

Digital Human Rights and the International Protection Mechanisms Established in International Instruments

Faisal Oklah Khatat Shatnawi^{1*}, Yassin Ahmad Al-qudah²,
Abdulwahab Abdullah Al-Maamari³, Dr. Anas Mohammad Al Tarawneh⁴,
Dr. Ruba Mohammad Hmaidan⁵ and Lana Al Khalileh⁶

^{1*}Professor of Constitutional Law, Department of Public Law, Faculty of Law, Al-Ahliyya Amman University, Amman, Jordan

²Associate Professor, Faculty of Law, Ajloun National University, Jordan

³Professor, Isra University, Jordan

⁴Assistant Professor, Department of Basic Sciences and Humanities, College of Arts and Sciences, Amman Arab University, Amman, Jordan

⁵Assistant Professor, Department of Private Law, Faculty of Law, Applied Science Private University, Amman, Jordan

⁶Assistant Professor, Department of Private Law, Faculty of Law, Applied Science Private University, Amman, Jordan

Email: ¹f.shatnawi@ammanu.edu.jo, ²yalqudah@anu.edu.jo, ³abdulwahab.almaamari@iu.edu.jo,

⁴a.altarawneh@aau.edu.jo, ⁵r_hmaidan@asu.edu.jo, ⁶l_khalileh@asu.edu.jo

ORCID: ¹<https://orcid.org/0009-0007-1067-3734>, ²<https://orcid.org/0000-0003-0096-5091>,

³<https://orcid.org/0000-0002-7529-730X>, ⁴<https://orcid.org/0009-0000-7070-7616>,

⁵<https://orcid.org/0009-0007-3793-5319>, ⁶<https://orcid.org/0009-0007-5021-476X>

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Abstract - The paper discusses the notion of digital human rights, as well as the efficiency of the international protection systems, which are introduced into the system of international laws. The study deals with some of the most important questions that are associated with the definition of digital rights, the knowledge of their legality, and the extent to which the instruments of the international character especially those that are created by the United Nations guarantee their safety. Using a descriptive and analytical approach, the paper reviews systematically international legal documents, resolutions and academic points of view in order to evaluate the development and acknowledgement of digital rights. The results have shown that online human rights are a continuation of conventional human rights, which include such critical aspects as online privacy, freedom of speech, information accessibility, and online security. As noted in the analysis, significant international milestones, such as United Nations resolutions in 2013, 2014, and 2016, that state that the same rights accepted offline should also be established online, are also important. The paper also adheres to four key principles or accessibility, privacy, freedom of expression, and innovation in exercising digital rights in the modern digital environment. Despite these developments, the study indicates that enforcement continues to have unanswered questions including state surveillance, inconsistency of regulations, and the gap between the international and local provisions. The research concludes that although international legal tools offer a robust normative basis to the acknowledgment of digital human rights, more effective and binding legal tools are urgently needed to guarantee their effective enforcement in a more digitized world.

Keywords: Digital Human Rights, International Protection, Digital Privacy, United Nations Resolutions, Freedom of Expression, Cyber Law Governance, Internet Rights

I. INTRODUCTION

In the modern world, technology has become one of the parameters of state development. Technology has no longer been applied in one subject, as it has now emerged in every activity. It has also been instrumental in increasing the cultural level because publications, whether through books, newspapers, or journals, are now illustrated documents that are spread through the Internet at minimal financial cost. Technology has also helped in the convenience of delivery of information, processing information, and broadcasting information within a limited period of time, besides translating information into various languages.

Technology is closely associated with the regulations of international law and international agreements, especially in terms of the right to knowledge and learning, which is an intrinsic human right as stipulated in the Universal Declaration of Human Rights by the United Nations General Assembly in 1948 (Ahmad et al., 2025). The worth of the concept of human rights has since then grown up to the international plane and has become a matter of concern of international law so much so that the actions of states are now being evaluated and gauged in a different way not as an abstract notion but as a group of rules of law which, in practice, represent the perceived demands of humankind and

influence all spheres of human existence- political, social, economic, and cultural.

