



UN Human Rights Council
Twenty-Eighth Session
2 – 27 March 2015

Item3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development - **General debate**

Call to establish a UN Special Rapporteur on the right to privacy: Joint NGO oral statement

Delivered by Andrew Smith, ARTICLE 19

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 individuals' 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:

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5. Amnesty International
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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)
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17. Canadian Civil Liberties Association (Canada)
18. Canadian Internet Policy & Public Interest Clinic (CIPPIC) (Canada)
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20. Centre for Communication Governance at National Law University Delhi (India)
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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)
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46. Hungarian Civil Liberties Union (Hungary)
47. Ibidem – Instituto Brasileiro para Internet e Democracia (Brazil)
48. Instituto Bem Estar (Brazil)
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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. Ipanetec (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)

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70. May First/People Link (U.S.A.)
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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
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