



4th UN Forum on Business and Human Rights, 16-18 November 2015

Balancing rights and State demands: taking stock of the challenges and exploring opportunities to secure rights online

List of organisers:

This workshop will be organised by the Global Network Initiative (GNI) and Privacy International (PI).

Global Network Initiative brings together ICT companies with civil society organizations, investors, and academics to protect and advance freedom of expression and privacy.

Privacy International is a human rights organisation that works to advance and promote the right to privacy and fight surveillance around the world.

Focus of the session

This session will focus on identifying the challenges for governments and companies to protect and respect the rights of information and communications technology (ICT) users - in particular the individual rights to privacy and freedom of expression - while complying with national laws that regulate national security and law enforcement, ranging from mass surveillance of electronic communications for national security purposes to rising interest in controlling content posted online.

This session will explore the range of responses emerging from, and opportunities for, the private sector, civil society organisations and governments to protect and respect rights online, under international human rights law, the 'Protect, Respect and Remedy' Framework and the UN Guiding Principles on Business and Human Rights (UNGPs). These include transparency reporting, ranking of ICT companies on how they respect users' rights to free expression and privacy, as well as legal and technological measures to avoid facilitating unlawful surveillance aims.

Key questions for discussion:

- What are the current laws, policies, and processes that govern the relationship between ICT companies and governments in relation to government requests for user information, content removal and network shutdown?
- What strategies (legal, policy and technological) should governments and companies adopt to address and mitigate the risks to the freedom of expression and privacy of users?
- What constitute adequate transparency and accountability mechanisms for both

government and company reporting on communication surveillance and content takedowns? How are companies collaborating with other stakeholders on these mechanisms?

- How can private companies and States provide meaningful access to remedy for those adversely affected by surveillance and content removal?

Moderator: Bennett Freeman, GNI Board Secretary

Speakers:

- Rebecca MacKinnon, New American Foundation;
- Charles Mok, Legislative Council of the Hong Kong Special Administrative Region of the People's Republic of China (TBC);
- Bernard Shen, Microsoft;
- Nighat Dad, Digital Rights Foundation;
- Peter Micek, Access;
- Tomaso Falchetta, Privacy International

Format of the discussion:

The parallel session will consist of introductory presentations from experts followed by extensive Question & Answer session to allow for participants to engage with the panelists.