



# Unwanted Witness

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Our Ref .....

Date: 20<sup>th</sup> November 2013

To

Hon. Sam Kutesa  
Minister of Foreign Affairs  
Government of Uganda



Dear Sir

## Re: UN General Assembly Draft Resolution on the Right to Privacy in the Digital Age

**The Unwanted Witness-** Uganda is part of a broad coalition of nearly 300 organizations around the world that have come together to take a stand against unchecked surveillance by promoting the International Principles on the Application of Human Rights to Communications Surveillance.

The International Principles, which are **attached** to this letter, are intended to explain how existing human rights standards and international law apply to the new capabilities of, and risks attendant to, digital surveillance.

As you are aware, Germany and Brazil recently and jointly presented a draft resolution to the United Nations' General Assembly on the right to privacy in the digital age. The resolution asks the United Nations High Commissioner for Human Rights to issue a report on the issues. We write to urge you to support this resolution.

The resolution is significant in many respects, but particularly because:

1. If passed, it would be the first UN General Assembly resolution on the right to privacy. The last time that the right to privacy was examined by a multinational division of the UN was in 1988 when the Human Rights Committee issued a General Comment. It therefore represents an excellent opportunity for States to update their understandings of international human rights law in the context of the massive technological advances that have taken place over the last 25 years.
2. The draft resolution would be the first official recognition by the General Assembly of the threat that mass surveillance poses to the human rights of people across the world. It would also be the first chance to condemn this practice at the international level. The draft resolution asks the General Assembly to declare that it is "deeply concerned at human rights violations and abuses that may result from the conduct of any surveillance of communications, including extraterritorial surveillance of communications, their interception, as well as the collection of personal data, in particular massive surveillance, interception and data collection".
3. The draft resolution recognizes the importance of the right to privacy in facilitating and upholding the right to freedom of expression, illustrating the significance of privacy in ensuring democratic governance: "Emphasizing that illegal surveillance of communications, their interception, as well as the illegal collection of personal data constitute a highly

intrusive act that violates the right to privacy and freedom of expression and may threaten the foundations of a democratic society.”

The draft resolution arises from the outrage that many state and non-state groups have expressed at the mass surveillance of people across the world and provides an opportunity for [X country] to demonstrate its interest its opposition to mass surveillance, as well as in continuing to protect human rights, freedom of expression and privacy [that lie at the heart of our constitution] even as surveillance technology advances.

We hope you will join Germany and Brazil and support the draft resolution, which is a vital step towards building international consensus so that communications surveillance is only conducted within frameworks that protect human rights.

Regards,



Geoffrey Wokulira Ssebagala  
Chief Executive Officer