

**COUNTRY*:*** *CANADA*

**COMMITTEE*:*** *UNITED NATIONS HUMAN RIGHTS COUNCIL*

**AGENDA:** *RIGHT TO PRIVACY IN DIGITAL AGE*

The Delegate of Canada would like to clarify its stances on the Right to privacy in the digital age. Privacy is the “***right to be free from unwarranted intrusion and to keep certain matters from public view***”. The Canadian Charter of Rights and Freedoms does not specifically mention privacy or the protection of personal information. However, it does afford protection under Section 7 (the right to life, liberty and the security of the person), and Section 8 (the right to be secure against unreasonable search or seizure).

In the 1948 Universal Declaration of Human Rights Article 12, the [United Nations](https://en.wikipedia.org/wiki/United_Nations) states:

*“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”*

Lack of data protection legislation, a large biometric database and recent efforts of the country to make WhatsApp messages traceable are among the most concerning aspects in India threatening citizens’ privacy. CCTV surveillance is not regulated in Canada, and any privacy laws are vague and open to interpretation. The courts [in Canada] changed the law so private companies did not have the right to request ID numbers, and government agencies’ access to the other database has been recently withdrawn

The growing prominence of the Right to Privacy in the Digital Age over the past years would not have occurred without the presence of a robust and expert civil society constituency. In turn, governments need to take a consistent line on privacy. Action to prevent unwarranted and speculative data collection by private companies is welcome but is undone when security becomes an excuse for disproportionate harvesting of information by government agencies.Canada has made a start in recognizing privacy and data security.

The delegate of Canada urges the United Nations High Commissioner for Human Rights and international community to enforce accountability measures that ensure privacy invasions are monitored according to universal regulations. We must admonish governments who conduct indiscriminate mass surveillance and curtail their abilities to collect and utilize private information about individuals. We must penalize companies and individuals who steal our information or use it for illegitimate gains. While there are valid utilitarian reasons to enable minimal surveillance to enforce protective and punitive laws against heinous criminal activity, we must not allow individuals to become slaves of an oppressive system.

The UN must be proactive and provide a forum for those whose privacy is threatened. It is the responsibility of the international community to foster privacy-enhancing technologies that will protect all individuals equally. Regulations must restrict online entities from accessing all of our personal information. Unwitting users should not be compelled into giving up their privacy or not having access to a technology. We must ensure that our data is not used without our knowledge or consent, or for purposes that were not explicitly stated.

**DELEGATE**:

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