

Joint NGO 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 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.

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