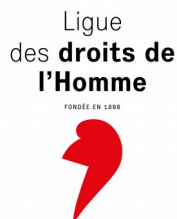


**PRIVACY
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14 September 2017

Re: Oversight of intelligence sharing between your government and foreign governments

To whom it may concern

We are writing to share our concerns about the lack of transparency of intelligence sharing arrangements between your government and foreign governments, and to seek information from you about your oversight of these intelligence sharing arrangements.

Privacy International is a United Kingdom-based non-governmental organisation. Founded in 1990, it is the first organization to campaign on privacy issues at an international level. It undertakes research and investigations into government and corporate surveillance with a focus on the technologies that enable these practices. It litigates or intervenes in cases implicating the right to privacy in courts around the world. To ensure universal respect for the right to privacy, it advocates for strong national, regional and international laws that protect this right.

La Quadrature du Net is a non-profit association that defends the rights and freedom of citizens on the Internet. More specifically, it advocates for the adaptation of French and European legislation to the founding principles of the Internet, most notably the free circulation of knowledge. As such, La Quadrature du Net engages in public-policy debates concerning, for instance, freedom of expression, copyright, regulation of telecommunications and online privacy. In addition to its advocacy work, the group also aims to foster a better

understanding of legislative processes among citizens. Through the dissemination of specific and pertinent information and tools, La Quadrature du Net hopes to encourage citizen participation in public debates on rights and freedom in the digital age.

FIDH (International Federation for Human Rights) is an international human rights NGO federating 184 organizations from 112 countries. Since 1922, FIDH has been defending all civil, political, economic, social and cultural rights as set out in the Universal Declaration of Human Rights. For FIDH, transforming societies relies on the work of local actors.

Therefore, FIDH's activities aim to reinforce their capacities and their influence. It acts at national, regional and international levels in support of its member and partner organisations to address human rights abuses and consolidate democratic processes. Its work is directed at States and those in power, such as armed opposition groups and multinational corporations. Its primary beneficiaries are national human rights organisations who are members of FIDH, and through them, the victims of human rights violations. FIDH also cooperates with other local partner organisations and actors of change.

Created in 1898 in response to the Dreyfus affair, the League of Human Rights (LDH) has set itself the goal of defending any person or group who have been victims of injustice or the violation of their rights. A secular, generalist, and non-partisan political association, it seeks to combat violations of the rights of the individual in all areas of civic, political and social life. It also wants to promote the political and social citizenship of all and guarantee the full exercise of democracy. It is in this sense that its 9,500 members act, in more than 300 sections in France.

The effective oversight of secret surveillance is among the fundamental guarantees against a government's unlawful interference with the right to privacy. But in many countries around the world, there is an alarming lack of effective oversight of arrangements to exchange intelligence with other countries. Yet, the interference with privacy remains the same regardless of whether a government conducts direct surveillance or obtains information from another government. Just as government surveillance must be transparent and subject to adequate safeguards and oversight, so too must intelligence sharing arrangements.

In the attached briefing, Privacy International elaborates on the international human rights implications of intelligence sharing between governments and offers recommendations to national intelligence oversight bodies. Privacy International is sharing this briefing with oversight bodies in over 40 countries as part of a project to increase transparency around intelligence sharing and to encourage oversight bodies to scrutinise the law and practice of intelligence sharing in their respective countries.

As a national body mandated to oversee the activities of the intelligence agencies, we believe you are in the best position to respond to our questions below:

- Is the government and/or are the intelligence agencies required to inform you about intelligence sharing arrangements they have made with other governments?

- Does your mandate include independent oversight of the intelligence sharing activities of your government?
- Do you have the power to access in full all relevant information about the intelligence sharing activities of your government?
- Do you have the power to review decisions to share intelligence and/or undertake independent investigations concerning the intelligence sharing activities of your government?
- Do you cooperate with any other oversight bodies, domestic or foreign, to oversee the intelligence sharing activities of your government?

We would appreciate a response by 31 October 2017 and would be grateful if you could share with us non-confidential work products reflecting your answers to the above.

Please do not hesitate to contact Scarlet Kim, Legal Officer at Privacy International (scarlet@privacyinternational.org), if you have any questions.

Thank you for your attention to this matter.

Sincerely,

Dr. Gus Hosein
Executive Director
Privacy International

Dimitris Christopoulos
President
FIDH

Malik Salemkour
President
LDH