UCIMUN 2025

UNHRC
Background Guide

By: Estela Lopez

Greetings Delegates,

Welcome to the 33rd Annual UCIMUN Conference! My name is Estela Lopez and I am delighted to be your United Nations Human Rights Council Director! This is my first time serving as a Director but I have previous experience working as an Assistant Director at last year's conference. I was first introduced to MUN at my community college. I participated in simulations where I practiced diplomacy and public speaking. I was fortunate to travel to Washington D.C. to participate in a MUN conference. I met new people, engaged in fruitful debates, and devised unique resolutions.

I am a fourth-year political science major. Coming from a Hispanic background, I saw how little representation we had in the political world. This inspired me to study political science and educate my community to participate actively in civil society. I am interested in attending law school in the future. My hobbies include fashion, hiking, reading, and spending time with my dog, Harley.

The topics for the United Nations Human Rights Council are *Topic A: Safeguarding Human Rights in Peaceful Protest and Assembly and Topic B: Right to Privacy in the Digital Age regarding AI.* Regarding Topic A, we will focus on understanding human rights, peaceful protests, and assemblies. We will also address the challenges and obstacles that peaceful protestors and assemblies face. States globally have taken violent measures to suppress activism violating the human rights of their citizens. The United Nations Human Rights Committee works to monitor and address human rights violations. International cooperation is needed to preserve human rights during political unrest. Topic B will focus on defining privacy rights in the new digital age. In the new digital age, however, protecting our privacy has become increasingly difficult, especially with new technologies such as AI. We will also be understanding the concerns of AI such as data privacy and surveillance. AI systems collect personal information and data without the user's knowledge which can be used for surveillance and infringe on privacy rights. Topic B will also discuss the lack of transparency in AI systems. AI systems are complicated and lack regulation. AI systems need to make it clear to the user how their data is being stored, potential limitations, and biases.

In summary, both of these topics require international cooperation and attention. The topic synopsis is just a starting point for you.. I am so excited to hear you all debate the broad range of issues that our topics encompass at the conference in April! I encourage you to reach out to me with any questions and I'll do my best to help you in any way I can.

Best,
Estela Lopez
unhrc2025uci@gmail.com
Director, UNHRC

Topic A: Safeguarding Human Rights in Peaceful Protest and Assembly

Introduction

Upholding and protecting human rights is one of the most important missions of the United Nations. Human rights are basic rights and freedoms that all people have regardless of where they are in the world. The 1948 Universal Declaration of Human Rights (UDHR) is a landmark document granting all freedom and equality. This document is accepted by all United Nations member states and lays the foundation for international human rights laws.

Peaceful protests and assemblies include sit-ins, trade unions, rallies, political party conventions, strikes, and online activism. Protests and assemblies are powerful tools to create change and hold institutions such as governments accountable for their actions. Peaceful protests and assemblies are also protected by international law. Although they are permitted in many democratic countries, states have taken drastic measures to suppress peaceful protests and assemblies. In recent years, nations have been tightening their civil societies. Peaceful protests and assemblies have been met with violence by states. There has been an increasing trend of states using excessive force, misusing crowd control weapons, and conducting mass arrests violating the human rights of their citizens.

The United Nations Human Rights Council works to advance and protect human rights globally. The UNHRC has passed various resolutions including Special Rapporteur to ensure that states are not violating human rights, especially during peaceful protests and assemblies. Despite these efforts, states view civil activism such as protests and assemblies as a pressing threat. The UNHRC actively engages in dialogue with governments, civil society organizations, and activists to hold states accountable for protecting human rights.

Description

Defining Human Rights, Peaceful Protests, and Assemblies

According to the United Nations, human rights are universal rights that belong to all people regardless of sex, nationality, religion, language, etc. The Universal Declaration of Human Rights (UDHR) was one of the first pieces of legislation that outlined fundamental human rights that must be protected internationally (Universal Declaration of Human Rights, 1948). Human rights include the right to be free and equal, the right to life, freedom from torture, freedom of expression, etc. The UDHR inspired more documents including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. Both of these covenants obligated member states to put into practice the human rights mentioned in the UDHR. These documents and the UDHR create the International Bill of Human Rights.

Peaceful protests are nonviolent demonstrations that work to create change. Protests generate attention to a cause or policy. They are organized to advocate for justice and hold institutions such as governments liable for their actions. Peaceful protests include boycotts, sit-ins, civil disobedience, online activism, marches and rallies, strikes, etc (Nonviolent action, n.d.). Peaceful protests are influential and have made many contributions to the modern world. For example, during the British rule of India, Mahatma Gandhi's non-violent resistance movement helped pave the way for India's Independence in 1947 (Blakemore,2019). In the 1960s, the Civil Rights Movement advanced equal rights for African Americans and ended racial segregation in the United States (Library of Congress, n.d.). Both of these movements were

peaceful and led to long-lasting changes.

Assemblies are gatherings of people who come together for a common purpose. They share similar views and are passionate about advocating for a cause. Assemblies include town hall meetings, religious gatherings such as church services, political party conventions, and labor and trade unions. Assemblies are a crucial part of a nation's civil society as they allow the transmission of ideas, collective action, and awareness.

Challenges and Obstacles of Peaceful Protests and Assemblies

Engaging in peaceful protests and assemblies has become a challenge. Globally, states have resorted to militarized force to manage crowds. Police militarization refers to using military equipment and tactics against civilians, especially during peaceful protests and assemblies. Law enforcement is using "armored vehicles, military-grade aircraft, surveillance drones, guns and assault weapons, stun grenades and sound cannons" (Amnesty International, 2024). These new methods of policing peaceful protests and assemblies only lead to escalation and violence. Law enforcement is crucial in keeping citizens safe during protests and assemblies. Rather than serving as mediators, they often contribute to chaos. Military personnel are also commonly used. The military, however, is trained for war and defense making it unnecessary to use during a protest (Amnesty International, 2024). Countries such as India have been using militarized force against peaceful protestors. Indian police officers shot and beat bystanders during a protest which resulted in the death of a 15-year-old child (Amnesty International, 2023).

