This Act for Surveillance Limitations was conditionally adopted by the Provisional World Parliament 13th Session. The Parliament reserves and holds provisions of this Act in review by the Commission for Legislative Review, and subject to confirmation by upcoming sessions of the Parliament. In particular, items of Articles 5 and 10 are under reserve. Review findings will be posted as soon as feasible.

World Legislative Act #55

Surveillance Limitations Act

Whereas, personal liberty includes a number of fundamental rights bestowed upon the citizens of the Earth Federation by Article 12 of the Earth Constitution,
And whereas, Article 12.18 states guarantees the "right of privacy of person, family and association; prohibition of surveillance as a means of political control,"
We delegates of the 13th session of the Provisional World Parliament hereby enact the following provisional world legislation regulating the activity of surveillance by the government of the Earth Federation.

1. Surveillance for purposes of crime prevention or gathering evidence of suspected crimes limits to the office of the World Attorneys General and the Enforcement System, and, for certain purposes defined below, to the World Ombudsmus and the World Disarmament Agency. Surveillance must not be conducted by any other agency or organ of the Earth Federation.
2. The World Attorneys General, Departments of the Enforcement System, and the World Ombudsmus and World Disarmament Agency must not contract out surveillance to private agencies for any reason.
3. General surveillance may take place in public places such as banks, shopping malls, parks, public transport, or traffic intersections for purposes of public safety and crime prevention.
4. General surveillance must not take place through technology embedded in cell phones, computers, automobiles, or the monitoring of internet usage.
5. (First item reserved by Parliament and scheduled for review by the Commission for Legislative Review.)
Surveillance must not be used as a means for political control or intimidation, nor for restricting freedom of expression and thought on the internet.
6. One must not place hidden chips or other devices for purposes of law enforcement monitoring on individual persons without their written knowledge and informed consent.

Partial exception to number 6 is for convicted criminals under the penal system and criminal suspects awaiting trial. The Enforcement System may use ankle bands with the convict or suspect's knowledge and consent in lieu of more restrictive security measures. The Enforcement System may monitor ankle bands according to penal statutes, procedures, and laws developed by the World Parliament.

7. Other than the partial exception in provision 6., surveillance directed toward the tracking of specific individuals or groups require a warrant specifying the evidence for the suspicion of criminal activity and the specific individuals to be monitored.

7.1. This requirement also applies to the use of undercover police officers.

7.2. The Investigations Department, World Police or authorized agency shall specify the evidence and identifying information in the warrant request for surveillance. Agencies must not use unrelated information gathered to support additional charges of criminal activity not specified by the warrant.

8. Earth Federation officers must not conduct surveillance of persons in suspects' homes, apartments, or on individual's private property in any audio, visual, or other form without a warrant citing the evidence for suspected criminal activity as well as the purposes and limits on the information to be gathered.

This prohibition applies as well to satellite or other airborne surveillance of private residences and specifically does not apply to satellite or other airborne surveillance of corporate properties and vehicles, particularly in the case of industries commonly involved in violation of world law. The prohibition specifically does not apply to satellite or other airborne surveillance of military facilities and vehicles, whether of Earth Federation member nations or non-member nations. The Enforcement System shall keep information discovered confidential in the case of Earth Federation member nations and in the case of nations that are creating a Transition Agreement in cooperation with the Transition Council.

9. The World Ombudsmus may make use of surveillance to monitor the activities of government agents suspected of corruption, especially regarding the violation of human rights.

Surveillance on grounds of corruption or human rights violation also requires a warrant either from the office of the World Attorneys General or from the World Judiciary. If an Attorney General is under suspicion the warrant could come from the Court, and visa versa.

10. (First item reserved by Parliament and scheduled for review by the Commission for Legislative Review.)

However, the Enforcement System shall provide access to any information gathered by the Enforcement System if the World Ombudsmus considers the information useful in the protection of human rights.

