



SOCOMUN

XXVIII

UNHRC
RIGHTS TO PRIVACY IN THE
DIGITAL AGE



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UNHRC Rights to Privacy in the Digital Age

Hello delegates! My name is Kambiz Shoaei, and I will be one of your Co-Chairs at SOCOMUN. I am a junior at Santa Margarita, and this is also my third year in the MUN program. I really love MUN because it has helped me develop skills like public speaking, collaboration, and problem-solving. I've debated countless topics, but my favorite MUN topics come from a special type of committee called 'Joint Crisis' because you not only compete against other delegates, but another committee as a whole (it's super fun). MUN has provided me with many opportunities over the years; this March I got to attend a conference at UC Berkeley, and in a few weeks, I get to head to London for the Royal Russell MUN Conference! Other than MUN, I am a Varsity Athlete on Santa Margarita's swim team, an avid beach goer, a pianist, a lover of coffee, and someone who just enjoys spending time out with friends!

I really hope SOCOMUN can be an amazing learning experience for each and every delegate! I want it to introduce you to the basics of MUN and provide feedback so you can perform the best at your next conferences. On the day of, we will begin with debate where delegates will give speeches on solutions to the topic. If you'd like to go into further debate, I encourage delegates to motion for a caucus. In caucuses, delegates can personally discuss policies, solutions, and resolutions. It is crucial that you remember to stay on policy! In MUN, you are representing a country, so it's important that you embody that country in all aspects of committee. If you have ANY questions, please feel free to ask me at socomununhrc@gmail.com. I cannot wait to meet you all in committee, and best of luck with your research!

A note from your Secretary: My name is Jessica Hamra and I will be your vice chair for this conference. This will be my second year on the dais in this committee. I am currently a junior and have done MUN for the past two years. This year I am serving as the USG of technology for the SM MUN program. When I am not in MUN I spend my time doing color guard and volunteering. I look forward to seeing you in committee!

A note from your Rapporteur: Hello delegates, I am Dagny Streit and I will be your secretary at SOCOMUN. I am a sophomore at Santa Margarita Catholic High School, and this is my second year involved in the MUN program; I enjoy participating in conferences, discussing different world issues, and coming to solutions with others concerning these topics. In addition to MUN, I am involved in lacrosse and musical theater. I am very eager to listen your ideas concerning privacy in the digital age and I am looking forward to the conference.

Background:

The right to privacy is listed as a basic human right in the United Nations "Universal Declaration of Human Rights". However, it has been under attack due to recent developments in the digital age. The digital age spans from the creation of the first home computer in the 1970s and the subsequent technical advancements made. Since then, much of our daily lives have revolved around technology and the internet. However,



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SOCOMUN XXVIII



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an issue of growing importance, is exactly how much information we leave on the internet, and whether or not that information is kept private. There are ways in which we can feel like we are protecting ourselves, like turning off location tracking or going on privacy mode. But a lot of data that exists on us, cannot be protected. In fact, each and every time somebody clicks ‘agree’ in the Terms of Service for a platform or website, you allow those companies access to any and all information you provide to them. In a 2017 survey, it was estimated that only 14% of people actually read any amount of the terms of service for a website. Sometimes companies will then use this information to sell to another company, usually for advertising. This includes information such as age, birthdate, profile pictures, height, weight, and main interests. The recent Facebook-Cambridge Analytica Scandal of early 2018, is a prime example of this. The major company, Facebook, sold personal information of 50 million of its users to Cambridge Analytica, a data analysis company. This information was then used in the 2016 U.S. presidential election campaign, showing how targeted advertisement can even effect political positions. In December 2018, a Chinese information leak occurred. It involved over 200,000,000 people’s resume information, which included mobile phone number work experience, children, and literacy level. The people responsible for the data storage still remains anonymous. Fortunately, these companies’ actions were noticed, and it allowed for proper discussion to be held on the topic. However, this goes to show that there could be many companies who do this whose actions go unnoticed.

The United Nations has made quite a few attempts to address the issue on the international level. In A/HRC/RES/34/7, a UNHRC resolution passed in July 2017, specifics on defining principles, promotion and protection of this basic right, and the responsibilities held by businesses when exposing private information. Also, back in December 2013, the UN General Assembly passed resolutions 68/167, which discusses the impact surveillance and third-party presence in personal communication can have on people. In November of 2016, the UN General Assembly’s Third Committee for Social, Humanitarian & Cultural Issues passed a new resolution that considers holding an international workshop of third party professionals on the topic. The previous actions show to citizens that the United Nations does see the concern with personal privacy in the digital age. It proves that the UN does care, but also that no strict measures have been made for nations to follow. It is up to the delegates before committee to decide whether or not a mandate like that is necessary.

