



UNITED NATIONS HUMAN RIGHTS COUNCIL 02

AGENDA:

*DELIBERATION ON STATE SURVEILLANCE VS
RIGHT TO PRIVACY IN DIGITAL AGE*

Background Guide



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Letter from the Executive Board

Greetings Delegates!

It is our utmost privilege to welcome you to the simulation of the United Nations Human Rights Council at DPSK 3.0.

Whether this is your first committee or your fifteenth, we hope the next few days push you to research deeply, argue diplomatically, and create realistic solutions through cooperation and profound deliberation upon the agenda.

This background guide will serve as the starting point, a foundation to help guide you in your research. However, we urge you to rise above this background guide and do your own due diligence on your portfolio and agenda. We have tried to lay out the numbers, the timeline, and the institutional architecture as accurately as we can, but a committee is only as good as the delegates who walk in having gone beyond it.

Fluency of speech or theatrics matters far less than the substance of what you have to say. We are far more interested in delegates, who have understood what threats this agenda poses or what solutions there are to combat it. Substance comes first, always.

Should you have any doubts about the agenda, procedure, or expectations from this committee, please do not hesitate to reach out to us. We are looking forward to a session marked by sharp debate, sound economics, and mutual respect.

All the best,

The Executive Board

United Nations Human Rights Council

Introduction to the UN

The United Nations (UN) is an International Organization founded on October 24, 1945, in the aftermath of World War II. Created by 51 original countries, its primary mission is to maintain global peace and security.

Currently made up of 193 Member States, the UN and its work are guided by the purposes and principles contained in its founding Charter. The UN has 6 official languages, including English.

The UN has evolved over the years to keep pace with a rapidly changing world. But one thing has stayed the same: it remains the one place on Earth where all the world's nations can gather together, discuss common problems, and find shared solutions that benefit all of humanity.

The United Nations operates through six principal organs, the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice, and the UN Secretariat, five of which are located at the UN Headquarters in New York, while International Court of Justice is based in The Hague, Netherlands.

The United Nations has played a central role in developing international norms on privacy, human rights, and the responsible use of technology. Through the General Assembly, the Human Rights Council, and the Office of the High Commissioner for Human Rights (OHCHR), the UN has recognized that the right to privacy extends to digital communications. As governments increasingly employ surveillance technologies for national security, law enforcement, and counter-terrorism, the United Nations seeks to balance legitimate security concerns with the protection of fundamental human rights guaranteed under international law.

Preface to the Human Rights Council

The United Nations Human Rights Council (UNHRC) is the principal intergovernmental body within the UN system responsible for promoting and protecting human rights globally.

On 15 March 2006, the United Nations General Assembly adopted **Resolution 60/251**, establishing the United Nations Human Rights Council, replacing the United Nations Commission on Human Rights (1946).

The Council officially began work on **19 June 2006**.

Membership: 47 Member States, elected directly by the UNGA.

Headquarters: Geneva, Switzerland.

Primary mandate: Promote and protect human rights worldwide through mechanisms such as the Universal Periodic Review (UPR), Special Procedures, and Commissions of Inquiry.

Sessions and Structure: The Council convenes for at least three regular sessions per year (typically in March, June, and September). During these sessions, Member States hold interactive dialogues with UN officials, hear from independent experts, launch commissions of inquiry, and pass resolutions designed to address urgent crises. The Council receives technical and logistical support from the Office of the High Commissioner for Human Rights (OHCHR).

The UNHRC can decide at any time to hold a special session to address human rights violations and emergencies, at the request of one-third of the member states.

Agenda Overview

DELIBERATION ON STATE SURVEILLANCE VS RIGHT TO PRIVACY IN THIS DIGITAL AGE

The fundamental core of this topic would be to find the ideal balance between a state's duty to ensure national security and individual's right to privacy in a rapidly evolving digital world. It is not a debate on whether surveillance or privacy is more important, but rather when, how, and till what extent is surveillance justified while remaining consistent with international human rights law.

I. What is State Surveillance?

State surveillance refers to the collection, monitoring, recording, or analysis of information about individuals by governments.

Governments conduct surveillance so as to; prevent terrorism, combat organized crime, protect national security, investigate cybercrime, monitor foreign intelligence, and enforce laws.

Modern governments collect data through our internet activity, phone data, emails, social media, facial recognition, cctv networks, financial transactions, GPS locations, biometric databases, AI-powered monitoring systems etc.

