Action on Resolutions under the Agenda Item on the Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development

Action on Resolution on the Right to Privacy in the Digital Age

In a resolution (A/HRC/37/L.10) on **the right to privacy in the digital age**, adopted without a vote, the Council decides to extend the mandate of the Special Rapporteur on the right to privacy for a period of three years under the same terms as provided for by the Human Rights Council in its resolution 28/16 of 26 March 2015; and requests the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the human and financial resources necessary for the effective fulfilment of the mandate.

Germany, introducing draft resolution L.10, noted that the right to privacy was enshrined in the Universal Declaration of Human Rights, and in the International Covenant on Civil and Political Rights. Respect for the right to privacy ensured a secure space in which other rights could be enjoyed, offline and online. Privacy was a prerequisite for the meaningful exercise of other rights, granting people the security and confidence to both connect with others and access information. This year's resolution was a short and purely procedural resolution to renew the mandate of the Special Rapporteur on the right to privacy which had been created three years ago by consensus. Given the importance of the right to privacy and new challenges in the digital age, that mandate remained of utmost importance.

Slovakia, speaking in a general comment on behalf of the European Union, said the right to privacy was especially relevant today in the digital age. The right to privacy was also important for the realization of other rights. Respect for the right to privacy could create a safe space online and offline for their enjoyment. Violations or abuses of the right to privacy may discourage the exercise of other rights, especially the right to freedom of expression, of peaceful assembly and of association. Respect for the right to privacy could secure the necessary space for the work of non-governmental organizations, human rights defenders, journalists and other civil society actors. The draft resolution L.10 was a short procedural text with the main purpose of extending the mandate of the Special Rapporteur on the right to privacy for a further period of three years, as supported by the European Union, and all members of the Human Rights Council were invited to join consensus around it.

The draft resolution was then adopted without a vote.

United Nations A/HRC/37/L.10

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Afghanistan, Albania,* Angola, Austria,* Azerbaijan,* Belgium, Bolivia (Plurinational State of),* Bosnia and Herzegovina,* Brazil, Bulgaria,* Cameroon,* Chile, Croatia, Cyprus,* Czechia,* Denmark,* Ecuador, Eritrea,* Estonia,* Finland,* France,* Georgia, Germany, Ghana,* Greece,* Haiti,* Honduras,* Hungary, Iceland,* Ireland,* Israel,* Italy,* Kenya, Latvia,* Liechtenstein,* Lithuania,* Maldives,* Malta,* Mexico, Monaco,* Mongolia, Montenegro,* Netherlands,* Paraguay,* Peru, Philippines, Poland,* Portugal,* Republic of Moldova,* Russian Federation,* San Marino,* Slovakia, Slovenia, Spain, Sweden,* Switzerland, the former Yugoslav Republic of Macedonia,* Tunisia, Ukraine, United States of America, Uruguay,* State of Palestine:* draft resolution

37/… The right to privacy in the digital age

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights and relevant international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

Recalling all previous resolutions adopted by the General Assembly and the Human Rights Council on the right to privacy in the digital age,

Recalling also its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the

* State not a member of the Human Rights Council.

Council, of 18 June 2007, and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and the annexes thereto,

1. *Decides* to extend the mandate of the Special Rapporteur on the right to privacy for a period of three years under the same terms as provided for by the Human Rights Council in its resolution 28/16 of 26 March 2015;

2. *Calls upon* all States to cooperate fully with and to assist the Special Rapporteur in the performance of the mandate, including by providing all necessary information requested by him or her, to respond promptly to his or her urgent appeals and other communications, to consider favourably the mandate holder's requests to visit their countries and to consider implementing the recommendations made by the mandate holder in his or her reports;

3. *Encourages* all relevant stakeholders, including the United Nations and its agencies, programmes and funds, regional human rights mechanisms, national human rights institutions, civil society and the private sector to cooperate fully with the Special Rapporteur to enable the mandate holder to fulfil the mandate;

4. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the human and financial resources necessary for the effective fulfilment of the mandate;

5. *Decides* to continue its consideration of the matter under the same agenda item.