Possible Solutions:

Solving the breach of privacy rights in the midst of the digital age will be a daunting task, and one that requires action from many different directions and methods. The chair understands how difficult it might be to solve this issue, but we encourage delegates to really focus on research and come up with creative and effective solutions that line up with country policy. Just as important, however, will be a delegate’s ability to cooperate with other nations and collaborate to create solutions which may be passed in a resolution. I hope the solutions provided below can help delegates think of their own proposed solutions. Also, note that simply because a similar solution is mentioned below, does not mean a delegate may not come up with a solution of the same realm. Creativity is appreciated, but this often also comes through in delegate’s details too! Please use these suggestions as a building block.



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Firstly, an always effective solution will be to create an international definition for concepts often discussed in regard to the topic. This is because it allows for a standard among all nations, which provides a more streamlined process in discussion. Some of these concepts include “digital privacy”, “personal data”, “internet rights”, and “invasion of privacy online”. Responsibility for creation of the definitions may lie with many of the UN bodies or even a sovereign nation, but the UNHRC would be a great option seeing as digital rights are another human right. Another option could be regional bodies if the country policy of a specific region requires alteration due to personal beliefs (ex. The MENA region is often difficult to apply western strictures to).

Another possible solution would be to require that nations and governments have a specific standard for digital privacy and the information which they can store. This is an issue because disk storage has gotten so cheap, storing citizens information poses no cons. Additionally, although the UN cannot enforce, we can encourage nations to provide stricter punishments for hackers or companies who steal or sell this personal information. In order to enact this, nations will require an incentive. I call on delegates to come up with an effective and creative way to incentivize nations to participate.

As well, it could be helpful to require large companies such as Facebook and Yahoo, who have had information breaches in the past, to provide extensive reports on the collected information of users. This will increase transparency and could be implemented as a standard for operation in specific nations. These reports will explicitly state what information is stored within databases and whether this information has been transferred or given anywhere. Every nation has companies who have had information breach leaks and so this solution could be utilized not only for major western companies. It is recommended that delegates think of what this standard could be, how it would be decided upon, and how it can be put into place in regard to punishment.

Lastly, education and awareness campaigns are possible solution delegates can provide. These are not considered the most effective or ‘strong’ solutions and the chair recommends that these not be the core for all the solutions of a delegate, but they are undoubtedly important to mention. This is simply because many people are simply not aware that their privacy is being breached and not taught on what preventative measure could be made. It is up to delegates to describe the ways in which they want to implement campaign, but it is always useful to work with NGOs since they are already developed. Some NGOs include Privacy International, Privatera, The European Digital Right Initiative, and the American Civil Liberties Union.

Questions to consider:

The questions listed below are for your consideration. They will not be directly asked in committee but are provided to help you think effectively when coming up with solutions.

1. What is your country policy? Has your nation taken any actions to protect the privacy of their citizens?
2. Has your country had any issues in the past in regards to online privacy?
3. Are there any laws protecting digital privacy in your country?
4. Does your government track citizens in a way that imposes on their privacy?



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SOCOMUN XXVIII



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5. What can the United Nations do in order to maintain people's privacy without imposing on sovereignty?
6. What are the reasons why people or governments want to take information from citizens? What motivates their breach of privacy?
7. Do the religious or personal beliefs of nations effect what is blocked or punishable to search on the internet?
8. Is there a standard level of privacy that all people deserve on the internet?
9. What are the downfalls or negative effects that can come from increasing the privacy of citizens on the internet?
10. Is there actually a benefit to tracking citizens? Does invading privacy provide a safer environment for citizens?



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SOCOMUN XXVIII



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Works Cited

Armerding, Taylor. "The 18 Biggest Data Breaches of the 21st Century." CSO Online, CSO, 20 Dec. 2018, www.csoonline.com/article/2130877/the-biggest-data-breaches-of-the-21st-century.html. Accessed 28 March 2019.

"The 18 Biggest Data Breaches of the 21st Century" provides statistics on the amount of people effected by large companies' data breaches as well as an in depth analysis of each individual breach. This article shows how privacy in the digital age is at risk due to large data breaches affecting millions, if not billions of citizens. Overall, this could be very valuable when writing background research on threats to privacy during the digital age and how easily someone's private information could be released to the public.