II. What is the Right to Privacy?

Privacy is the right of individuals to control their personal information and to be free from arbitrary or unlawful interference in their private life. Universal Declaration of Human Rights (UDHR) Article 12 states that *privacy is a fundamental human right*.

III. Why Has This Become a Global Issue?

Before the internet, governments could only monitor limited numbers of people. Today, the digital age has made mass surveillance technically possible on an unprecedented scale. Which leads us to question, if state surveillance really is for our benefit or an encroachment on our fundamental right to privacy? Governments face the same dilemma; 'Balancing their citizens fundamental rights with the responsibility to keep their state safe.

IV. Evolution of State Surveillance

In the Cold War Era (1945-1991) surveillance was mainly targeted at spies, political opponents, military intelligence. Monitoring was expensive and limited.

Post-9/11 Era; The attacks on September 11, 2001 dramatically changed surveillance policies, Governments expanded surveillance powers to detect terrorism before attacks occurred.

Then came the digital revolution, after smartphones, the cloud, AI, surveillance became cheap, fast, automated, precise and more comprehensive. Governments no longer needed to monitor targeted individuals, they could potentially monitor entire populations.

V. Why this Agenda Matters

This no longer remains a debate but a live threat to our right to privacy, every smartphone, social media account and biometric system generates data that can reveal intimate details about people's lives. Governments have legitimate responsibilities to protect national security and public safety, but they must exercise these powers within the framework of international human rights law. The central challenge for this committee is to ensure that every, surveillance measures remain lawful, necessary, proportionate, and accountable, balancing both security and the fundamental right to privacy in the digital age.

VI. Key Terms to Know

Term	Meaning
State Surveillance	Government monitoring of individuals or groups
Mass Surveillance	Large-scale collection of data from entire populations
Targeted Surveillance	Monitoring specific individuals based on suspicion
Metadata	Information about communications (e.g., time, duration, location) rather than content
End-to-End Encryption	A communication system where only the communicating users can read the messages
Facial Recognition	Technology that identifies individuals by analyzing facial features

Biometrics	Unique biological characteristics such as fingerprints, iris scans, or DNA
Spyware	Software used to secretly gather information from a device
AI Surveillance	Use of artificial intelligence to automate monitoring and analysis
Proportionality	Principle that surveillance should not exceed what is necessary to achieve a legitimate aim
Judicial Oversight	Review and authorization of surveillance by an independent court
Data Protection	Laws and practices governing the collection, storage, and use of personal data

Relevant Actions and Events

- **Universal Declaration of Human Rights (1948)- Article 12**

No one shall be subjected to arbitrary interference with privacy, family, home, and correspondence.

- **International Covenant on Civil and Political Rights (ICCPR)- Article 17**

Protects individuals from arbitrary interference, unlawful surveillance, illegal data collection.

States may interfere only if lawful, necessary, and proportionate.

- **UN General Assembly Resolution 68/167 (2013)**

Adopted after global concerns about digital surveillance.

Affirms that: Human rights enjoyed offline must also be protected online.

- **UN Sustainable Development Goal- 16**

Peace, Justice and Strong Institutions.

- **Convention 108+**

The Council of Europe's international treaty on data protection.

Formally known as the *Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data*. Opened for signature in 1981, it was the world's first legally binding international treaty dedicated to protecting personal data and privacy, and it has influenced data protection laws well beyond Europe.

[MAJOR GLOBAL EVENTS]

- **Edward Snowden (2013)**

A Former NSA contractor Edward Snowden had leaked classified documents revealing extensive surveillance by intelligence agencies, including the collection of internet and telephone metadata on a large scale. The disclosures sparked worldwide debates over privacy, transparency, and government accountability.

- **Cambridge Analytica (2018)**

Although involving private-sector data misuse rather than direct state surveillance, the scandal demonstrated how personal data harvested from social media could influence political processes and highlighted the broader risks associated with large-scale data collection.

- **Pegasus Spyware**

Investigations revealed that Pegasus spyware had allegedly been used against journalists, opposition politicians, activists, and lawyers in several countries. The case intensified concerns about unlawful digital surveillance and the misuse of sophisticated cyber tools.

- **COVID-19 Digital Tracking**

Many governments introduced contact-tracing applications and location monitoring during the pandemic. While these measures supported public health efforts, they also raised questions about whether emergency surveillance powers should continue.

