

Joint NGOs oral statement to the Human Rights Council 28th ordinary session

Call to establish a UN Special Rapporteur on the right to privacy

13 March 2015

Mr. President,

I deliver this statement on behalf of 92 NGOs from around the world.

The UN General Assembly, the UN High Commissioner for Human Rights and existing special procedure mandate holders have all recognized the pressing need for ongoing, systematic and authoritative monitoring, reporting and guidance on the scope and content of the right to privacy.

The creation of a mandate of Special Rapporteur on the right to privacy would address this urgent need and fill a significant gap in the conceptual and practical understanding of the right to privacy.

This dedicated mandate would play a critical role in developing common understandings on the right to privacy; monitoring and reporting on its implementation; making recommendations and providing authoritative guidance to States and non-state actors, particularly business, to strengthen the protection of individual's right to privacy.

Within the UN system, a Special Rapporteur would make an essential contribution to the development of a coherent and complementary approach to the interaction between privacy, freedom of expression and other human rights. It would be a logical, incremental step to the Council's engagement on this issue, and it would enable the Council to play a leading role in strengthening the promotion and protection of the right to privacy.

To effectively fulfill its role, the new mandate should be able to perform the full range of functions of thematic special procedures, including receiving and seeking information from states and other stakeholders; carrying out country visits; and making recommendations.

Last December, the UN General Assembly encouraged the Council to consider the possibility of establishing a special procedure on the right to privacy. We strongly recommend that the Council takes up this invitation and establishes a Special Rapporteur with a mandate to provide guidance and monitor the implementation of the right to privacy as enshrined in Article 12 of the UDHR and Article 17 of the ICCPR.

Thank you for your attention.

Supported by:

- 1. Access**
- 2. Ageia Densi (Colombia)**
- 3. Alternatives (Canada)**
- 4. American Civil Liberties Union (U.S.A)**
- 5. Amnesty International**
- 6. Article 19**
- 7. Asociación para una Ciudadanía Participativa - ACI-Participa (Honduras)**
- 8. Association des droits numériques (Morocco)**
- 9. Association for Freedom of Thought and Expression(AFTE) (Egypt)**
- 10. Association for Progressive Communications**
- 11. Australian Privacy Foundation (Australia)**
- 12. Australian Section of the International Commission of Jurists (Australia)**
- 13. Bits for Freedom (Netherlands)**
- 14. BlueLink.net (Bulgaria)**
- 15. Brennan Center for Justice (U.S.A)**
- 16. Bytes for All (Pakistan)**
- 17. Canadian Civil Liberties Association (Canada)**
- 18. Canadian Internet Policy & Public Interest Clinic (CIPPIC) (Canada)**
- 19. Center for Democracy and Technology (U.S.A)**
- 20. Centre for Communication Governance at National Law University Delhi (India)**
- 21. Centro de Estudios Legales y Sociales (CELS) (Argentina)**
- 22. Coding Rights (Brazil)**
- 23. Coletivo Digital (Brazil)**
- 24. Colombian Commission of Jurists (Colombia)**
- 25. Conectas (Brazil)**
- 26. Contingente Mx (Mexico)**
- 27. Cyber Law Centre (Indonesia)**
- 28. Dejusticia (Colombia)**
- 29. Derechos Digitales (Chile)**
- 30. Digital Empowerment Foundation (India)**

31. Digital Rights Foundation (Pakistan)
32. Digitale Gesellschaft e.V. (Germany)
33. Dutch Section of the International Commission of Jurists (the Netherlands)
34. Egyptian Initiative for Personal Rights (Egypt)
35. Electronic Frontier Foundation
36. Electronic Privacy Information Center
37. Enjambre Digital (Mexico)
38. eQualit.ie (Canada)
39. European Digital Rights (EDRi)
40. Fundacion Karisma (Colombia)
41. German Section of the International Commission of Jurists (Germany)
42. GreenNet (U.K.)
43. Hiperderecho (Peru)
44. Human Rights Law Network (India)
45. Human Rights Watch
46. Hungarian Civil Liberties Union (Hungary)
47. Ibidem – Instituto Brasileiro para Internet e Democracia (Brazil)
48. Instituto Bem Estar (Brazil)
49. Instituto de Defesa do Consumidor – IDEC (Brazil)
50. Instituto de Tecnologia e Sociedade - ITS (Brazil)
51. Instituto Nupef (Brazil)
52. International Commission of Jurists
53. International Commission of Jurists – Norway (Norway)
54. International Federation for Human Rights
55. International Modern Media Institute
56. Internet Democracy Project (India)
57. Internet Lab Brazil (Brazil)
58. Internet Society Serbia Belgrade Chapter (Serbia)
59. Intervezes (Brazil)
60. Ipandetec (Panama)
61. Iraqi Network for Social Media (INSM)

- 62. Irish Council for Civil Liberties (Ireland)**
- 63. Jonction (Senegal)**
- 64. Kenya Human Rights Commission (KHRC) (Kenya)**
- 65. Korea Center for United Nations Human Rights Policy (KOCUN) (Republic of Korea)**
- 66. Korean Progressive Network - Jinbonet (Republic of Korea)**
- 67. LAVITS: Rede latino-americana de estudos sobre vigilância, tecnologia e sociedade (Brazil)**
- 68. Legal Resources Centre (LRC) (South Africa)**
- 69. Liberty (U.K.)**
- 70. May First/People Link (U.S.A.)**
- 71. New America's Open Technology Institute (U.S.A.)**
- 72. Odhikar (Bangladesh)**
- 73. OneWorld Platform for Southeast Europe - OWPSEE (Bosnia and Herzegovina)**
- 74. OpenMedia.org (Canada/Global)**
- 75. Open Rights Group**
- 76. Palestinian Centre for Human Rights**
- 77. Pen International**
- 78. Polish Section of the International Commission of Jurists (Poland)**
- 79. Privacy International**
- 80. PROTESTE - Associação de Consumidores (Brazil)**
- 81. Public Knowledge (U.S.A.)**
- 82. Robert F. Kennedy Human Rights Europe**
- 83. Soweto iLab (South Africa)**
- 84. Statewatch**
- 85. Swedish Section of the International Commission of Jurists (Sweden)**
- 86. Swiss section of the International Commission of Jurists (Switzerland)**
- 87. TEDIC (Paraguay)**
- 88. Unwanted Witness (Uganda)**
- 89. Usuarios Digitales (Ecuador)**
- 90. Web Foundation**
- 91. WITNESS**

92. Zimbabwe Human Rights NGO Forum (Zimbabwe)