

FORUM: General Assembly Sixth Committee (Legal)

QUESTION OF: Developing an international legal framework to protect privacy and the use of personal data by social media companies

SUBMITTED BY: Sri Lanka

CO-SUBMITTERS: Indonesia, Mexico, Romania, Czech Republic, Bangladesh, Thailand, North Macedonia, Tuvalu, Nepal, Turkmenistan, Kenya, Samoa, United Arab Emirates, Chile, Colombia, Marshall Islands, Chad, ECE, Ecuador, Saint Vincent and the Grenadines

THE GENERAL ASSEMBLY,

Defining the term international legal framework as a set of rules and regulations issued by the united nations ratified by all member states, approved under international law, and therefore applicable for all member states (and transposed into the national law of all member states),

Acknowledging that Internet and Social Media Privacy underpins human dignity and other key values such as freedom of association and freedom of speech and is therefore a fundamental human right recognized in the UN Declaration of Human Rights,

Convinced that Internet and Social Media Privacy – the privacy and security level of personal data published via the Internet – is a right entitled to every individual using internet platforms,

Drawing attention to the fact that twelve countries have been named and classified as enemies of the internet as of 2019,

Fully aware of the need for all member states to be able to implement and enforce the international legal framework, and considering their economic capacity in doing so,

1. Establishes an organization under the umbrella of the UN called Committee on Internet Privacy and Security (CIPS), and consisting of carefully chosen specialized lawyers, proportionally from every member state to ensure diversity in ideas and prevent bias, to draft and pass:
 - a) an act setting forth the international emergency circumstances under which personal data, such as but not limited to the GPS service of a phone, can be disclosed to the government or relevant authorities
 - b) an act making the terms and conditions of every web-site more user-friendly by:
 - i. changing the wording of the clauses in the terms and conditions ensuring the use of simple vocabulary in order for it to be easily interpreted by all individuals not protected under the COPPA
 - ii. requiring that firms submit in addition to the regular terms and conditions a summary with the most vital information, which should refrain from complicated legal jargon to ensure readability for lawmen, these summaries shall be reviewed by CIPS to guarantee an appropriate length and language and that it doesn't cut out any relevant information
 - iii. requiring all social media companies and web sites to provide a small tutorial not exceeding two minutes, aiming to educate users with specific guidelines overviewed by the CIPS so as they learn how to use the new legal framework to their advantage and preserve their privacy as much as possible;
2. Advises the CIPS to revise current acts and legislation set out before 2015, such as:
 - a) the ECPA, so as to remove clauses that allow governments to access any personal data without limitations – emphasizing the legislation set out by CIPS
 - b) the COPPA to be applicable for all new forms of internet including sites and social media pages so as to avoid any loopholes in legislation as new technology comes along
 - c) the Cookie Law, passed by the European commission and applicable to firms from the EY or targeting EU citizens, so as to:

- i. extend its implementation among all member states
 - ii. reform the policy to avoid the possibility for hacking and/or the use of personal data by third parties by having settings and preferences that allow or legally prevent any type of use of personal details outside the website
 - iii. provide tutorials for all users to understand how to set the Cookie settings according to their needs
 - d) and establish a small subcommittee to carry out investigation and research so as to ensure that no laws get outdated and informing the CIPS (in information reports carried out every 3 months) of any reforms or changes to be made at the demand of current events, thus allowing for long term sustainable progress;
3. Adopts the terms and legislation of the EU General Data Protection Regulation (GDPR) as the basis of the new international legal framework which will include:
 - a) requiring all companies associated with the dealing of private data of individuals to sign a legally binding agreement that will be a determining factor for whether or not they remain in business
 - b) imposing a fine for firms who do not comply – set out by the CIPS and depending on the magnitude of the offence
 - c) extending the regulation so as to cover not only individuals, but also legal entities, so as to minimize and eradicate fraud and hacking between persons as well as companies;
4. Creates an Internet Privacy Arbitration Court (IPAC) under a section of CIPS and under the broader umbrella of the UN consisting of experienced members of the judiciary that have education and experience on internet law and privacy issues, and selected from a varied background to avoid bias to:
 - a) provide fair and specialized legal counsel regarding matters of privacy and the invasion of it because of the internet
 - b) set cases as legal precedents to avoid the ability of firms to bend the lines on existing legislation thus ensuring compliance with the existing legal framework
 - c) determine and monitor whether or not a situation can be classified as an international emergency under which exceptions to the law, outlined specifically for each case by the court, will be issued to ensure global stability
 - d) set according penalties to offences relative to their magnitude and effect so as to further discourage corporations and individuals to proceed with illegal internet activities and violation of privacies, to be determined through the assessment of damage (in terms of numbers of victims) done by a firm and setting a fine in proportion to that, which can go up to 65% of the disputed company's net worth;
5. Assembles a team under the IPAC consisting of trained and experienced members of the arbitration court, preferably with background and studies related both to internet and privacy as well as corporate and business law, to:
 - a) carry out checks every 3 months to all internet companies so as the following of the passed regulations is ensured and monitored sufficiently and allowing no room for fraud and illegalities
 - b) conduct regular meetings with all technology and internet-related companies to be kept up on upcoming new projects that will emerge online so as to start the development of legislation from at least 3 months before launching thus bridging the gap between technological advances and legal framework while ensuring high levels of confidentiality through binding legal contracts
 - c) ensure the effectiveness of all procedures of the IPAC through the utilization research and collaboration with specialized teams and experts to find the most productive ways of operation to achieve the avoidance of extreme bureaucracy, which would lower efficiency, by giving specialized advice to both companies and individuals with the power of legislation;

6. Organizes and ensures the regular placement of workshops and interactive seminars, under EPIC that may incorporate technology to achieve:
 - a) educate children on internet laws and the importance of their privacy from a young age, while refraining from the use of complicated speeches to achieve the latter and utilizing interactive activities according to the children's' age to make them comprehend the way through which they can use the internet to their advantage and with as limited dangers as possible,
 - b) Add internet safety as an obligatory unit in technology-based classes in government-funded schools;

7. Urges that each member state establishes and trains their own committee on internet law, with the collaboration of CIPS representatives, responsible for:
 - a) integrating the international legal framework created, into the national legal system, and to report irregularities to the arbitration court to prevent malfunctions and ensure the effectiveness of all above policies and their implementation,
 - b) encouraging special legislative integration programs for countries who are currently classified as enemies of the internet while ensuring the national governments and populations of the benefits of the above measures on an international level through workshops, information panels and internet platforms (details of which are to be decided by the CIPS with the national committees) accessible to all;

8. Initiates a series of meetings and conferences that allow for the collaboration of the CIPS with member states in order to:
 - a) facilitate the discussion of the right to being forgotten, whether or not it should exist and under which circumstances and proceeds to the creation of a United Nations website in which users can request for information to be erased and have requests granted by a team of the IPAC, while approvals will be based on the information under review being relevant to an individual's personal privacy based on standards of sensitivity created by a United Nations algorithm, meeting requirements regarding personal sensitivity by being a threat to personal or communal safety media and being accurate or up to date – as decided according to the latter team,
 - b) carry out research on the topic and after sufficient investigation has been carried out – as outlined by the CIPS – vote on making the right to be forgotten absolute and ensuring the implementation of the outcome of the vote to all member states,
 - c) organize regular meetings – to be determined by CIPS – to allow for a solution to be reached as fast as possible while recognizing that this is a matter of personal security
 - d) ensure that all suggested legal framework has a minimal negative effect on economic development, growth, and international cooperation on member states ratifying it, through:
 - i. certifying that all existing trade agreements between member states are not violating the above legal framework and ensuring their revision and reform under relevant committees in case they are,
 - ii. creating a highly hosting environment during meetings, through training programs with the aim of increasing levels of diplomacy used in negotiations between all representatives, in order to lay the ground for fruitful discussion compromise and international progress;

9. Decides on the creation of a sub-committee of CIPS including specialized IT technicians as well as lawyers from all member states who will be responsible for:
 - a) carrying out research on the topic of open internet services which can allow for hacking and lead to the invasion of privacy of victims,
 - b) using the latter research to identify, construct and suggest – to the arbitration court – possible innovative solutions and reforms that can be made to such systems so as to avoid hacking and limit the unwanted spread of personal data through the use of free internet

networks in public spaces;

10. Promises to remain actively engaged on the matter.