Bloc Positions

- **Western Europe:** Strongly champions the primacy of digital privacy, encryption, and the principle that a person's rights must be protected online and offline.
- **Global South:** Global South nations advocate for digital sovereignty over rigid international privacy standards, prioritizing local control over data to prevent "digital colonialism." They argue states must retain broad surveillance powers for national security and public stability, while demanding stricter global regulations on Western tech dominance.
- **Small Island Developing Nations:** Complicated due to capacity constraints but they align with the UN frameworks advocating for fundamental digital privacy and strict limits on state surveillance.
- **India and South Asia :** In India and South Asia, the deliberation on state surveillance versus the right to privacy is characterized by a stark conflict between progressive constitutional recognition of privacy and sweeping state exemptions that normalize mass digital surveillance
- **Latin America :** Progressive constitutional privacy protections exist, however invasive, often unchecked government surveillance practices, raise questions on how effective these protections really are.

Research Sources

The goal of this committee is to lead to a comprehensive and evidence-based debate. Delegates are strongly encouraged to utilize reliable and factual international reports, United Nations documentation, official academic publications, and credible institutional data for research.

- **United Nations and UNHRC Resources**

United Nations: <https://www.un.org/en>

Universal Human Declaration of Human Rights (UDHR):

<https://www.un.org/en/about-us/universal-declaration-of-human-rights>

United Nations Human Rights Council: [HRC Home](#)

UN SDG Portal: <https://uninfo.org>

- **International Organizations & Development Institutions.**

World Bank: [World Bank Group - International Development, Poverty and Sustainability](#)

Organisation for Economic Co-operation and Development (OECD) - [The Organisation for Economic Co-operation and Development](#)

[SOURCES NOT RECOMMENDED FOR RESEARCH]

I. Unverified Blogs & Opinion Websites

Personal blogs, anonymous articles, and politically biased platforms may lack factual verification and institutional credibility.

II. Wikipedia as a Primary Source

While Wikipedia may provide a general overview of a topic, delegates should avoid relying on it as a primary source due to its editable nature. References linked within articles should instead be consulted.

III. Social Media Content

Information obtained solely from Instagram, X/Twitter, TikTok, Facebook, reels, shorts, or influencer commentary should not be treated as authoritative evidence unless sourced from verified institutional accounts.

IV. AI-Generated Content without Verification

AI-generated responses and summaries may contain inaccuracies, outdated data, or fabricated citations if not verified through official documentation and credible institutions

V. Non Credible News Sources

Delegates should avoid sensationalized media outlets, clickbait journalism, and websites lacking editorial standards or factual sourcing.

VI. Outdated Statistics and Reports

Delegates are encouraged to ensure that all statistics, policy references, and reports used in committee are current and relevant to ongoing global developments.

VII. Unsourced Forums & Discussion Platforms

Anonymous forums and discussion websites such as Quora or Reddit discussions will not be treated as reliable evidence without external verification.

Rules of Procedure (ROP)

DELEGATE DECORUM

- I. The delegates must act with utmost respect toward each other and keep diplomatic courtesy in mind. Delegates are not allowed to make any personal, offensive, or controversial statements against anyone else in the committee.
- II. During debate sessions, delegates must speak in third person, and the usage of personal pronouns such as Me, I, My, etc. is prohibited.
- III. Utmost respect must be given to the executive board and the International Press members.
- IV. Delegates must attend all committee sessions in appropriate dress code as instructed by the organising committee.
- V. During the debate sessions, delegates must not speak unless recognised by the Executive Board.

ROLL CALL

Every committee session starts with the roll call, without which quorum cannot be established. During the roll call, the country names are called out in alphabetic order to note whether the delegates are present, present and voting, or absent. A delegate may change their status in the next session when the roll call takes place.

1. Present - A Delegate can vote in Yes, No or abstain for a Draft Resolution when they answer the Roll Call with Present.
2. Present and Voting - A Delegate is bound to vote decisively, i.e., in a Yes or No only if they have answered the Roll Call with a Present and Voting. A Delegate cannot abstain in this case.

[Abstention: When a delegate is in doubt, or if their country is in full support of a resolution or not, they may abstain. An abstention counts as neither yes nor no, and the vote is not counted during the total tally of votes. It does not count against a Delegate while being marked for the awards.]

QUORUM

Quorum (also known as the minimum number of members of a committee required for the committee proceedings to commence) for the Conference, is set at one-third of the members of the committee present.