Digital technology is also a tool of supporting development, besides playing a role in the fulfillment of many economic and social rights, including the right to work and the right to health, to name a few. In the health sphere, for example, developed technologies with the assistance of artificial intelligence can save lives, identify illnesses, and provide treatment and surgery. The digital technology has been utilized to enforce most of the core civil and political rights, including the freedom of opinion and expression, journalism and publication, and the right to information access. In addition, it is a considerable element in the equality strategy through improved electronic communication, financial inclusion, and commercial and public services access.

Indeed, the introduction of human rights into the fourth generation in the context of legal existence and their concentration on several fundamental rights embodied in the democratic system, digital rights, and the right to remedy have resulted in the fact that such rights are considered in the context of the global arena and are as significant as other rights, which concern the environment, development, and right to self-determination. This has seen international organizations that are interested in human rights come to the rescue and ensure that human rights are highly observed and that they are also sensitized on the inadmissibility of violating human rights. Based on this perspective, there has been a salient global effort by a myriad of international government and non-governmental international agencies with the view of acknowledging digital rights as shared international rights that cannot be separated and even infringed.

Significance of the Study

The importance of this work is that the establishment and legalization of digital human rights is new, and the muscular changes that have been made in human rights, especially the fourth-generation rights, and the establishment of these rights as a part and parcel of the international and domestic legal systems of the international human rights law. Secondly, the relevance of the research can be attributed to the fact that international organizations are interested in this topic and that the contents of the research are discussed in several international documents.

Objectives of the Study

This study aims to:

- Analyze and explain the notion and essential aspects of digital human rights in the modern legal system.
- Examine how digital rights have changed and become recognized in the world with a special focus on international trends and institutional reactions.
- Assess digital human rights protection mechanisms, and in particular the role and efficacy of international legal means and organizations.

Research Problem

The central issue of the present research is reflected in several major areas, such as the problem of defining the legal concept of digital rights and the unique attributes of the given concept, and the problem of the nature of these rights. Moreover, the issue regarding the methods of protecting these rights against abuse also exists.

The structure of the paper is as follows: Section II explains the methodology and Section III describes the digital human rights concept. Section IV examines their legal foundation in international structures. The governing principles of digital rights are discussed in Section V. Section VI gives the kinds of digital rights, and Section VII gives the main features of these rights. Section VIII will consider the applicable legal regulations, and Section IX will consider protection mechanisms, and section X shows the discussion of findings. Then Section XI concludes the study.

II. METHODOLOGY

This paper utilizes a qualitative research design that incorporates the descriptive and analytical research methods to explore the notion and safeguarding of digital human rights under the international legal systems. Data collection will be based mostly on secondary data sources, which will be international legal instruments like United Nations resolutions, treaties, and official reports, peer-reviewed journal articles, legal commentaries, and other pertinent academic sources.

The type of research design is a doctrinal and interpretative one, and the study is aimed at the systematic analysis of the legal texts and the institutional mechanisms in the context of digital rights. The analysis of the most important documents (including the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), and the recent resolutions that were adopted by the UN regarding the problem of digital rights) is carried out to establish the principles and protection mechanisms of the documents.

The study employs content and comparative analysis in the analytical technique. The interpretation of legal provisions is provided with the help of content analysis and critical themes are created, such as privacy, freedom of expression and access to information. Various international instruments and mechanisms are evaluated in relation to each other in terms of their extent, performance, and enforcement capability to determine their effectiveness.

In this way of methodology, it is possible to perceive the evolution, identification and safeguarding of digital human rights in a comprehensive manner and find the point of disjunction between international norms and their implementation.