Crowd control weapons are another tactic used by law enforcement. These weapons include kinetic impact projectiles, chemical irritants, water cannons, disorientation devices, acoustic weapons, batons, etc (INCLO, 2023). Crowd control weapons are used to disperse large crowds but are often misused, creating human rights violations. These crowd-control weapons

can cause serious bodily harm. Injuries from crowd control weapons include blindness, bone fractures, damaged organs, internal hemorrhages, traumatic brain injuries, and spinal cord injuries (Burki, n.d.). For example, France has faced increasing levels of political unrest which sparked many protests, however, French police resorted to excessive force using crowd control weapons— including chemical irritants and kinetic impact projectiles (France: Police Crowd Control Methods Maim People, 2024). These crowd-control weapons left many protesters with burns and other serious injuries. In the United States, as a response to the unlawful killing of George Flyod, law enforcement also used crowd control weapons against peaceful protesters. Research demonstrates that these weapons can cause serious injury and even death (Physicians for Human Rights, 2021).

Arbitrary arrests and detentions are another major obstacle that peaceful protesters and assemblies face. Arbitrary arrests and detentions are when a government arrests an individual without proper due process and no legal protections such as the right to a fair trial (Arbitrary Detention, n.d.). According to Trial International, "during a period of conflict or tensions, arbitrary detention can become a large-scale political tool of intimidation, often used with other violations, such as suppression of individual liberties, extrajudicial executions, enforced disappearances, etc." For example,after months of demonstrations in Iran, officials conducted excessive force against protesters with many arbitrary arrests. Those arrested were not given due process and were subject to cruel treatment such as medical neglect (United Nations, 2022).

Partaking in peaceful protests and assemblies has become burdensome especially with many states tightening their civil societies. Civil society refers to organizations such as nongovernmental organizations, labor unions, professional associations, etc that raise awareness of social issues and give a voice to marginalized groups (Who And What Is "civil society,"

2021). Civil society is commonly known as the third sector as it is a separation from the government and businesses (Amnesty International, 2021). Civil societies are important in holding leaders accountable for their actions, especially for violating human rights. Civil society groups face a high risk of violence and harassment simply for speaking up about injustices. In the last decade, many states have created laws that limit the freedom of association and assembly which has hurt civil society organizations (Amnesty International, 2019). Civil society organizations are closely monitored by states that continue to create restrictive legislation against them. States have an important role in creating a safe civil space for all people. Individuals and organizations that engage in activism often become targets for discrimination. The shrinking of civil society by states increases the likelihood that protests and assemblies will be met with stigmatization and attacks (Amnesty International, 2021). For example, in Belarus, non-governmental organizations are subject to strict state surveillance. Individuals who work for certain organizations and do not have the proper registration requirements can face criminal charges and arbitrary arrest (Amnesty International, 2021).

Role of States in Protecting Human Rights during Peaceful Protests and Assembly

States must safeguard human rights at all times, especially during peaceful protests and assemblies. Citizens are guaranteed the right to facilitate peaceful protests and demonstrations under international law. Many states around the globe protect the right to engage in peaceful assemblies in their national constitutions.

According to General Comment No. 37 on Article 21 of the International Covenant on Civil and Political Rights, states must allow peaceful protests and assemblies to occur without interference or discrimination. States cannot "prohibit, restrict, disperse, or disrupt peaceful protests without compelling justification, nor [sanction] participants or organizers without

legitimate cause" (CCPR/GC/37, p.4, 2020). The main role of states is to allow peaceful demonstrations to occur without any intervention as long as it does not become violent.

Regarding law enforcement, states must ensure that they have sufficient training and resources to deal with peaceful protesters and assemblies. Law enforcement's priority is facilitating peaceful protests and assemblies (CCPR/GC/37, p.13, 2020). They also serve as a communication channel between the various organizations involved in the protest to resolve tensions. Force should only be used when necessary and only minimally. Law enforcement should never use more force than necessary (CCPR/GC/37, p.13,2020). States should also only use law enforcement that has training on human rights standards, especially when it comes to policing vulnerable populations such as women, children, and people with disabilities (CCPR/GC/37, p.14, 2020). Using the military to police peaceful protests and assemblies has become an alarming trend worldwide. The military, however, should not be used unless the situation becomes dangerous. They should also have specialized training on human rights when engaging with protesters. The military must adhere to international standards and rules the same way that law enforcement does. (CCPR/GC/37, p.14, 2020).

Using crowd control weapons or less-lethal weapons against protesters should be done with caution. These weapons and their impact on individuals require testing by independent laboratories (CCPR/GC/37, p.14, 2020). Law enforcement using crowd control weapons should receive specialized training on how to use them and monitor their effects on protesters. Crowd control weapons can be used only as the last resort when verbal warnings are ignored (CCPR/GC/37, p.14, 2020). When using a crowd control weapon such as tear gas, law enforcement must ensure that protesters and assemblies have sufficient space to evacuate. The use of firearms to police peaceful protests and assemblies may only be used to protect a life or

prevent an injury. It is unlawful to fire at a crowd or use the firearm in the fully automatic mode (CCPR/GC/3, p.15, 2020).

Conducting mass arrests or preventing individuals from participating in peaceful protests or assemblies is considered arbitrary (CCPR/GC/37, 2020, p.14). States can only hold individuals for a few hours and have proof that they are going to cause violence or harm. The role of States during peaceful protests and assemblies also requires them to investigate any human rights violations by law enforcement. Law enforcement must be held accountable for their actions. Any incidents of injuries or damage should be documented in a detailed report (CCPR/GC/37, 2020, p.16).

