

BACKGROUND GUIDE— Seniors Intermediate



GIISMUN

TOKYO 2025

CHAPTER 5

Committee:

UNHRC

United Nations Human Rights Council

Agenda:

Addressing digital privacy violations and the erosion of freedom of expression, focusing on creating international frameworks to protect human rights in the digital age and combat state-led cyber surveillance.

Committee Overview

The United Nations Human Rights Council (UNHRC) is the international voice to promote more dignity, freedom, and equality for all human beings. The Council was formed in 2006 to replace the UN Commission on Human Rights, and the mission of the Council is the promotion and protection of human rights around the world, especially against violence, repression, and discrimination. Consisting of 47 elected members of the General Assembly, UNHRC is a forum to tackle entrenched abuses and crises—speaking truth to the voiceless, speaking truth to the vulnerable, and holding governments to account. Whether it's war crimes or fighting racism, or fighting the rights of refugees, the Council is where the world comes together to reaffirm those fundamental rights which we all cherish

History of the committee

The United Nations Human Rights Council (UNHRC) is the main organ of the UN system responsible for promoting and protecting human rights and fundamental freedoms for all, everywhere. It was established on the basis that all human beings are born equal in dignity and rights. On 15 March 2006, the UN General Assembly established the Council as a replacement for the former Commission on Human Rights. Its founding was a milestone—one that aimed to capitalize on the best of its forerunner but rectify its weaknesses. The UNHRC was created as a superior, trustworthy, and sincere voice in condemning human rights violations in the global stage. Its milestone achievements over the years have been evidence of this unwavering commitment.

Establishment (2006): The UNHRC was created in response to the criticisms levied against the Commission on Human Rights, which had been criticized as being too politicized and selective in priorities. The new Council was set up as a more lofty institution, directly answerable to the General Assembly, with more machinery for reacting to human rights abuses.

Universal Periodic Review (UPR): The launch of the Universal Periodic Review (UPR) process in 2008 marked a major step forward. For the first time, every UN Member State had its human rights record reviewed through an open, peer-to-peer dialogue. Countries could offer suggestions and track follow-up actions, creating space for real conversation and progress. Over time, the UPR has become central to the UN Human Rights Council's mission—helping to promote accountability and a shared commitment to human rights across the globe.

Special Procedures: Over the years, the UNHRC has continued to evolve in response to new and complex human rights challenges—from terrorism and climate change to business practices and emerging technologies. Its ever-expanding agenda reflects just how dynamic and far-reaching human rights concerns have become in the 21st century.

Meeting Emerging Challenges: The UNHRC has, through the years, adapted to meeting emerging and evolving human rights challenges, including those posed by terrorism, climate change, human rights and business, and technology. Its agenda attests to the dynamism of human rights issues in the 21st century.

Background information

The Human Rights Council operates under the broad principles reflected in the United Nations Charter and Universal Declaration of Human Rights. The Council is the focal international point for dialogue, cooperation, and the encouragement of human rights. The work of the Council rests on the foundations of universality, impartiality, objectivity, and non-selectivity.

The UNHRC mandate involves a wide range of activities for the protection and promotion of human rights globally:

- **Treatment of Human Rights Violations:** The Council examines human rights situations that amount to human rights violations and makes recommendations in this regard. This involves addressing new human rights situations as well as conducting thematic studies on chosen human rights topics.
- **Development of International Human Rights Law:** UNHRC facilitates the elaboration and codification of international human rights law through developing new norms and standards.
- **Human Rights Information Dissemination:** The Council facilitates the education and awareness regarding human rights causes and promotion of human rights education at all levels.

The UNHRC is composed of 47 Member States, elected for three years by the UN General Assembly on the principle of an equitable geographical distribution. The composition is designed to bring a variety of experiences and perspectives to the debate in the Council.

