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Civil rights groups condemn draft mass surveillance bill to be adopted in France

Submitted on 30 Sep 2015 - 08:00 [Surveillance](#) [1] [press release](#) [2]

Open letter sent by civil rights groups worldwide against the Surveillance Bill to be adopted in France.

Dear Member of the Assemblée Nationale,

The undersigned civil and human rights organisations call on French parliamentarians to reject the draft law on surveillance measures for international electronic communications (Proposition de loi relative aux mesures de surveillance des communications électroniques internationales). The bill fails to defend and protect the right to privacy of individuals worldwide.

With this new bill, parliament is about to approve new disproportionate surveillance measures to monitor international communications. Based on the principle of massive collections of data, the bill seeks to legitimise the civil and human rights abuses revealed by Edward Snowden about the practice of intelligence agencies such as the ones in the US and the UK. As a crucial part of the global Internet traffic goes through French submarine cables, this law would put France in the list of countries with sweeping surveillance capabilities.



Bruno Sido 
FR

Parti : Union pour un
Mouvement Populaire

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This bill follows from the Surveillance Law passed in June, which allows the French government, among other measures, to monitor people's phone calls and emails without judicial approval; and to install black boxes on internet service providers' infrastructure to collect metadata on millions of innocent individuals. Earlier this year, the French Constitutional Council struck down one of the provisions of the Surveillance bill, and the new proposal seeks to re-authorise the international surveillance

programme impacted. The draft law will be voted on 1 October by the French National Assembly.

In particular, we are deeply concerned that:

- the bill would allow for indiscriminate mass surveillance of millions of people in France and abroad;
- independent oversight and control mechanisms are completely lacking. The massive data collection scheme would be conducted under the sole authority of the French Prime Minister, with only ex post control from the oversight authority. This does not sufficiently guarantee the protection of privacy and the respect for rights and freedoms;
- clearly excessive and unjustified retention periods for data (content for one year, metadata for six years, encrypted content for eight years) are foreseen, in contradiction with the principles laid out by the Court of Justice of the European Union (CJEU) in its ruling on 8 April 2014 invalidating the Data Retention Directive;
- the justification of the measures is so broad as to be meaningless, such as the defence of "major interests of foreign policy" and "major economic and scientific interests of France";
- the broad language leaves room for the future use of undefined surveillance technologies which could lead to an extension of the scope of the bill without any involvement of democratic institutions;
- only lawyers, journalists, representatives and magistrates established in France would theoretically be granted some form of protection, although, for instance, the private or professional nature of their communications can only be established during the data processing, and in any event the law does not protect them against bulk collection and exploitation of their communications.

We, the undersigned organisations urge the French Parliament to reject this international surveillance bill and protect the rights of individuals all around the world. The principle of universality of rights is a fundamental principle, especially the European Union. We call on you to strengthen civil liberties and human rights safeguards for all and reject this proposal.

Thank you.

Signatories:

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[Alternative Informatics Association](#) [4]
[Amnesty International](#) [5]
[AKVorrat.at](#) [6] (Working Group on Data Retention Austria)
[Article 19](#) [7]
[Association for Progressive Communications](#) [8]
[Australian Privacy Foundation](#) [9]
[Bits of Freedom](#) [10]
[Center for Democracy & Technology](#) [11]
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[CPJ](#) [14] (Committee to Protect Journalists)
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