UN Involvement

The United Nations has been heavily involved in safeguarding human rights, especially during peaceful protests and assemblies. The United Nations Human Rights Council in 2006 was established to "[strengthen] the promotion and protection of human rights around the globe, and for addressing situations of human rights violations and making recommendations about them" (UNHRC, n.d). The council engages in dialogue with experts, states, civil society, and others. The UNHRC has passed various resolutions to address human rights in the context of protests and assemblies. Resolution 15/21 by the UNHCR created the Special Rapporteur. The Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association gathers information on violations by states, creates reports for the UNHRC and the General Assembly, country visits, makes recommendations for member states, and sends urgent appeals and allegation letters on human rights abuses. The Special Rapporteur also created the Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests. This document guides member states and law enforcement agencies on the appropriate measures

for facilitating peaceful protests and assemblies. The UNHRC Resolution 19/35 on the Promotion and Protection of Human Rights in the Context of Peaceful Protests was passed to urge states to respect international human rights laws and ensure they express full accountability for human rights violations.

The Office of the High Commissioner for Human Rights (OHCHR) is the main entity within the United Nations that is committed to the protection and promotion of human rights around the globe. They focus on ensuring that all rights mentioned in the Universal Declaration of Human Rights (UDHR) are being safeguarded by member states. The OHCHR assists governments around the globe with their human rights obligations, addresses human rights violations, conducts research and advocacy, and provides technical assistance (OHCHR, n.d). They serve as the secretariat for the United Nations Human Rights Council. The OHCHR published a Guidance on Less Lethal Weapons in Law Enforcement which serves to advise states on how to properly use crowd control weapons while respecting international human rights law.

UN peacekeeping operations also work to promote and protect human rights globally. They assist in monitoring human rights, conducting investigations, supporting institutional reform, and working closely with governments (UN Peacekeeping, n.d).

Bloc Positions

Europe

In Europe, human rights are protected through various measures. The European Convention on Human Rights (ECHR) protects the right to engage in assemblies and associations, freedom from arbitrary and unlawful detention, as well as freedom of expression (The European Convention on Human Rights). The European Court of Human Rights works with other member states to ensure they comply with the human rights mentioned in ECHR. Regarding peaceful protests and assemblies, the EU established the Guidelines on Freedom of Peaceful Assembly by the European Commission for Democracy through Law (Venice Commission). This document offers advice for states to protect the fundamental right of peaceful protests and assemblies. The guidelines align with human rights standards when it comes to policing these events. Recently, however, many European states have taken a repressive and violent approach concerning peaceful protests and assemblies (Amnesty International, 2024), States across Europe have a "continent-wide pattern of repressive laws, use of necessary force, arbitrary arrests and persecutions, unwarranted or discriminatory restrictions, as well as the increasing use of invasive technology, resulting in a systemic rollback of the right to protest" (Amnesty International, 2024). European nations are silencing protesters instead of creating a safe environment for them.

North and South America

In North and South America, safeguarding human rights is acknowledged and protected through the Inter-American Human Rights System which is the framework for the Organization of American States (OAS). The Inter-American Commission on Human Rights has implemented

legal standards such as the American Convention on Human Rights that grant the right of peaceful assembly, expression, association, etc. The Inter-American Court of Human Rights works to enforce the rights mentioned in the American Convention on Human Rights and hold states accountable for following international human rights standards. When it comes to peaceful protests and assemblies, the OAS has established the Protests and Human Rights: Standards on the rights involved in social protest and the obligations to guide the response of the state. North and South American state's implementation of these frameworks and standards is generally weak and human rights violations continue especially during peaceful protests and assemblies.

Asia

Human rights in Asia are still a concern, especially with many viewing peaceful protests and assemblies as a threat. Despite this, Asian nations allow the right to engage in peaceful protests and assemblies in their national constitutions. Excessive force and arbitrary detention remain common. Each country has its policy towards peaceful protests and assemblies, but are all expected to implement the international standards set forth by the United Nations Human Rights Council. The Association of Southeast Asian Nations (ASEAN) has made significant efforts to address human rights violations. ASEAN's Human Rights Declaration recognizes the right to engage in peaceful protests, assemblies, and other fundamental rights. The ASEAN Intergovernmental Commission on Human Rights is committed to strengthening regional cooperation on human rights violations and promoting peace (AICHR, n.d).

Committee Goals

Participating in peaceful protests and assemblies is a fundamental human right that all people have. No one should have their human rights violated simply for speaking up against abuse or injustice. States around the globe are required to follow international human rights laws put forth by the United Nations. Many states worldwide continue to view peaceful protests and assemblies in a negative light resorting to excessive force to silence them. States are required by international law to facilitate peaceful protests and assemblies while respecting the human rights of their citizens. International cooperation and the political will of member states is needed to safeguard human rights during peaceful protest and assembly.

During the committee, it's expected that delegates have an understanding of their countries' policy towards human rights, peaceful protests, and assemblies. Delegates should also be aware of any recent protests and assemblies in their countries and how they have responded to them. It is also key to see if each state has a thriving civil society and if citizens can freely express their freedom of speech and ability to engage in assemblies and associations. Delegates should come up with ways to enforce international human rights standards globally through unique methods. It's also important to understand how each member state has implemented the recommendations made by the United Nations Human Rights Council. Research should also be conducted to understand how each state uses its crowd control weapons and if they have any regulations. Delegates should also know whether their country has taken steps to militarize policing during peaceful protests and assemblies. Solutions on how to better safeguard human rights during peaceful demonstrations and assemblies will also be necessary. Lastly, it is also recommended that Delegates research if their countries have conducted arbitrary arrests and detentions.

Research Questions

1. Does your country adhere to international human rights laws during peaceful protests and assemblies? How does your country address human rights violations during peaceful protests and assemblies domestically and internationally?

2. How can states better protect the lives of their citizens while they engage in peaceful protests and assemblies?

3. What can be done to prevent law enforcement from using excessive force, misusing crowd control weapons, and conducting arbitrary arrests against protesters?

