



General Assembly

Distr.: Limited
7 October 2024

Original: English

Human Rights Council

Fifty-seventh session

9 September–11 October 2024

Agenda item 3

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

Albania, Andorra,* Armenia,* Austria,* Belgium, Brazil, Bulgaria, Chile, Costa Rica, Croatia,* Cyprus,* Czechia,* Denmark,* Ecuador,* Estonia,* Finland, Georgia, Germany, Greece,* Guatemala,* Iceland,* Ireland,* Italy,* Latvia,* Lithuania, Luxembourg, Malta,* Monaco,* Montenegro, Netherlands (Kingdom of the), North Macedonia,* Norway,* Paraguay, Peru,* Portugal,* Romania, Slovakia,* Slovenia,* Spain,* Sweden,* Tunisia,* Ukraine* and United States of America: draft resolution

57/... Promotion, protection and enjoyment of human rights on the Internet

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 and the International Covenant on Economic, Social and Cultural Rights,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council on the right to freedom of opinion and expression, in particular Council resolutions 31/7 of 23 March 2016, entitled “Rights of the child: information and communications technologies and child sexual exploitation”, 38/7 of 5 July 2018 on the promotion, protection and enjoyment of human rights on the Internet, 54/21 of 12 October 2023 on the right to privacy in the digital age and 56/7 of 10 July 2024 on freedom of opinion and expression, and recalling also General Assembly resolutions 70/125 of 16 December 2015 containing the outcome document of the high-level meeting of the Assembly on the overall review of the implementation of the outcomes of the World Summit on the Information Society, 75/176 of 16 December 2020 on the right to privacy in the digital age, 75/202 of 21 December 2020 on information and communications technologies for development and 78/213 of 19 December 2023 on the promotion and protection of human rights in the context of digital technologies,

Recalling also that the obligation and the primary responsibility to promote and protect human rights and fundamental freedoms lie with the State, and 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, both online and offline, including by implementing human rights due

* State not a member of the Human Rights Council.



diligence policies and participating in good faith in domestic judicial and non-judicial processes,

Affirming the Global Digital Compact,¹ adopted by the General Assembly in its resolution 79/1 of 22 September 2024, and the sections of the Compact on Objectives, Principles, Commitments and actions and Follow-up and review, with regard to human rights,

Taking note of the document of the Office of the Envoy of the Secretary-General on Technology, entitled “Achieving universal and meaningful digital connectivity: setting a baseline and targets for 2030”, of 2022, and the targets contained therein,

Recognizing the importance of access to information and communications technology for the full enjoyment of human rights, strengthening democracy, the rule of law and empowering civic engagement, attaining the Sustainable Development Goals and bridging all digital divides,

Recognizing also that universal connectivity means connectivity for all and that meaningful connectivity is a level of connectivity that allows users to have a safe, accessible and productive online experience at an affordable cost, and recognizing that universal and meaningful connectivity is essential for the enjoyment of human rights,

Acknowledging the need for sustained investment in digital infrastructure and capacity-building to bridge the digital divide, in particular within and among countries, encouraging States to ensure that digital cooperation and investment in digital infrastructure advances human rights, especially privacy, is inclusive and transparent and ensures reliable Internet connectivity for all, without discrimination of any kind, in line with the Sustainable Development Goals,

Recognizing that digital divides, including age, disability, gender, geographical, urban and rural divides, may reflect and amplify existing social, cultural and economic inequalities,

Emphasizing the need for targeted efforts to promote the safe digital inclusion of women and girls, acknowledging the importance of efforts to promote, mentor, attract and retain women and girls in science, technology, engineering and mathematics education and research and to ensure that women and girls have access to affordable, meaningful, reliable and high-quality Internet connectivity, including broadband connectivity.

Emphasizing also that, in the digital age, technical solutions to secure and protect the privacy and confidentiality of digital communications, including measures for encryption and anonymity, are important to ensure the enjoyment of all human rights offline and online,

Stressing the need to ensure that measures offline or online for the protection of national security, public order and public health are in full compliance with international law obligations and that the principles of lawfulness, legitimacy, necessity and proportionality are respected, and stressing also the need to protect human rights, including the freedom of opinion and expression, peaceful assembly and association and privacy, and personal data in the response to health or other emergencies,

Noting with concern that over one third of the world’s population, predominantly within developing countries, especially women and girls, do not have access to the Internet,

Expressing concern that many forms of digital divide remain between and within countries, and recognizing the need to close them, including through international cooperation that promotes meaningful connectivity, especially for developing countries, and recognizing also that the gender digital divide, which includes significant gender disparities in access to and use of information and communications technology, undermines women’s and girls’ full enjoyment of their human rights,

