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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

Albania, Armenia,* Australia,* Austria,* Belgium, Brazil, Bulgaria, Chile, Colombia,* Costa Rica, Croatia,* Cyprus,* Czechia,* Denmark,* Ecuador,* Estonia,* Finland, France, Georgia, Germany, Honduras, Hungary,* Iceland,* Ireland,* Italy,* Latvia,* Liechtenstein,* Lithuania, Luxembourg, Malta,* Mexico,* Monaco,* Montenegro, Netherlands (Kingdom of the), North Macedonia,* Norway,* Paraguay, Peru,* Poland,* Portugal,* Romania, San Marino,* Slovenia,* Spain,* Sweden,* Switzerland,* Ukraine* and Uruguay*: draft resolution

55/... Mandate of Special Rapporteur on the right to privacy

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, 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 and other relevant resolutions, including the resolutions on the promotion, protection and enjoyment of human rights on the Internet and on new and emerging digital technologies and human rights,

Recalling also that business enterprises have a responsibility to respect human rights, as set out in the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework, and that the obligation and the primary responsibility to promote and protect human rights and fundamental freedoms lie with the State,

Welcoming the work of the Office of the United Nations High Commissioner for Human Rights on the right to privacy in the digital age and the work of the Special Rapporteur on the right to privacy,

Recognizing the increasing impact of new and emerging technologies, such as those developed in the fields of surveillance, artificial intelligence, automated decision-making and machine-learning, and of profiling, tracking and biometrics, including facial recognition, without proper safeguards, on the enjoyment of the right to privacy and other human rights,

* State not a member of the Human Rights Council.



Recalling its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedure Mandate Holders of the Human Rights 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 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 46/16 of 23 March 2021;

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 him or her 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.