Key definitions

- **Freedom of Expression Online:** This is the right of people to seek, receive, and share information and ideas of any form through the internet and digital media without undue interference or censorship. This is enshrined in Article 19 of the Universal Declaration of Human Rights and is critical to democratic participation, accountability, and the free exchange of information.
- **Right to Privacy in the Digital Age:** This entails a person's right to control the collection, storage, use, and disclosure of his or her personal information in the online environment. This encompasses protection against unreasonable monitoring, data breaches, as well as misuses of personal information by state actors and non-state actors.
- **Non-Discrimination Online:** This principle prohibits discrimination on any basis, such as race, sex, religion, disability, sexual orientation, or gender identity, in the use and access of the internet and digital technologies. States and other actors have an obligation under this principle to act so that marginalized groups are not discriminated against or disproportionately affected by online inequalities.
- **Marginalized Groups:** These are those who are discriminated against and excluded systematically on the basis of some factor, which deprives them of access to opportunities, resources, and rights. In the web environment, these can include persons based on socioeconomic status, place of residence, disability, gender, ethnicity, language, or other characteristics that create barriers to effective web participation.
- **Digital Divide:** This refers to the gap between individuals, families, organizations, and geographic locations at different socio-economic levels with respect to both their ability to make use of information and communication technologies (ICTs) and to access the Internet for a very wide range of purposes. The divide normally falls disproportionately on marginalized groups.

Agenda Overview

The agenda and the committee's aim/targets

Addressing digital privacy violations and the erosion of freedom of expression, focusing on creating international frameworks to protect human rights in the digital age and combat state-led cyber surveillance.

This agenda is committed to safeguarding online rights of marginalized groups to express themselves freely on the internet without harassment or censorship. It deals with issues of hate speech and promotes free expression, media pluralism, and protection of journalists and human rights defenders. Its goal is to deliver actionable recommendations to governments, tech industry, and civil society to work together towards an inclusive digital world—a world that supports access, skills, balanced policy, and more international cooperation.

Discussion points :

- **Combating Hate Speech on the Internet and Incitement to Violence:** How should technology companies and governments react to online hate speech directed against marginalized groups and maintain freedom of expression? What could be the role of education and awareness-raising campaigns?
- **Protecting Digital Privacy of Marginalized Groups:** What specific actions must be taken to protect the digital privacy of marginalized groups, who could be more vulnerable to surveillance and data exploitation? How can data protection regimes be made more responsive and inclusive of their needs?
- **Combating Online Discrimination and Promoting Digital Inclusion:** What are the practices and policies to attain non-discrimination and equal access to digital technology and online services for everybody in marginalized groups? How is the digital divide most effectively closed?
- **Accountability of Technology Companies:** What are the measures by which technology companies can be held accountable for repairing human rights violations that occur on their platforms and for maintaining a rights-conducive digital environment for vulnerable consumers?
- **Strengthening International Cooperation:** How can international cooperation be strengthened to effectively respond to the transnational dimension of human rights violations online and promote the rights of vulnerable populations in the digital era? How can the UN system contribute to this.

Issues Faced by the Committee

Balancing Freedom of Expression and Safety:

Finding an appropriate balance between encouraging freedom of expression on the internet while protecting oppressed groups from harm, i.e., hate speech and incitement to violence, is a key challenge.

Jurisdictional Issues and Transnational Nature of the Internet:

The internet has a transnational character, which makes it challenging to enforce laws and regulations of online human rights violations. Cooperation is needed on an international scale but often made difficult to access.

Rapid Technological Evolutions:

The rapid pace of technological evolution makes it challenging for legal and policy frameworks to keep up with new human rights challenges in the digital space.

Data Privacy and Security:

The security and privacy of individual data, particularly for vulnerable groups who could be disproportionately impacted by data breaches and abuse, require robust legal infrastructure and solid enforcement systems.

Digital Divide and Disproportionate Access:

Bridging the historical digital divide and providing access to technology and digital literacy for marginalized groups requires serious investment and concerted efforts.

