

It's Not Just About US: How the NSA Threatens Human Rights Internationally

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On [Monday](#) [2], we talked about how the National Security Agency's recently-reported "PRISM" surveillance system poorly protects the privacy of Americans and people inside the United States with its woefully insufficient "51% foreignness" test. And [yesterday](#) [3] we announced our participation in a new coalition to demand swift action from the US Congress to rein in the NSA: [StopWatchingUs](#) [4]. But the recent news about the NSA's overreaching mass surveillance isn't just about us in the US: it impacts everyone who uses the Internet and the major services that are offered over it. And although not everyone is entitled to rights under the US Constitution, every person is entitled to human rights—including the right to be free from unchecked surveillance.

That was the overriding message of a joint civil society [statement](#) [5] delivered on Monday to the United Nations Human Rights Council (HRC), which CDT contributed to and endorsed. That statement in turn relied on a recent [landmark](#) [6] report to the UN by Special Rapporteur on the freedom of opinion and expression Frank La Rue highlighting growing concern about the impact of widespread government surveillance on human rights worldwide.

The civil society statement, delivered by the [Association for Progressive Communications](#) [7] and [Reporters without Borders](#) [8] and now signed by over 150 supporters, raises alarms about the scope of recently exposed United States surveillance as well as surveillance by other nations. In the statement, we and the other signers urge the Human Rights Council to respond quickly to the NSA revelations and:

- Convene a special session to examine the issue;
- Work towards a new statement on the right to privacy in light of technological advancements, following Special Rapporteur La Rue's recommendations; and
- Prepare a report that presses UN member states to report on their current surveillance laws and practices and how they can be brought in line with human rights standards, and that examines the implications of the newly-revealed NSA programs in light of HRC-endorsed human rights frameworks.

The civil society statement has given additional momentum to Frank La Rue's report, which received significant attention even before the leaks. The report is notable because it explicitly links the right to privacy with concerns about freedom of expression and raises alarm that intrusive surveillance practices threaten these rights in authoritarian and democratic nations alike. This is new territory for the United Nations, and we join human rights advocates such as [Reporters without Borders](#) [9] and [Privacy International](#) [10] in applauding the development.

The Frank La Rue report describes how new technologies are enabling "simultaneous, invasive, targeted, and broad-scale surveillance (section 33)," but laws are not keeping up with these developments and sufficiently protecting citizens. The Special Rapporteur urges states to scrutinize their surveillance laws and practices in light of human rights principles and prioritize privacy and free expression in new reforms.

While the United States has repeatedly committed to supporting human rights at home and abroad, recent revelations have [further heightened](#) [11] [existing skepticism](#) [12] of the US government's efforts to promote Internet freedom around the world, while privacy officials and advocates in Europe and around the globe have [expressed](#) [13] deep concern about the international impact of US surveillance practices. And there is always the concern that other governments will use US practices as precedent and rationale for their own intrusive surveillance programs. This global uproar is an urgent reminder that Internet freedom starts at home and that we cannot expect other countries to

protect human rights if we do not do so ourselves. Thankfully, Mr. La Rue has provided a timely map for the road ahead. The White House and Congress must now be responsive to the concerns that he and civil society have raised in the Human Rights Council, in order to ensure that our ongoing work to promote online free expression doesn't go to waste.

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