4. How can the UN get member states to uphold international human rights laws and put into practice the recommendations made regarding peaceful protests and assemblies?

5. How can peaceful protesters and states come to a resolution over their demands or needs?

References

About UN human rights. (n.d.). United Nations Human Rights Office of the High Commissioner.

Retrieved July 25, 2024, from https://www.ohchr.org/en/about-us

Amnesty International. (2021a, June 1). *Laws designed to silence: The global crackdown on civil*

society organizations - Amnesty International.

https://www.amnesty.org/en/documents/act30/9647/2019/en/#:~:text=Civil%20society%2

0organizations%20and%20human%20rights%20defenders%20around,justice%2C%20di

gnity%20and%20freedom%2C%20are%20being%20increasingly%20targeted.

Amnesty International. (2021b, August 13). *Global assault on NGOs reaches crisis point as new*

laws curb vital human rights work.

https://www.amnesty.org/en/latest/news/2019/02/global-assault-on-ngos-reaches-crisis-po

int/

Amnesty International. (2023, January 26). *India: Excessive use of force, arbitrary detention,*

and punitive measures against protesters must end immediately.

https://www.amnesty.org/en/latest/news/2022/06/india-excessive-use-of-force-arbitrary-d

etention-and-punitive-measures-against-protesters-must-end-immediately/

Amnesty International. (2024a, June 17). *Right to protest - Amnesty International*.

https://www.amnesty.org/en/what-we-do/freedom-of-expression/protest/

Amnesty International. (2024b, July 10). *Europe: Sweeping pattern of systematic attacks and*

restrictions undermine peaceful protest.

https://www.amnesty.org/en/latest/news/2024/07/europe-sweeping-pattern-of-systematic-

attacks-and-restrictions-undermine-peaceful-protest/

Arbitrary detention. (n.d.). https://cja.org/human-rights-issues/arbitrary-detention/

Arbitrary Detention - TRIAL International. (2016, October 13). TRIAL International.

https://trialinternational.org/topics-post/arbitrary-detention/

ASEAN Human Rights Body Discuss Priorities, protection agenda in the next decade. (n.d.).

Retrieved July 26, 2024, from

https://asean.org/asean-human-rights-body-discuss-priorities-protection-agenda-in-the-ne

xt-decade/

Blakemore, E. (2019, September 27). How Mahatma Gandhi changed political protest. *Culture*.

https://www.nationalgeographic.com/culture/article/mahatma-gandhi-changed-political-p

rotest

Burki, T. (n.d.). The health consequences of crowd-control weapons. *The Lancet*, *401*(10381),

987–988. https://doi.org/10.1016/s0140-6736(23)00613-x

France: Police crowd control methods maim people. (2024, May 19). *Human Rights Watch*.

https://www.hrw.org/news/2018/12/14/france-police-crowd-control-methods-maim-peopl

e

General Comment No.37 (2020) on the Right of Peaceful Assembly (Article 21). (n.d.). In the

United *Nations Human Rights Office of the High Commissioner*.

https://documents.un.org/doc/undoc/gen/g20/232/15/pdf/g2023215.pdf?token=Yrkuu78w

qGoHQlxIMs&fe=true

International Network of Civil Liberties Organizations (INCLO). (2023, August 8). *Lethal in

Disguise - How Crowd-Control Weapons impact health and Human Rights*. Lethal in

Disguise. https://lethalindisguise.org/#

Nonviolent action. (n.d.). United States Institute of Peace.

https://www.usip.org/issue-areas/nonviolent-action

Physicians for Human Rights. (2021, May 24). *Crowd-Control Weapons and Social*

Protest in the United States - PHR. PHR.

https://phr.org/our-work/resources/crowd-control-weapons-and-social-protest-in-the-unite

d-states/#:~:text=In%20response%20to%20recent%20protests%20against%20racism%20

and,bullets%2C%20and%20pepper%20spray%20to%20disperse%20large%20crowds.

The Civil Rights Movement | The Post War United States, 1945-1968 | U.S. History Primary

Source Timeline | Classroom Materials at the Library of Congress | Library of Congress.

(n.d.). The Library of Congress.

https://www.loc.gov/classroom-materials/united-states-history-primary-source-timeline/p

ost-war-united-states-1945-1968/civil-rights-movement/

United Nations. (2022). Iran protests: Reports of child deaths, detentions are deeply worrying. In

Office of the High Commissioner for Human Rights.

https://www.ohchr.org/en/press-briefing-notes/2022/10/iran-protests-reports-child-deaths-

detentions-are-deeply-worrying

Universal Declaration of Human Rights. (1948). In the Universal *Declaration of Human Rights*.

Retrieved July 27, 2024, from

https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/eng.pdf

Who and what is "civil society?" (2021, January 25). World Economic Forum.

https://www.weforum.org/agenda/2018/04/what-is-civil-society/

Topic B: Right to Privacy in the Digital Age Regarding AI

Introduction

Privacy rights in the new digital age are under attack, especially as the latest technological advances such as artificial intelligence have become increasingly popular and accessible. AI refers to the development of computer systems and machines that complete complex tasks. These systems are designed to mimic the intellectual capabilities of a human such as logical reasoning, learning from experiences, and generalizing information (Kerry, 2020.). Although AI systems are useful in content creation, scientific research, and assisting in completing global development goals, there must be more transparency about them. AI systems "rely on large data sets, with information about individuals collected, shared, merged and analyzed in multiple and often opaque ways" (United Nations Human Rights Office of the High Commissioner, 2021). Governments and private companies use AI as a form of surveillance and control. AI systems such as biometric technologies are often used in public spaces to identify or track them. There currently is a lack of regulation and transparency surrounding AI. States and businesses have incorporated AI systems into society without being fully transparent about how citizen's private information is being collected and stored.

