PROPOSAL TO THE UNITED NATIONS FOR THE PROTECTION OF WHISTLEBLOWERS

INTRODUCTION

"Every functioning democracy depends of transparent and accountable governance. Undoubtedly secrecy is an enemy of democracy, and when governments conceal important information from the public, when there is no consultation and no public participation in decision-making, the legitimacy of government actions is put into question."

Those are the words of Alfred de Zayas, the United Nations Independent Expert on the Promotion of a Democratic and Equitable International Order. In recent years, we have seen governments like the United States enact enhanced interrogation techniques to the extent of inhumane treatment and torture for those who expose government secrets in the name of protecting democracy, we have seen individuals getting charged under the espionage act and we've witnessed whistleblowers in several countries lose their jobs without compensation or future job security.

In order to protect individuals from deprivation of their basic human rights, we propose a program that provides potential whistleblowers the means to leak information through a basic set of principles.

INFORMATION PROTECTION

When whistleblowers submit information, it is stored on a data-center, the problem with this is that we've seen the seizure by government agencies of servers hosting data exposing government or corporate wrongdoing. We've also seen these same agencies taking over servers after which they host it themselves in order to entrap individuals. To prevent this, we propose a sovereign data-center under the protection of the United Nations that stores the information with military-grade encryption both in transit and at rest, and provides anonymity for whistleblowers providing a submission.

II COMPENSATION

It is not uncommon for a whistleblower to lose their job after submitting information, without compensation this can lead to deprivation of basic needs leading up to an inability to pay for housing, food, clothing and medical care. Compensation will include legal, psychological and financial aid.

III LEGAL PROTECTION

As it is the duty of citizens in democratic countries to hold the basic principles of democracy into account, prosecution of whistleblowers is against international law. Any attempt to prosecute individuals for informing the public of wrongdoing should be discouraged and ultimately thwarted. In order for this to happen, all cases of whistleblowing activities should be dealt with in a human rights court.

IV CENSORSHIP

The past has shown us the news media, often in cooperation with governments try to redact or alter information provided by whistleblowers or even try to remove the information through take-down requests in order to fit a political agenda, to prevent this, a team of experts should be able to publish the information along with an analysis of its significance. One of the key elements in a democracy is a free press, the detailed analysis of provided information should be regarded as an act of journalism, as such, publishers should not be prosecuted.

V ENFORCEMENT

The United Nations should have the right to enforce their whistleblower protection by any means they see fit. Methods can range from excluding governments from United Nations meetings and decision-making leading up to financial sanctions.

