

37th International Conference of Data Protection and Privacy Commissioners

Amsterdam, 27 October 2015

Resolution on Cooperation with the UN Special Rapporteur on the Right to Privacy

The 37th International Conference of Data Protection and Privacy Commissioners:

Noting that disastrous terrorist attacks and criminal activities increasingly lead to legislative measures disproportionately curtailing fundamental human rights such as the right to privacy;

Noting that the revelations of the massive electronic surveillance programmes have not yet led to legally binding instruments to regulate the intrusions into privacy by intelligence organisations on an international level;

Recalling the efforts being made on a global scale for international frameworks in support of data protection and privacy, including the resolution of the 35th Conference calling for the adoption of an additional protocol to Article 17 of the International Covenant on Civil and Political Rights (ICCPR)¹;

Observing the increase of data being collected and processed by powerful international companies in a globalised economy;

Concerned about the potentially harmful consequences of such data gathering for the privacy rights of billions of individuals at the dawn of Big Data;

Detecting a pressing demand for regulating and enforcing data subjects' rights on a global scale adequately balancing states' and companies' desires against the human rights of individuals;

Referring to United Nation's General Assembly resolutions 68/167 of 18 December 2013² and 69/166 of 18 December 2014³ on the Right to Privacy in the Digital Age which summarised the multiple challenges for privacy rights in a data driven world;

¹ <http://icdppc.org/wp-content/uploads/2015/02/International-law-resolution.pdf>

² http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/167

³ http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/166

1. Welcomes the United Nation's Human Rights Council's resolution A/HRC/28/L.27 of 24 March 2015⁴ which established a Special Rapporteur on the Right to Privacy as a landmark decision towards internationalisation and globalisation of data protection and privacy rights;
2. Congratulates Professor Joseph Cannataci on his appointment as UN Special Rapporteur on the Right to Privacy;
3. Calls upon the UN Special Rapporteur on the Right to Privacy to include the cooperation with data protection and privacy authorities from around the world in his work programme;
4. Reaffirms the resolution of the 35th Conference on an additional protocol to Article 17 ICPPR and calls upon the UN Special Rapporteur on the Right to Privacy to promote the start of negotiations on such a protocol within his first mandate.
5. Calls upon governments and all relevant stakeholders to offer any assistance and support necessary to enable the UN Special Rapporteur in the best possible manner in order to promote and enhance privacy rights worldwide.

The U.S. Federal Trade Commission abstains from this resolution, which relates to matters outside its jurisdiction.