokesman for the U.S. Mission to the United Nations said the United States has been "actively and constructively negotiating" to ensure that the resolution is consistent with international law and also promotes human rights, including the right to privacy and freedom of expression. The spokesman spoke on condition of anonymity because he was not authorized to speak publicly.

The proposed resolution follows a series of reports of U.S. eavesdropping on foreign leaders, including Brazil's President Dilma Rousseff and German Chancellor Angela Merkel, that have surprised and angered allies.

Rousseff canceled a state visit to Washington after classified documents leaked by former National Security Agency analyst Edward Snowden showed that the NSA hacked the computer network of Brazil's state-run oil company Petrobras and scooped up data on emails and telephone calls flowing through the country.

Merkel and other European leaders expressed anger recently after reports that the NSA allegedly monitored Merkel's cell phone and swept up millions of French telephone records.

The draft resolution "affirms that the same rights that people have offline must also be protected online, including the right to privacy."

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