11. The World Ombudsmus may use undercover agents to gather information concerning the violation of human rights.
However, World Ombudsmus agents require a warrant (approved by the Court or an Attorney General) specifying the evidence for the suspicion of human rights violations and the specific individuals to be monitored.
12. Prohibition of military secret classification
12.1. There is no need for military style secrecy under the Earth Federation, since "war," the relation to some "enemy" that is considered life or death for entire nations or groups, will no longer exist. The Police, Ombudsmus, and World Disarmament Agency must not classify secrets. Therefore, there is no absolute secrecy or lack of transparency regarding their surveillance activities.
The Enforcement System and World Ombudsmus shall conduct normal civil police secrecy or Ombudsmus investigative secrecy with careful record keeping. Investigative secrecy is open to the World Parliament or its appropriate committees.
12.2. If some member of the World Parliament is under surveillance or investigation due to evidence of suspected criminal activity, exceptions to this principle of openness to the World Parliament, the agency issuing the warrant shall specify the evidence of suspected criminal activity.
12.3. This procedure also applies in case of police investigation of some agent of the World Ombudsmus, or Ombudsmus investigation of some agent of the World Police or World Attorneys General. The agency issuing the warrant shall specify exceptions to transparency and give reasons for these exceptions.
13. The World Disarmament Agency, in cooperation with the World Police and the World Ombudsmus, has the authority to use aerial or satellite surveillance to ensure disarmament and prevent rearmament of the planet.
13.1. The World Parliament will develop further guidelines for public surveillance and warranted private surveillance for securing military disarmament and prevent military rearmament, based in part on recommendations from the Conference of the World Disarmament Agency.
13.2. In the first operative stage of the Earth Federation, World Disarmament Agency surveillance shall direct solely at the production or possession of weapons of mass destruction.
13.3. In the second and third stages of world government, World Disarmament Agency surveillance shall directed at the design, production, transport, or possession of all weapons of war as these are defined as criminal activities by the World Parliament.
13.4. World Disarmament Agency surveillance restricts to the purposes stated in this act.
13.5. If violations regarding banned weapons are suspected, the World Disarmament Agency and Enforcement System shall direct additional

surveillance at individual suspects and justify the surveillance by a warrant.
13.6. If surveillance results in prosecution with regard to illegal design, production, transport, or possession of weapons, only evidence gathered by surveillance performed under a warrant is admissable as surveillance evidence in World Court.
14. Specifications on oceanic, aerial and satellite public surveillance by the Earth Federation
14.1. In conformance with the Earth Constitution Article 4.25, the Earth Federation has exclusive jurisdiction over all satellites and all vehicles launched into Earth Federation space.
14.2. The World Disarmament Agency (WDA) of the Enforcement System may without warrant develop, deploy and operate superconducting quantum interference devices (SQUIDs), gamma wave metal detectors, wave readers and related technology to detect the presence of surface and subsurface metals, including concentrations of hydrogen, which may disclose the location of illegal weapons of mass destruction or concentrations of explosives. The Enforcement System may present evidence collected by these tools without warrant. The World Court shall enter into evidence information collected by these means.
14.3. The World Disarmament Agency may develop, manufacture, deploy and operate unarmed aerial drones, oceanic subsurface drones, and space drones to patrol against the deployment of weapons of mass destruction. However, the WDA must not utilize drones equipped with weapons of mass destruction or any other weapons, including instruments of defense ordinarily appropriate for law enforcement purposes. The purpose of the drones is exclusively for the safe detection and recording of evidence. Drones shall typically include instruments for video and audio recording, as well as the specialized equipment for detecting metals and hydrogen concentrations.
14.4. Except for take-off and landing, aerial drones must not operate below the level of one kilometer above the general surface of the land, excluding depressions in areas of much variation in elevation, unless operating with a warrant provided by the Earth Federation.
14.5. Except for take-off and landing, oceanic surface and subsurface drones must not operate within a distance of twenty kilometers offshore, unless operating with a warrant provided by the Earth Federation, or unless operating within Earth Federation waters, such as within a vital international strait or port, such as the Windward Passage.
14.6. If illegal weapons are visible and recorded on a vehicle on land, in the seas, in the air or in space, no warrant is necessary before enforcement action is taken. The Enforcement Agency shall conserve the record of the presence of visible weapons for presentation to the World Court. As is customary when a felony is in progress, the Enforcement Agency may board a vehicle displaying illegal

weapons and conduct further search without warrant. In the case of visible illegal weapons, the offending vehicle need not be outside the national limits before the Enforcement System conducts a warrantless search.
14.7. Warrantless satellite and aerial surveillance as described in this act typically does not reveal privacies of a personal nature for which we are protected under the Earth Constitution Article 12, Bill of Rights of Citizens of Earth. Typically, satellite and aerial surveillance do not reveal intimate personal relations among citizens. For observing inside of buildings and homes in cases of suspected violation of world law, officers of the Enforcement System are required to secure a warrant, as described in World Legislative Act Number 14, the World Security Act.

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