Accountability of Non-State Actors:

It is a challenging political and legal endeavor to hold technology companies and other non-state actors accountable for their role in facilitating or failing to act on human rights violations on their platforms.

Cultural and Contextual Differences:

Human rights standards and their meaning can be diverse across various cultural and legal environments, such that solutions are hard to find that can fit all situations.

Limited Capacity and Resources:

The majority of states and global institutions have limited capacity and resources to tackle the advanced human rights challenges of the digital age.

UN Response (Actions taken)

The United Nations and the UNHRC, in particular, have addressed many measures to address the human rights issues of the digital age:

- **Resolutions and Declarations:** The UNHCR has adopted various resolutions and declarations related to freedom of expression on the internet, the right to privacy in the digital environment, and creating a secure, reliable, and trustworthy internet.

- **Special Procedures Mandate Holders:** The UNHRC has also mandated Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression and on the right to privacy, who monitor and report on such issues all over the globe and make recommendations to states and other stakeholders.
- **Universal Periodic Review (UPR):** The UPR process provides the opportunity to review the human rights record of every UN Member State, including their ability to protect digital rights and address the specific challenges that marginalized groups are likely to face in the virtual space.
- **The Office of the High Commissioner for Human Rights (OHCHR):** OHCHR conducts research, provides technical assistance, and supports capacity-building on digital rights. It also engages with states, the tech industry, and civil society stakeholders in these issues.
- **The Internet Governance Forum (IGF):** The IGF, while not a UNHRC body, is a UN-supported multi-stakeholder forum for global multimodal public policy dialogue on internet-related public policy issues, including human rights.
- **Sustainable Development Goals (SDGs):** Some of the SDGs, in particular SDG 16 (Peace, Justice and Strong Institutions) and SDG 9 (Industry, Innovation and Infrastructure), are relevant to enabling digital inclusion and protecting digital rights.
- **Partnerships with the Private Sector and Civil Society:** UNHRC and OHCHR join hands with tech businesses and civil society organizations to foster dialogue, share best practices, and develop solutions for human rights concerns in the digital world.
- **Supporting Digital Awareness and Literacy:** UN agencies and initiatives assist endeavors that strengthen digital literacy and digital rights awareness among stakeholders, such as vulnerable communities

Scope of Debate

Possible caucus questions:

- What concrete legislative or policy measures can Member States adopt to render online hate speech directed at minority groups effectively addressed without unduly restricting freedom of expression?
- How can international legal frameworks be enhanced to more effectively address the cross-border nature of online abuses of human rights and the impunity of perpetrators?

- What particular regulations or guidelines must be established to ensure that technology firms respect the digital privacy rights of marginalized users and are open about their data collection and use practices?
- What new approaches can be employed to close the digital divide and provide affordable and meaningful access to the internet and digital technologies for all marginalized communities?
- How should algorithmic discrimination against marginalized populations be identified, minimized, and corrected in AI and other digital tool creation and use?
- What should be the role of national human rights institutions (NHRIs) at the national level in monitoring and responding to abuses of digital rights against marginalized communities?

Sources / Useful websites

- UN Human Rights Council (UNHRC): <https://www.google.com/search?q=https://www.ohchr.org/en/hr-bodies/hrcouncil/home>
- Office of the United Nations High Commissioner for Human Rights (OHCHR): <https://www.ohchr.org/>
- Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression: <https://www.google.com/search?q=https://www.ohchr.org/en/special-procedures/sr-freedom-expression>
- Special Rapporteur on the right to privacy: <https://www.ohchr.org/en/special-procedures/sr-privacy>
- Universal Declaration of Human Rights: <https://www.un.org/en/universal-declaration-human-rights/>
- The Sustainable Development Goals: <https://sdgs.un.org>
- Internet Governance Forum (IGF): <https://www.google.com/search?q=https://www.intgovforum.org/>
- Council of Europe Convention on Cybercrime (Budapest Convention): [<https://www.google.com/search?q=https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0930000080081561>] (<https://www.google.com/search?q=https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0930000080081561>)