The right to privacy is a fundamental human right protected by international law. According to the Universal Declaration of Human Rights (UDHR) and Article 17 of the International Covenant on Civil and Political Rights, "no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor attacks upon his honor and reputation." The United Nations Human Rights Council has played an important role in addressing the protection of privacy rights concerning AI. The UNHRC has implemented

various resolutions, such as a special rapporteur on the right to privacy, reports, and studies on AI, and has engaged in dialogue with governments and civil society regarding the ethical use of AI. The UNHRC has also established guidelines on how states and businesses should use AI while respecting human rights such as privacy.

Description

Defining Privacy Rights in the Digital Age

Privacy rights protect individuals from government or corporate intrusions into their personal lives. Privacy rights are guaranteed to all people around the globe regardless of their race, religion, political belief, nationality, etc (A/HRC/48/31, 2014,p.5). The right to privacy is especially important as it coexists with the "protection of human autonomy and personal identity" (A/HRC/48/31, 2014, p.3). Article 12 of the UDHR as well as Article 17 of the International Covenant on Civil and Political Rights (ICCPR) protects the privacy of individuals from states and non-state actors. Privacy rights also serve as a power balance between citizens and the state. The right to privacy is crucial in being able to freely express other human rights. With new technological advances, privacy rights must remain respected as they play an important role in a democratic society (A/HRC/48/31, 2014, p.3).

The rise of artificial intelligence has made it more difficult to protect the right to privacy. Privacy is being threatened as government agencies can easily form connections with businesses to obtain information from AI systems (A/HRC/48/31, 2014, p.5). States are also commonly using AI systems in "law enforcement, national security, criminal justice, and border management (A/HRC/48/31, 2014, p.6). These systems collect private information and can be used to potentially create profiles on people violating their right to privacy. Many online businesses use AI in customer service such as chatbots, analyzing data on purchase patterns,

marketing, and creating targeted advertisements. Users are unaware that their personal information is being stored and shared to benefit companies. The mass collection of personal information violates privacy rights and can lead to large-scale data breaches if they lack sufficient security measures.

Data Privacy and Surveillance Concerns of AI

Data privacy is the principle that a person should have control over their data, including the ability to decide how organizations collect, store, and use their data (Kosinski and Forrest, 2023). Data privacy is important especially now in the digital age where many people share private information online. Data privacy protects sensitive information such as social security numbers, health information, financial records, etc from fraud or identity theft (Tobin, 2024). AI, however, relies on collecting large amounts of data to improve job performance. Many online companies have integrated AI into their platforms. Customer data that's stored and collected is then sold to third parties without any repercussions (A/HRC/48/31, 2014, p.4). Big tech companies such as Facebook, Google, and PayPal sell their users' data to advertising partners to make large profits without respecting data privacy. By 2025, the data collection industry will be worth about 229.4 billion (Invisibly, 2021).

The concept of data privacy is diminishing with the advancement of AI technology. User data is being collected and stored to improve the capabilities of AI systems. Accumulating large sets of data can lead to breaches exposing sensitive information to the public. Recently in the United States, a data-collecting company that provides background checks suffered a massive data breach. The company called National Public Data was hacked by a third party in December 2024, April 2024, and during the summer of 2024. The information that was stolen consisted of 2.9 billion records including social security numbers, addresses, phone numbers, and names

(USA Today, 2024). Data privacy is becoming increasingly difficult to protect because of AI. The vast collection of data by AI systems has made it more common for personal information to become exposed online (Digital Ocean, n.d.). The European Union recognized the importance of data privacy in the new digital age. As a response, the EU created the General Data Protection Regulation (GDPR). This regulation ensures that users are aware of how their data is being processed and collected. Citizens must give their consent to have their data collected and can also have it erased. Businesses and organizations are ordered to be transparent regarding data collection and implement strong security measures (The History of the Data Protection Regulation, 2018).

Another major concern of AI systems is surveillance. AI-driven surveillance is being used globally by states. AI surveillance systems such as biometric technology are used on civilians worldwide without their knowledge or consent (Regulation Essential to Curb AI for Surveillance, Disinformation: Rights Experts, 2023). AI surveillance includes face recognition, motion detection, predictive analytics, video analysis, etc (AZoAi, 2023). These systems collect immense amounts of information which raises questions about privacy rights. AI is now being used in many public spaces to enforce security, policing, public infrastructure, borders, and some workplaces. AI-powered surveillance systems can experience hacks that expose private information. States also depend on AI-powered surveillance as a tool of political intimidation. Currently, seventy-five out of 176 countries globally use AI technology for surveillance (Feldstein, n.d). Many states are using AI to "monitor, track, and surveil citizens to accomplish a range of policy objectives, some lawful, others that violate human rights" (Feldstein, 2019). Liberal democratic societies use AI systems the most to keep cities safe and are not commonly abusing this technology. Liberal democratic countries however are not controlling and

monitoring these systems which can cause human rights violations in the future. Autocratic and semi-autocratic governments are more likely to abuse AI for mass surveillance purposes. Countries such as China and Russia use AI to spy on their citizens and complete their political objectives (Feldstein, 2019). South and Central American nations also use a considerable amount of AI surveillance in their nations.

The main suppliers of AI surveillance technology are China and the United States. Sixty-three countries worldwide use Chinese companies to conduct surveillance using AI (Feldstein, 2019). Thirty-two countries utilize American AI surveillance (Feldstein, 2019). Implementing strong legal standards to protect citizens' right to privacy is generally weak. Countries with strong rules of law fail to adequately protect citizens from intrusive AI surveillance (Feldstein, 2019). Developing nations with weak legal systems and authoritarian governments often ignore the right to privacy and continue unlawful surveillance.

