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Challenges to the enjoyment of human rights and fundamental freedoms and human rights in the age of new information and communication technologies, including respect for privacy

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The United States has always valued privacy, and it remains central to policy debate today, in the age of the Internet and smart phones. In the last decade, the Internet has facilitated a renewal of direct political engagement by citizens around the globe and unprecedented information sharing. Much of this innovation is enabled by novel uses of personal information. It is incumbent on us to do what we have done throughout history: apply our longstanding values to the new technologies and circumstances of our times.

When citizens are fearful or uncertain about how their personal data is collected while they are using the Internet, they may self-censor, even to the point of refraining from using certain search terms, which then has a chilling effect on free speech. This can undercut the tremendous potential the Internet has for fostering access to information and broadening the ability of the average citizen to participate in public debates.

The debate on privacy of communications versus the need for security, the need to keep our countries safe, is an ongoing and necessary one. While the solution is not always straightforward, the protection of human rights should be our paramount concern. Anonymity can protect human rights defenders, whistle blowers, and journalists. Individuals increasingly use new, innovative connective technologies to know and act upon their human rights and fundamental freedoms.

While encryption and anonymity technologies enable Internet users to express themselves freely and access useful information, they can also be used by malicious actors to facilitate and conceal their abuses. The role of securing online privacy becomes a notable challenge, and governments, the private sector, civil society, and individual users all have a role to play to safeguard human rights obligations and commitments.

There is a significant role for companies in protecting privacy, as well, and we believe that initiatives such as the Global Network Initiative are a good step in the right direction. More needs to be done, however, in ensuring that data brokers and other companies that collect and sell consumer data are not compromising the privacy of Internet users.

The United States is committed to the enduring promises of protecting individual freedoms, fairness and equality before the law, and human dignity.

While we recognize the ongoing debate in many OSCE participating States regarding privacy, we are concerned by practices in some countries that may chill the exercise of freedom of expression, intimidate or threaten people because of their political views, or otherwise unduly restrict the exercise of fundamental freedoms.

In Uzbekistan we are concerned about new regulations that require Internet cafes to install video cameras and keep log files of visitors for three months.

This month, Russia's data on-shoring law went into effect requiring that Russian Internet user data be stored on servers located in Russia. While this law is couched in terms of protecting user rights, in reality it could further jeopardize user data to abuses by authorities as well as increase the government's capacity to control companies and personal data.

Moderator, human rights and fundamental freedoms include the right to freedom of expression, which includes the right to receive and impart information, whether done through a television program, a tweet on Twitter, an announcement on Facebook, or an op-ed in a newspaper. One thing should be clear, even though we live in a world in which we share personal information more freely than in the past, we must reject the conclusion that privacy is an outmoded value. It remains at the heart of democratic systems of government, and we need to respect it now more than ever.