Security Council resolution 2396 (2017): Some Privacy and Data-Protection Considerations

Side event of the

Special meeting of the Counter-Terrorism Committee on “Security Council resolution 2396 (2017): Review of the Madrid Guiding Principles”

Thursday, 13 December 2018, 8.45-9.30 a.m.
Conference Room 8, United Nations Headquarters, New York

I. Introduction

1. Member States are required to effectively combat terrorism while adequately protecting privacy. Over the last 17 years, the Security Council has developed an extensive counter-terrorism framework through the adoption of numerous resolutions, many of which address areas of interest to data-protection authorities. Resolution 2396 (2017) on FTF returnees and relocators calls upon Member States to share information on terrorists and to establish Advance Passengers Information (API) and Passenger Name Record (PNR) systems. The resolution urges the International Civil Aviation Organization (ICAO) to establish a standard for the collection, use, processing and protection of PNR data and decides that Member States shall develop watch lists or databases of known and suspected terrorists for use by law enforcement, border security, customs, military, and intelligence agencies. The resolution also encourages States to share this information through bilateral and multilateral mechanisms; decides that States shall develop and implement systems to collect biometric data in order to identify terrorists, including FTFs; and calls for the strengthening of international cooperation on legal access to digital data across borders.

2. The Counter-Terrorism-Committee and its Executive-Directorate (CTED) are mandated by the Security Council to assess the implementation of the Council’s counter-terrorism framework by Member States and to collect good practices in this area, in compliance with international human right law, international refugee law and international humanitarian law.

3. The International Conference of Data Protection & Privacy Commissioners (ICDPPC) has been the premier global forum for data-protection authorities for nearly four decades. The Conference provides leadership at the international level in data-protection and privacy matters by connecting the efforts of 122 privacy and data-protection authorities from across the globe.
4. The proposed side event will be co-organized by the ICDPPC Executive Committee and CTED. It will provide a platform for the discussion of privacy and data-protection challenges posed by implementation of the relevant Security Council resolutions, including resolution 2396 (2017), and the role of data-protection authorities in overseeing measures adopted by Governments and the private sector to meet their counter-terrorism obligations in compliance with international human rights law and domestic law.

III. Logistical arrangements

5. The side event will be open to all participants in the Counter-Terrorism Committee’s special meeting on “Security Council resolution 2396 (2017): review of the Madrid Guiding Principles”. All questions relating to the side event should be addressed to Ms. Arelle Binning, CTED Legal Assistant, +1 (212) 963-3813, arelle.binning@un.org.