



United Nations
Educational, Scientific and
Cultural Organization

IPDC THE INTERNATIONAL PROGRAMME FOR THE DEVELOPMENT OF COMMUNICATION

Agenda item for discussion Thematic debates for the 29th IPDC Council

INFORMATION NOTE

SUMMARY CONTENT OF DOCUMENT

This information document presents the follow-up to the 57th Bureau meeting decisions on Thematic Debates for the IPDC Council. In so doing, it sets out the scope of the 2014 debate on ‘Online privacy and freedom of expression’.

Thematic debates for the 29th IPDC Council

(March 12, 2014)

1. Background
2. Description
3. Scope
4. Conclusion
5. Bureau action

1. BACKGROUND

The 57th meeting of the IPDC Bureau agreed on the topic of ‘Online privacy and freedom of expression’ for the thematic debate at the 29th Council Session, 19-21 November 2014, and agreed that US\$ 8,000 be set aside for that purpose from the IPDC Special Account, if necessary.

2. DESCRIPTION

This chosen subject predates UNESCO’s 37th General Conference in 2013, but it is particularly relevant to the consultative study authorized by the General Conference in Resolution 52, concerning Internet-related issues. The consultative study is required to cover the four fields of Access to information and knowledge, Freedom of expression, Privacy, and Ethical dimensions of the information society, and will also explore possible options for future actions. The forthcoming IPDC thematic debate concerns two of these areas – Freedom of Expression and the Right to Privacy. For the purposes of informing the debate, the Secretariat will, as in the past, invite a number of experts to present an analysis of the salient issues. Reflecting IPDC’s business of developing the communications media, the experts will be asked to orientate their inputs from this vantage point. On this basis, they will be asked to focus on the relationship between freedom of expression and privacy rights with reference to the media, and to also highlight the issues concerning the balancing between these rights, as well as other

rights such as the right to “security of person”. The funds will defray travel and subsistence costs of the experts where necessary.

3. SCOPE

UNESCO follows the approach of the Universal Declaration of Human Rights according to which human rights are indivisible. This entails recognizing that particular actions concerning protection or limitation of the right to privacy can impact on other rights, such as the right to freedom of expression, and vice versa. As noted in 37 C/Resolution 52, “privacy is essential to protect journalistic sources, which enable a society to benefit from investigative journalism, to strengthen good governance and the rule of law, and [...] such privacy should not be subject to arbitrary or unlawful interference”. At the same time, as noted in the Discussion Paper prepared for the 37th General Conference, privacy may also not be used to shield violations of individual rights or to block the media from exposing these. Public interest must enter any calculation of balancing rights, and in this regard Article 29 of the Universal Declaration of Human Rights sets out a specific test for the purpose and method that is required in regard to balancing: “In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.”

Efforts will be made to secure experts with direct knowledge that covers all regions of UNESCO, and attention will also be given to gender equality in the selection. Amongst those experts to be selected would be persons able to speak about the proposed balancing of rights such as expressed in recent documents such as the “Tshwane Principles on National Security and the Right to Information”; and the civil society “International Principles on the Application of Human Rights to Communications Surveillance”. Relevant speakers may be identified from groups such as the ARTICLE 19 organization, The Internet Society, Association for Progressive Communications, Privacy International, the World Association of Newspapers, the Internet Rights and Principles Coalition, the Centre for Internet and Society in Bangalore, the Center for Studies on Freedom of Expression and Access to Information at the University of Palermo School of Law in Buenos Aires, and large Internet companies.

4. CONCLUSION

The 2014 IPDC debate will provide Council members with expert input that will inform their discussion. Together, the views will feed into the Internet-issues Study, which in turn will inform a report to the 38th General Conference in 2015. Exposure to, and participation, in the 2014 debate will assist Member States’ decision-making in regard to the report to the 38th General Conference.

As per decision of the 2013 IPDC Bureau, the following topics will be submitted to the 29th IPDC Council for approval as possible topics of the thematic debate at the subsequent (30th) Council session in 2016:

- Knowledge-driven Media Development
- Developing standards for principles for ethical leadership in news media institutions (incorporating the issues of media concentration and government advertising)
- Supporting new sustainability models for news media

8. BUREAU ACTION

The Bureau, having discussed this document, may wish to:

- *Comment* on the projected scope of the 2014 Thematic Debate, and on the proposals from the 2013 Bureau meeting about the topics for future debates that will be presented to the 29th IPDC Council.