Recognizing that violations and abuses of women’s and girls’ rights online are a global concern that hinder the equal exercise and enjoyment of human rights and fundamental freedoms on the basis of gender, and may deter women and girls from using information and communications technology, which can exacerbate the gender digital divide and widen gender inequalities in society, and that the barriers that women and girls using the Internet

¹ General Assembly resolution 79/1, annex II.

face, including as a result of multiple and intersecting forms of discrimination, are exacerbated by offline inequalities,

Stressing the importance of empowering all women and girls by enhancing their access to information and communications technology, by promoting digital literacy and the participation of women and girls in education and training on information and communications technology and by encouraging women and girls to embark on careers in the sciences and in information and communications technology,

Recalling articles 9 and 21 of the Convention on the Rights of Persons with Disabilities, which, inter alia, call upon States parties to take appropriate measures to promote access for persons with disabilities to new information and communications technology and systems, including the Internet,

Recognizing the concept of Internet universality and in this regard also the Internet universality indicators of the United Nations Educational, Scientific and Cultural Organization as a possible tool for meaningful connectivity and to bridge digital divides,

Noting the importance of building confidence and trust in the Internet, not least with regard to freedom of opinion and expression, privacy and other human rights, so that the potential of the Internet as, inter alia, an enabler for development and innovation can be realized, with full cooperation between Governments, civil society, the private sector, the technical community and academia,

Deeply concerned at all human rights violations and abuses committed against persons for exercising their human rights and fundamental freedoms on the Internet and the impunity for these violations and abuses,

Recognizes that the use of the Internet has the potential to promote educational and awareness-raising tools against racism, racial discrimination, xenophobia and related intolerance, while calling attention to the need to address, in a manner that complies with States' obligations under international human rights law, misinformation and the spread of disinformation that can be designed to incite discrimination, hostility and violence, as well as spread hatred, racism, xenophobia, negative stereotyping and stigmatization,

Deeply concerned at measures in violation of international human rights law that aim to or that intentionally prevent or disrupt access to or dissemination of information online,

Strongly condemning the use of Internet shutdowns, including the blocking of access to communication platforms, to intentionally and arbitrarily prevent or disrupt access to or dissemination of information online, which is inconsistent with international law, including international human rights law, and stressing the importance of a free, open, interoperable, reliable and secure Internet,

Stressing the importance of applying a human rights-based approach when providing and expanding access to the Internet, and of the Internet being open, accessible and nurtured by multi-stakeholder participation, and noting the importance in this regard of the Internet Governance Forum,

Considering the key importance of government engagement with all relevant stakeholders, including civil society, the private sector, the technical community and academia, in promoting and protecting human rights and fundamental freedoms online,

Noting with concern threats to meaningful connectivity that restrict the free flow of information, enable human rights violations and abuses, erode democratic values and threaten freedoms of expression and peaceful assembly and association, including through use of technological tools, such as spyware, including commercial spyware, and other surveillance technologies,

Welcoming efforts to support meaningful multi-stakeholder engagement, including the principles and implementation procedures contained in the multistakeholder statement on strengthening Internet governance and digital policy processes adopted by the 10-year review conference of the Global Multistakeholder Meeting on the Future of Internet Governance (NETmundial+10), held in São Paulo, Brazil, on 29 and 30 April 2024,

1. *Affirms* that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and

through any media of one's choice, in accordance with article 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights;

2. *Condemns unequivocally* all human rights violations and abuses committed against persons for exercising their human rights and fundamental freedoms on the Internet, and calls upon all States to ensure accountability and effective remedies in this regard, in accordance with their international obligations;

3. *Also condemns unequivocally* online attacks against women and girls, including sexual and gender-based violence and abuse of women that occurs through or is amplified by technology, in particular where women journalists, media workers, human rights defenders, public officials or others engaging in public debate are targeted for their expression, and calls for gender-responsive approaches that take into account these particular forms of online discrimination and harassment;

4. *Urges* States to develop comprehensive intersectional approaches grounded in international human rights law to counter all online manifestations of racism, racial discrimination, xenophobia and related intolerance, both offline and online, with a victim-centred and gender-responsive approach;

5. *Recognizes* the global and open nature of the Internet as a driving force in accelerating progress towards development in its various forms, including in achieving the Sustainable Development Goals, ensuring to leave no one behind;

6. *Calls upon* all States to accelerate efforts to bridge digital divides, including the gender digital divide, and to ensure meaningful connectivity, use of information and communications technology, promotion of open and secure digital access and digital inclusion, including through digital, media and information literacy, in order to promote the full enjoyment of human rights for all, including by:

(a) *Fostering* an enabling online environment that is safe and conducive to engagement by all, without discrimination and with consideration for individuals facing systemic inequalities;

(b) *Maintaining* and enhancing efforts to promote access to information on the Internet as one means of facilitating affordable, inclusive, equitable and quality education, health, justice and other public services globally, underlining the need to address digital literacy and digital divides;

(c) *Promoting* equal opportunities, including gender equality and equal opportunities for persons with disabilities, in the design, development, governance and implementation of information and communications technology and in mainstreaming gender, racial and disability inclusive perspectives and prioritizing accessibility in policy decisions and the frameworks that guide them;

(d) *Applying* a comprehensive human rights-based approach in providing and expanding access to information and communications technology and promoting, in consultation with all sectors of society, including business enterprises and civil society actors, policies and guidelines for information and communications technology that include specific attention to gender and accessibility considerations;

(e) *Encouraging* diverse and human right-based technological solutions to advance connectivity, including by creating an enabling and inclusive regulatory environment for small, non-profit and community Internet operators;

(f) *Facilitating* easy, prompt, effective and practical access to public information and proactively disclosing information held by public bodies as a means of intensifying efforts to advance universal and meaningful connectivity;

(g) *Ensuring* that victims of violations and abuses, both online and offline, have access to effective remedy, that threats and acts of violence are investigated effectively and promptly and that those responsible are brought to justice in order to combat impunity;

(h) *Respecting* their human rights obligations in the development of regulatory frameworks and legislation on the development and use of digital technologies;

7. *Encourages* all States to support civil society in its efforts to address the lack of meaningful connectivity as a human rights-related issue;

8. *Also encourages* all States to take the necessary and appropriate measures to promote free, open, interoperable, reliable, accessible and secure access to the Internet and, in a manner that complies with their international human rights obligations, address disinformation and advocacy of hatred constituting incitement to discrimination, hostility or violence, in order to ensure the full enjoyment of human rights;

9. *Condemns unequivocally* measures in violation of international human rights law that prevent or disrupt an individual's ability to seek, receive or impart information online, as well as other measures that prevent or disrupt access to meaningful connectivity, including Internet shutdowns and online censorship, and measures that use digital technologies to silence, unlawfully or arbitrarily surveil or harass individuals or groups, including but not limited to, human rights defenders, journalists, media workers and civil society actors, calls upon all States to refrain from and to cease such measures, and also calls upon States to ensure that all domestic laws, policies and practices are consistent with their international human rights obligations with regard to freedom of opinion and expression and of association and peaceful assembly online;

10. *Calls upon* States to ensure net neutrality, subject to reasonable network management, and to prohibit attempts by Internet access service providers to assign priority to certain types of Internet content or applications over others for payment or other commercial benefit;

11. *Calls upon* all States to address security concerns on the Internet in accordance with their international human rights obligations to ensure the protection of all human rights online, in particular freedom of opinion and expression, freedom of association and of peaceful assembly and privacy, including through democratic and transparent national institutions, based on the rule of law, in a way that ensures freedom and security on the Internet so that it can continue to be a vibrant force that generates economic, social and cultural development;

12. *Stresses* that many States all over the world, in particular least developed countries, small island developing States and developing countries, need support in expanding infrastructure, technological cooperation and capacity-building, including human and institutional capacity-building, to ensure the accessibility, affordability and availability of the Internet in order to bridge digital divides and ensure meaningful connectivity, to meet the Sustainable Development Goals and to ensure the full enjoyment of human rights for all;

13. *Calls upon* all States to consider meaningful, transparent and inclusive participation with all stakeholders, including civil society, as well as remote and rural communities and persons belonging to groups at risk of being disconnected, when starting connectivity initiatives, and adopting national Internet-related public policies that have at their core the objective of universal access and the enjoyment of human rights;

14. *Encourages* the special procedures of the Human Rights Council to take these issues into account within their existing mandates, as applicable;

15. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare a report on a human rights approach to meaningful connectivity and to overcoming digital divides, including by addressing threats to individuals' access to the Internet, and to present it to the Human Rights Council at its sixty-second session, to be followed by an interactive dialogue;

16. *Decides* to continue its consideration of the promotion, protection and enjoyment of human rights, including the right to freedom of opinion and expression, on the Internet and with other information and communications technology, and of how the Internet can be an important tool for access to information, as well as fostering citizen and civil society participation, for the realization of development in every community and for exercising human rights, in accordance with its programme of work.