Berreby, David. "Click to Agree with What? No One Reads Terms of Service, Studies Confirm." The Guardian, Guardian News and Media, 3 Mar. 2017, www.theguardian.com/technology/2017/mar/03/terms-of-service-online-contracts-fine-print. Accessed 28 March 2019.

"Click to Agree with What? No One Reads Terms of Service, Studies Confirm" discusses people not reading the terms of service and agreeing to different things, such as selling their data to other companies, without being aware. This article shows how easily people can agreeing to sharing their personal data without being aware when clicking the commonly found terms of service. Overall, this could be used when writing the background information to discuss how easily private information is sold and spread through clicking agree to the terms of service.

Brookshire, Bethany. "On Social Media, Privacy Is No Longer a Personal Choice." Science News, 24 Aug. 2017, www.sciencenews.org/blog/scicurious/social-media-privacy-no-longer-personal-choice. Accessed 28 March 2019.

"On Social Media, Privacy Is No Longer a Personal Choice" addresses the lack of privacy on social media sights through friends lists. David Garcia explains how someone's private information could be revealed through being a friend with another person on a social media platform, therefore eliminating their choice in revealing the information. Overall, this could be helpful when writing the background information and addressing how private information could be revealed through social media without someone's consent.

Brown, Deborah. "New UN Resolution on the Right to Privacy in the Digital Age: Crucial and Timely." Internet Policy Review, 22 Nov. 2016, policyreview.info/articles/news/new-un-resolution-right-privacy-digital-age-crucial-and-timely/436. Accessed 28 March 2019.

"New UN Resolution on the Right to Privacy in the Digital Age: Crucial and Timely" discusses the UN resolution passed on November 21, 2016, that concerns the rights to privacy in the digital age. This article shows that the UN has passed a specific



SOCOMUN XXVIII



resolution concerning this topic with many details, including information such as who violations effect and the major role played by the private sector. Overall, this could be useful in writing the UN involvement because it discusses an important resolution that was recently passed specifically concerning the rights to privacy in the digital age.

Collins, Flannary. "Personal Information in Public Records: Is It Subject to Disclosure?" MRSC, 24 Feb. 2016, mrsc.org/Home/Stay-Informed/MRSC-Insight/February-2016/Personal-Information-in-Public-Records-Is-It-Subje.aspx. Accessed 28 March 2019.

"Personal Information in Public Records: Is It Subject to Disclosure?" discusses what information is accessible through public record and what is considered personal information that should not be released. This article mentions what should be allowed to be public, what information is already public, and what information is private and should not become public. It also mentions the difficulty in determining what information should be disclosed and what should not. Overall, this source could be used when writing background information because it concerns what information is already on public record and what information is considered private. Therefore, it helps determine what privacy people have digitally.

Hutt, Rosamond. "What Are Your Digital Rights?" World Economic Forum, 2015, www.weforum.org/agenda/2015/11/what-are-your-digital-rights-explainer/.

This article gives you a basic understanding of what our digital rights are and why it is important they are kept completely private. This is helpful because it goes through a list of questions on digital privacy and what is currently happening on the topic. By knowing who wants our information and why helps us get a better understanding of the topic in general and why this issue plays a big role in the current world.

Lang, Marissa. "There Is No Such Thing as True Privacy in the Digital Age." Government Technology State & Local Articles - E.Republic, 2019, www.govtech.com/security/There-is-No-Such-Thing-as-True-Privacy-in-the-Digital-Age.html.

In this article, the author discusses multiple situations in which large companies such as Google and Facebook sold/leaked user data in order to gain money. It also talks about some actions that have been taken to upgrade cyber security and prevent data from being stolen by hackers. Different approaches were taken by different parties resulting in a diverse end product with both positive and negative effects.

OHCHR. "UN Live United Nations Web TV - Meetings & Events - (Part 1.1) UN Expert Workshop on the Right to Privacy in the Digital Age." United Nations, United Nations, 2018, webtv.un.org/meetings-events/watch/part-1.1-un-expert-workshop-on-the-right-to-privacy-in-the-digital-age/5734527900001/?term=.



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This video displays a UN held conference on the topic of Right to Privacy in the Digital Age. The committee they are currently in the OHCHR or the Office of the United Nations High Commissioner for Human Rights. Multiple experts from all over the world are in attendance bringing with them multitude of diverse ideas and solutions.

“Privacy: Organizations.” The Public Voice,
thepublicvoice.org/issues_and_resources/privacy-organizations/. Accessed 28 March 2019.