Transparency of AI systems

AI transparency is the "ability to peer into the workings of an AI model and understand how it reaches its decisions" (Lawton, 2023). AI transparency involves honesty about how data is handled, its limitations, and biases (Lawton, 2023). Having a lack of transparency with AI can make it challenging to undermine the decisions it makes and infringe on rights such as the right to a fair trial (Recommendation on the Ethics of AI, p.22, 2023). People across the globe should be able to understand how AI reaches its decisions and its effects on their human rights and safety. Implementing more transparency in AI systems can make societies more peaceful and inclusive (Recommendation on the Ethics of AI, p.22, 2022). AI transparency is crucial as it will "allow for public scrutiny that can decrease corruption and discrimination, and can also help detect and prevent negative impacts on human rights" (Recommendation on the Ethics of AI,

p.22, 2022).

Currently, there is a lack of transparency surrounding AI systems. AI is now being used to make important decisions that can impact people's lives. AI systems, however, are not error-free. AI algorithms provide uncertain results and contain high levels of inaccurate data (A/HRC/48/31, p.8, 2021). AI systems are complicated and there is a secrecy surrounding how they come to their conclusions. They often have "biased data sets that lead to discriminatory decisions" (A/HRC/48/31, p.6,2021). These systems are unreliable and there needs to be more transparency surrounding their decision-making capabilities.

The lack of transparency surrounding AI raises questions about privacy rights. AI training data uses "criminal records, arrest records, crime statistics, records of police interventions in specific areas, social media posts, communications data, and travel records" (A/HRC/48/31, p.6,2021). This can be used to create profiles of people who later can be arrested, prosecuted, questioned, or searched. AI technology, however, should not be used to target individuals due to its unreliable nature (A/HRC/48/31, p.6/2021). AI transparency is key because AI can be used during judicial proceedings or when obtaining social services which will affect social, cultural, and economic rights.

Many countries globally are working on implementing more transparency regarding AI. Through different policies and strategies, AI can be used following ethical guidelines and being transparent to benefit society. In the United Kingdom, the government established the Office for Artificial Intelligence. The Office for Artificial Intelligence works to "drive responsible and innovative uptake of AI technologies for the benefit of everyone in the UK" (Office for Artificial Intelligence, 2022). In Germany, the federal government launched its National AI strategy to "integrate AI in society in ethical, legal, cultural, and institutional terms in the context of a broad

societal dialogue and active political measures" (German AI Strategy, n.d.).

UN Involvement

The United Nations has taken steps toward protecting privacy rights globally, especially with the rise of AI. In 2013, General Assembly Resolution 68/167 on the right to privacy in the digital age reaffirmed privacy rights given by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights (United Nations, 2013). This resolution urged member states to respect the right to privacy, limit data collection, condemn mass surveillance, and create legislation to protect the privacy that complies with international human rights law. The United Nations Human Rights Council Resolution 28/16 on the right to privacy in the digital age called on all states to respect and protect the right to privacy especially online. This resolution encouraged transparency and accountability for individuals who have had their privacy rights violated (A/HRC/28/16, 2015). The UNHRC Resolution 42/15 adopted in 2019 reaffirmed all previous resolutions by the General Assembly as well as the United Nations Human Rights Council. This resolution expressed concern over the advancement of technology that invades privacy rights as well as international cooperation to address the challenges of AI.

The United Nations Human Rights Council adopted the Special Rapporteur on the Right to Privacy in 2015. This rapporteur reviews government regulations and policies on the collection of personal data, assists in developing practices that promote lawful surveillance, and aids the private sector in respecting human rights laws (Special Rapporteur on the Right to Privacy, n.d.). The Special Rapporteur on the Right to Privacy creates reports for the United Nations Human Rights Council to examine privacy in the new digital age. Recently, the rapporteur created a report on legal safeguards for personal data protection and privacy in the

digital age. The report "examines personal data protection and privacy laws from five continents to provide states with a comparative study of the different mechanisms that have been established so that data subjects can exercise control over the use of their data" (Nougrères & Human Rights Council, 2024). The Special Rapporteur on the Right to Privacy also created a report on the Principles of transparency and explainability in the processing of personal data in artificial intelligence. This report argues for AI systems to be transparent about their decision-making processes and ensure that it is ethical concerning human rights (Nougrères & Human Rights Council, 2024). The report aims to create more transparency and trust in artificial intelligence.

The United Nations Educational, Scientific, and Cultural Organization (UNESCO) adopted the Recommendation on the Ethics of Artificial Intelligence. This was adopted by all 193 member states of the United Nations in November 2021. UNESCO has worked to develop guidelines regarding science and technology that contribute to the world ethically and peacefully (Recommendation on the Ethics of Artificial Intelligence, 2023). The recommendation addresses all ethical issues about AI, aims to make AI work for the good of humanity, and promotes international cooperation regarding new technologies (Recommendation on the Ethics of Artificial Intelligence, 2023). This recommendation was created for member states to develop "legal and regulatory frameworks throughout the entire AI system life cycle, and for promoting business responsibility" (Recommendation on the Ethics of Artificial Intelligence, 2023). It provides guidelines for the public and private sectors by analyzing AI systems through ethics.

The UN System Chief Executives Board for Coordination established the Principles for the Ethical Use of Artificial Intelligence in the United Nations System in September 2022. These principles were established by UNESCO and the Office of Information and Communications

Technology of the United Nations Secretariat (OCIT). This document created a "set of ten principles, grounded in ethics and human rights, [to] guide the use of [AI] across all stages of an AI system life cycle across United Nations entities (UN System Chief Executives Board for Coordination, n.d.). These principles focus on following international privacy rights laws, data protection, and data governance, as well as transparency and explainability of AI systems.

Bloc Positions

Europe

In Europe, artificial intelligence is regulated and monitored to ensure that it does not violate human rights, especially privacy. The EU has been an active participant in protecting privacy rights in the new digital age. The right to privacy is protected through the European Convention on Human Rights. All people are given the right to privacy concerning their family and private life (Article 8: Respect for Your Private and Family Life, n.d.)