SETTING THE AGENDA

Once the Roll Call has been done, the committee then has to set the agenda for the committee to debate upon. Therefore, delegates need to raise a motion to set the agenda for the committee. Once the motion has been raised, the committee is going to vote on the motion. If the motion passes through simple majority, the committee adopts the agenda.

DEBATE

1. General Speakers' List (GSL):

Once the chair opens the floor to establish the GSL, the delegate needs to raise a motion for it. The default time for the GSL is 90 seconds per delegate, those wishing to speak in it are supposed to raise their placards to get added to the list.

2. Moderated Caucus

The committee can decide to suspend formal debate (GSL) and enter into informal debate (Moderated Caucus/Unmoderated Caucus). The motion for an unmoderated caucus must include the topic, total time, each speaker's time. The delegate whose motion gets passed is recognised as the first speaker.

3. Unmoderated Caucus

A motion must be raised for it. During the unmoderated caucus, delegates are free to walk around the committee room.

TIME YIELDS

Once a delegate completes their speech, they can yield their remaining time in 3 ways:

1. Yield to another delegate – time is given to another delegate
2. Yield to Points of Information – other delegates can ask the speaking delegate questions
3. Yield to the Chair - gives the floor back to the executive board

POINTS

1. Point of Personal Privilege - A Delegate may raise this point whenever they experience any inconvenience, which could affect his/her involvement in the proceedings.
2. Point of Order - It is used to point out factual or a procedural error (violating the ROP) made by any delegate or the executive board. The final decision regarding a point of order rests with the Executive Board.
3. Point of (Parliamentary) Inquiry - This is used to ask the chair a question regarding the rules of procedure. This should never interrupt a speaker.
4. Point of information - A delegate may ask a question to another delegate on the topic of discussion through the executive board when the speaker has yielded their time to points of information.

MOTIONS

The flow of debate is in the hands of the delegates and moderated by the Executive Board with a mechanism called Motions.

- GENERAL SPEAKER'S LIST (GSL) - "The Delegate of _____ wishes to raise a motion to Open the General Speakers' List".

- MODERATED CAUCUS - “The Delegate of _____ would like to suspend debate and raise a motion for a moderated caucus on the topic _____, for the time period of _____ and each speaker speaking for _____ (in seconds)” .
- UN-MODERATED CAUCUS - “The Delegate of _____ would like to suspend debate and move into an Un-moderated Caucus for a total time of _____ minutes”.

CHITS

1. Point of Information chit – It is used to ask a formal question to another delegate regarding their speech, since the floor time is limited. It is passed to the executive board first, then given to the delegate.
2. Substantive chit – It is a note you send directly to the chair regarding your stance, proposed solutions, important statistics, etc.

DOCUMENTATION

Working Paper

A working paper may be introduced on the floor at any point of time after viable solutions have emerged. This document is a rough draft of the solutions that the committee members wish to recommend for the agenda at hand. It does not have a particular formal format.

Draft Resolution

This is the outcome of the committee sessions. It must have sponsors and signatories, and the document should contain preambulatory clauses and operative clauses.

What are Sponsors and Signatories?

SPONSORS: These are the authors of the draft resolutions who agree with all the clauses in it. Sponsors have to vote a 'yes' to the draft resolution when it goes to voting. They cannot vote a 'no' or 'abstain' from voting.

SIGNATORIES: They may or may not agree with the draft resolution but want it to be discussed in the committee. A draft resolution must have at least 10% of the committee as signatories to be accepted.

After a draft resolution is accepted, a motion can be raised to introduce it to the floor, after which it will be debated upon.

Delegates can also propose amendments to the draft resolution.

After all draft resolutions have been discussed, the committee can enter into a moving process.

Conclusion

Delegates must recognize that the conflict between state surveillance and the right to privacy is one of the defining human rights challenges of the 21st century. The digital tools that empower governments to protect citizens from terrorism, cyber warfare, and organized crime are the very same tools that can be weaponized to dismantle individual liberties, suppress dissent, and erode democratic institutions.

Our primary objective as a committee is to construct a modern, balanced global architecture where surveillance measures are bounded by strict legal frameworks, absolute transparency, and independent accountability. When you step into this committee, we do not want you just discuss the problems of digital surveillance, but also think of effective solutions to fix them.

We look forward to seeing you all very soon!