“Privacy: Organizations” provides many different NGOs that are involved in the current issue of what is the right of privacy, especially with the increase in technology. These NGOs include of The European Digital Rights Initiative and Privacy International. These different NGOs that are trying to protect the right to privacy humans have and attempting to limit the distribution of personal information, such as email addresses. This source could be very useful when writing UN involvement because it mentions many other NGOs that are aimed at protecting the right to privacy during the digital age.

“Report on the Right to Privacy in the Digital Age.” United Nations Human Rights Office of the High Commissioner,
www.ohchr.org/EN/Issues/DigitalAge/Pages/ReportDigitalAge.aspx. Accessed 28 March 2019.

“Report on the Right to Privacy in the Digital Age” concerns resolution A/HRC/34/7, passed in 2017, that requested a report about the right to privacy and the involvement of businesses in this matter. In addition, the requested report was resolution A/HRC/39/29 which was then mentioned in 2018 at the UN. This article mentions the past resolutions and efforts the UN has made in defining the rights during the digital age. In addition, there are responses to the report and submissions of policy from different countries, agencies, institutions, organizations, and stakeholders. This source could be useful when writing UN involvement and country position because it mentions two important and currently passed resolutions as well as different countries’ positions.

“Right to Privacy in the Digital Age.” United Nations Human Rights Office of the High Commissioner, United Nations,
www.ohchr.org/en/issues/digitalage/pages/digitalageindex.aspx. Accessed 28 March 2019.

“Right to Privacy in the Digital Age” addresses past United Nations involvement in the topic of the right to privacy in the digital age as well as specific resolutions that were aimed at creating the outline for what individual privacy rights humans have. This UN article reports different resolutions that are concerning the rights to privacy in the digital age that would be universally accepted as well as recognizes the impact of the internet and communications on these rights. This could be helpful when writing the UN involvement because it mentions different resolutions the UN has passed in order to protect the human right to privacy during the digital age.



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SOCOMUN XXVIII



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Swanson, B. (2019). "The best solutions to digital privacy challenges" AEIdeas.

Available at: <http://www.aei.org/publication/the-best-solution-to-digital-privacy-challenges-more-technology-not-european-style-regulation/>

In this article, it talks about different solutions that would be feasible in solving the issue of privacy rights in the digital age. It argues about different solutions and explains why some of them would work out better than others. This article also prioritizes the certain aspects of the issue and how these will be solved in certain solutions are implemented.

"The Human Right to Privacy in the Digital Age." American Civil Liberties Union, www.aclu.org/other/human-right-privacy-digital-age. Accessed 28 March 2019.

"The Human Right to Privacy in the Digital Age" concerns Article 17 of International Covenant on Civil and Political Rights (ICCPR) passed by the UN and the attempts of the international human rights community to stop the destruction of the right to privacy with the use of technology. This article concerns the erosion of the right to privacy, which is facilitated through the use of new technological advances. This could be helpful when writing the UN involvement because it mentions a very important part of an UN document that prevents interfering with privacy.

"The Right to Privacy in the Digital Age." International Federation of Library Associations, www.ifla.org/files/assets/faife/ochr_privacy_ifla.pdf. Accessed 28 March 2019.

"The Right to Privacy in the Digital Age" defines what privacy is as well as how a large threat to this is data automation, surveillance, and communications. In addition, the article mentions how legislation has attempted to help protect this human right and how libraries could be very beneficial in helping. This article overall discusses what privacy is defined as and also what is compromising human's ability to maintain this right. This source could help when writing the background information because it mentions the definition of privacy, what is interfering with it, and what possible methods of protecting these rights are.

"United Nations Recognition of Privacy." Privacy International, privacyinternational.org/impact/united-nations-recognition-privacy. Accessed 28 March 2019.

"United Nations Recognition of Privacy" discusses different instances of UN involvement in this topic such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. In addition, it mentions Privacy International and its involvement in this topic, such as the movement to create a UN Special Rapporteur on the Right to Privacy in the digital age. This article mentions two major documents the UN has created and how they concern defining the rights humans have to privacy without any interference, including technology. This could be helpful



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when writing the UN involvement because it concerns past UN involvement as well as the involvement of their organization, Privacy International.

“Universal Declaration of Human Rights.” United Nations, United Nations,
www.un.org/en/universal-declaration-human-rights/. Accessed 28 March 2019.

The Universal Declaration of Human Rights is a document passed by the United Nations that outlines the rights that all humans have. Specifically mentioned in Article 12 is the right to privacy without interference. This document overall outlines the rights all humans have, including the right to privacy. This article could be useful when writing UN involvement because it outlines all the universal human rights the United Nations has passed, including the right to privacy.