In 2018, the EU established the General Data Protection Regulation, the "toughest privacy and security law in the world" (Wolford, 2023). The GDPR created strict regulations for organizations that collect personal data. Individuals are given significant rights regarding their data such as the ability to access it, have it deleted, or correct the information. People are guaranteed the right to reject the processing of their personal data and harsh fines are imposed on those who violate the privacy and security standards (Wolford, 2023). The European AI Alliance was also created in 2018. This alliance allows for open policy dialogue surrounding Artificial Intelligence. This alliance has led to many important policy initiatives regarding AI.

EU member states signed the Declaration of Cooperation on Artificial Intelligence in

2019. This document encouraged European countries to work together on important issues regarding AI such as research, ethics, and legal concerns. European countries recognized the importance of AI and the challenges that come with it. The Declaration of Cooperation on Artificial Intelligence wishes to create "[an] environment of trust and accountability around the development and use of AI [to] fully profit [the] opportunities it brings" (EU Member States Sign up to Cooperate on Artificial Intelligence, 2018). The European Commission has also implemented Ethics guidelines for trustworthy AI. These guidelines "put forward a set of 7 key requirements that AI systems should meet to be deemed trustworthy" (Ethics Guidelines for Trustworthy AI, 2019). These guidelines help ensure that AI is being used for the good of humanity and that human rights laws are respected.

The EU has been a very active participant regarding AI and protecting privacy rights in the digital age. The European Commission regularly meets to discuss AI and propose regulations. Recently, the EU passed the AI Act. The AI Act is the "first-ever legal framework on AI, which addresses the risks of AI and positions Europe to play a leading role globally" (EU AI Act: First Regulation on Artificial Intelligence, 2023). This act was established to foster more trustworthy AI in Europe and ensure that fundamental rights are being protected. The AI Act assesses AI through a risk-based approach to determine which systems are a threat to society. The European AI Office was also created to allow international cooperation regarding AI. The European AI Office collaborates with member states to understand the benefits of AI as well as the potential risks.

North and South America

In North and South America, the Organization of American States recognizes the right to privacy which is protected under the American Convention of Human Rights. The OAS has

developed the Model Law on the Protection of Personal Data. This Model Law was implemented to help member states follow international privacy laws when it comes to data collection, transparency, and accountability. The Inter-American Juridical Committee which is the advisory body of the OAS created the Updated Principles on Privacy and Personal Data. These principles include regulating the collection of personal data for lawful purposes, transparency and consent, security of data, and accuracy. These recommendations were created to help member states respect privacy rights laws with the advancement of technology such as AI.

Protecting privacy rights in regards to AI is still being developed by the Organization of American States. Unlike the European Union, the OAS has not created any sets of regulations concerning AI. North and South American countries however have individually established their regulations on privacy rights and AI. Each country has its level of technological development which requires different approaches.

Asia

In Asia, privacy rights and AI are becoming a concern with new technological developments. The Association of Southeast Asian Nations created the Framework on Digital Data Governance. This framework promotes data privacy, protection, regulations, and digital innovation (ASEAN, n.d.). This framework aids member states in protecting privacy by regulating how data is stored and protected. In 2021, ASEAN created the Data Management Framework. This framework created guidelines for businesses regarding handling personal data in AI systems. The Data Management Framework also works on capacity building with member states to create data management practices that comply with international laws.

ASEAN is currently working on addressing privacy rights regarding AI. Member states each have their own regulations in their countries due to differences in technological development. ASEAN is committed to creating a regional approach to combat technology such as AI that violates privacy.

Committee Goals

The advancement of technology such as artificial intelligence is making it increasingly difficult to protect privacy. Privacy rights are human rights guaranteed to all people across the globe. Artificial intelligence systems, however, do not respect the right to privacy as they rely on large data sets and merge in ways that are not easily understood. AI systems also invade data privacy as businesses collect and store data to make a profit. Obtaining large sets of personal data increases the chance of being hacked if sufficient security measures are not in place. AI systems are also commonly used for surveillance purposes. AI surveillance systems such as biometric technology are becoming a concern due to their ability to collect immense information about individuals. AI lacks transparency and it is important to ensure regulations are put into place to make these systems trustworthy.

During the committee, it is expected that delegates have an understanding of their countries' policy towards privacy rights regarding AI. Delegates should also be aware of any recent legislation or regulation. Delegates should also come up with unique ways to implement data protection laws to ensure that AI systems limit the amount of data collected or stored. Delegates should also consider ways to create more transparency concerning AI systems and how they come to their conclusions. States should work together to develop international standards regarding AI that protect privacy rights, data privacy, limit surveillance, and are

transparent. Delegates are expected to come up with ways to develop AI systems that do not violate human rights and follow ethical standards. It's also important to know how each state has implemented the recommendations made by the United Nations Human Rights Council and other UN bodies about AI and privacy rights. Research should be conducted to understand how each state is using AI and if they are following international human rights standards implemented by the United Nations. Delegates should have an understanding of how their country uses AI and if they have a history of invading privacy rights.

Research Questions

1. What laws or regulations has your country implemented to protect privacy rights concerning AI?

2. What can be done to protect privacy rights, data privacy, and create more transparency surrounding AI?

3. How can the international community collaborate to regulate the creation of AI systems?

4. Does your country use AI for surveillance purposes? What are methods to limit unlawful surveillance by AI systems and follow international human rights standards?

5. How can states with fewer resources receive technical assistance to implement regulations to protect privacy rights in regard to AI ?

References

AI and Privacy: Safeguarding Data in the Age of Artificial Intelligence | DigitalOcean. (n.d.).

https://www.digitalocean.com/resources/articles/ai-and-privacy

Article 8: Respect for your private and family life. (n.d.).

https://www.equalityhumanrights.com/human-rights/human-rights-act/article-8-respect-y

our-private-and-family-life

ASEAN Digital Senior Officials' Meeting. (2021). *ASEAN Data Management Framework*.

https://asean.org/wp-content/uploads/2-ASEAN-Data-Management-Framework_Final.pd

f#:~:text=The%20ASEAN%20Framework%20on%20Digital%20Data%20Governance%

20was,towards%20digital%20data%20governance%20in%20the%20digital%20economy

.

