



c/o Office of the High Commissioner for Human Rights  
United Nations Office at Geneva  
1211 Geneva 10 Switzerland

Attn: Prof. David KAYE  
the Special Rapporteur on the promotion and protection  
of the right to freedom of opinion and expression

**VIA EMAIL**

December 19, 2017

**Ref.: Urgent appeal by Agora International on the potential risk of blocking access to Telegram Messenger in Russia**

The undersigned national civil society human rights organizations, members of the International Network of Civil Liberties Organizations (INCLEO), would like to express concern about excessive interference by Russian authorities in freedom of expression and threat to online anonymity. On December 12, 2017, Russian court confirmed the fine imposed on Telegram Messenger LLP for refusing to provide Russian Federal Security Service authorities with access to Internet users' communications. This means that already in the current year Telegram can be blocked for Russian users.

The Telegram case demonstrated that in Russia all ISPs face a choice - to disclose and compromise encryption algorithms for the intelligence services or to be blocked and lose the audience. This threatens human rights not only in Russia but throughout the world.

INCLEO's recent report 'Surveillance and Democracy: Chilling Tales From Around the World'<sup>1</sup> has demonstrated widespread anxiety that intelligence gathering may be harming democracy itself, weakening democratic processes and institutions in countries where they are often taken for granted, and impeding or undermining the development of democratic structures in countries

<sup>1</sup> <http://www.inclo.net/pdf/surveillance-and-democracy.pdf>

that have only recently emerged from more authoritarian systems and abusive surveillance regimes.

In this regards we support the position set forth in the urgent appeal submitted by Agora International on behalf of Telegram Messenger LLP on December 14, 2017 and respectfully ask to consider it within the mandate of the UN Special Rapporteur.

We appreciate your attention and remain at your disposal for any further clarifications in this regard.

Yours sincerely,

**American Civil Liberties Union (ACLU)**

**Association for Civil Rights in Israel (ACRI)**

**Canadian Civil Liberties Association (CCLA)**

**Centro de Estudios Legales y Sociales (CELS, Argentina)**

**Dejusticia (Colombia)**

**Egyptian Initiative for Personal Rights (EIPR)**

**Human Rights Law Network (HRLN, India)**

**Hungarian Civil Liberties Union (HCLU)**

**Irish Council for Civil Liberties (ICCL)**

**Kenya Human Rights Commission (KHRC)**

**Legal Resource Centre (LRC, South Africa)**

**Liberty (United Kingdom)**