AZoAi. (2023, September 26). *An introduction to AI-Powered Surveillance*.

https://www.azoai.com/article/An-Introduction-to-AI-Powered-Surveillance.aspx

Council, H. R. (2014). Report of the Working Group on the Universal Periodic Review: Egypt.

In *United Nations* (pp. 2–4) [Report].

https://documents.un.org/doc/undoc/gen/g14/249/45/pdf/g1424945.pdf (Original work

published 2014)

Ethics guidelines for trustworthy AI. (2019, April 8). Shaping Europe's Digital Future.

https://digital-strategy.ec.europa.eu/en/library/ethics-guidelines-trustworthy-ai

EU AI Act: first regulation on artificial intelligence. (2023, August 6). European Parliament.

https://www.europarl.europa.eu/topics/en/article/20230601STO93804/eu-ai-act-first-regu

lation-on-artificial-intelligence

EU Member States sign up to cooperate on Artificial Intelligence. (2018, April 10). Shaping

Europe's Digital Future.

https://digital-strategy.ec.europa.eu/en/news/eu-member-states-sign-cooperate-artificial-i

ntelligence

Germany AI Strategy Report. (n.d.). AI Watch.

https://ai-watch.ec.europa.eu/countries/germany/germany-ai-strategy-report_en

Invisibly. (2024, June 7). *Top industries and companies that sell your data*. Invisibly.

https://www.invisibly.com/learn-blog/companies-selling-your-personal-data/

Kerry, C. F. (2020, February 10). Protecting privacy in an AI-driven world. *Brookings*.

https://www.brookings.edu/articles/protecting-privacy-in-an-ai-driven-world/

Lawton, G. (2023, June 2). *AI transparency: What is it and why do we need it?* CIO.

https://www.techtarget.com/searchcio/tip/AI-transparency-What-is-it-and-why-do-we-nee

d-it

Nougrères, A. B. & Human Rights Council. (2024). Legal safeguards for personal data

protection and privacy in the digital age. In *United Nations* (Report A/HRC/55/46; pp.

1–16). United Nations.

https://documents.un.org/doc/undoc/gen/g24/000/32/pdf/g2400032.pdf

Nougrères, A. B. & United Nations. (2023). Principles of transparency and explainability in the

processing of personal data in artificial intelligence. In *Report of the Special Rapporteur

on the Right to Privacy* (pp. 3–20) [Report].

https://documents.un.org/doc/undoc/gen/n23/242/35/pdf/n2324235.pdf

Office for Artificial Intelligence. (2022, December 18). GOV.UK.

https://www.gov.uk/government/organisations/office-for-artificial-intelligence

Principles for the ethical use of Artificial intelligence in the United Nations System | United

Nations - CEB. (n.d.).

https://unsceb.org/principles-ethical-use-artificial-intelligence-united-nations-system

Recommendation on the ethics of artificial intelligence. (2023a, May 16). UNESCO.

https://www.unesco.org/en/articles/recommendation-ethics-artificial-intelligence

Recommendation on the ethics of artificial intelligence. (2023b, May 16). UNESCO.

https://www.unesco.org/en/articles/recommendation-ethics-artificial-intelligence

Regulation essential to curb AI for surveillance, disinformation: rights experts. (2023, June 2).

UN News. https://news.un.org/en/story/2023/06/1137302

Special Rapporteur on the Right to Privacy. (n.d.). United Nations Office of the High

Commissioner. Retrieved August 27, 2024, from

https://www.ohchr.org/en/special-procedures/sr-privacy

Steven Feldstein. (n.d.). *The global expansion of AI surveillance*. Carnegie Endowment for

International Peace.

https://carnegieendowment.org/research/2019/09/the-global-expansion-of-ai-surveillance

?lang=en

The history of the General Data Protection Regulation. (2018, May 25). European Data

Protection Supervisor.

https://www.edps.europa.eu/data-protection/data-protection/legislation/history-general-da

ta-protection-regulation_en#:~:text=In%202016%2C%20the%20EU%20adopted%20the

%20General%20Data,is%20now%20recognised%20as%20law%20across%20the%20EU

.

Tobin, D. (2024, March 2). *What is Data Privacy—and Why Is It Important?* Integrate.io.

https://www.integrate.io/blog/what-is-data-privacy-why-is-it-important/

Today, U. (2024, August 17). 2.9 billion records, including Social Security numbers, stolen in data hack: What to know. *USA TODAY*. https://www.usatoday.com/story/tech/2024/08/15/social-security-hack-national-public-data-breach/74807903007/

United Nations. (2013). The right to privacy in the digital age. In *United Nations* (Report A/RES/68/167; pp. 1–3). https://documents.un.org/doc/undoc/gen/n13/449/47/pdf/n1344947.pdf

United Nations High Commissioner for Human Rights. (2021). Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development: The right to privacy in the digital age. In *Human Rights Council* (Report A/HRC/48/31; pp. 2–3). https://documents.un.org/doc/undoc/gen/g21/249/21/pdf/g2124921.pdf?token=fLqTF9pVraC1mgpBKw&fe=true

United Nations Human Rights Office of the High Commissioner. (2021, September 15). United Nations. Retrieved August 19, 2024, from https://www.ohchr.org/en/2021/09/artificial-intelligence-risks-privacy-demand-urgent-action-bachelet

United Nations Universal Declaration of Human Rights. (2017). In *Routledge eBooks* (pp. 54–57). https://doi.org/10.4324/9781315097176-10

What is data privacy? | IBM. (n.d.). https://www.ibm.com/topics/data-privacy

Wolford, B. (2023, September 14). *What is GDPR, the EU's new data protection law?* GDPR.eu.

https://gdpr.eu/what-is-gdpr/