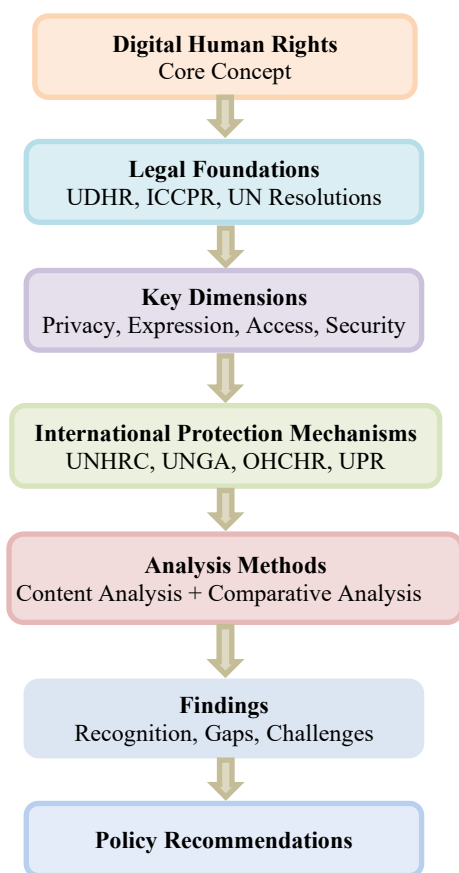


Fig. 1 Methodological Architecture for Analyzing Digital Human Rights and International Protection Mechanisms

The systematic research design of the paper is described in fig. 1 and begins with the center of the concept of digital human rights and proceeds to the foundations of the law, the critical dimensions, and the international protection mechanisms. It demonstrates how content and comparative analysis can be used to assess existing frameworks, find gaps and challenges, and make meaningful conclusions and policy recommendations to enhance the protection of digital human rights (Dashkovska et al., 2025).

III. CONCEPT OF DIGITAL HUMAN RIGHTS

Human rights are dynamic and constantly change in line with changes in technology and social change (Al-Makhzoumi et al., 2024). The introduction of digital human rights is one of the most important processes of this evolution, as it transfers traditional human rights into the digital space. The rights allow people to access, use, create, and share digital content, and use communication networks and electronic devices, and protect core freedoms, including privacy and freedom of expression.

Human rights are universal and inalienable and based on human dignity. Digital rights, in this case, are a continuation of these principles into cyberspace. Other movements like the Declaration of Digital Democracy by the Center of Digital Democracy (CDD) present important digital rights, one of which is open and unlimited access to the Internet. Notably, digital rights are universal to everyone, irrespective of the

degree of internet access, and this supports their universal nature. Digital rights discourse has been informed by various interpretations of human rights, which have been given by scholars and jurists. These views highlight both legal and moral roots where digital rights are established.

The digital human rights encompass a pivotal set of issues, such as privacy, freedom of speech, and access to information and are likely to balance the technological advancement with the protection of personal rights. The international human rights law also defines such rights to refer to rights that are legally enshrined and also encompass rights that bind states in their endeavor to avert any form of violations and also in the protection of individual freedoms. Although they are increasingly being recognized, the definition of digital rights is still complicated, with a variety of cultural, political, and technological backgrounds. Yet, these rights have been fostered and internationalized by the international organizations, in particular, the United Nations. Other organizations, like Encoding Rights, help to promote awareness and support human rights on the Internet.

The digital rights also give some rights such as the freedom to communicate, right of access to digital media, and right to control personal data which are all important in the digital societies today. The growth in information and communication technologies has also enhanced the importance of such rights in education sector, health and finance. Lastly, digital human rights can be viewed as a reflection of the currently existing human rights paradigm, namely the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966) (Velasco, 2022). They pay attention to the strength of the individuals to control the personal information and take part in the digital environment at their own will. These rights, in its turn, have their obligations, like the ethical use of digital technologies and the awareness of the risks posed.

IV. LEGAL BASIS OF DIGITAL RIGHTS

The advent of digital rights has taken center stage in the contemporary life of human being because of the expanding utilization of digital technology in communication, economic activities, socialization and access to knowledge. They are no longer optional but are the main ingredients of the modern society functioning (Chin & Zhao, 2022). Their value in practice justifies their inclusion in the broader framework of human rights, but the current paper specifically focuses on their legal foundations and their recognition under the reference of international law.

The United Nations has been in the frontline in promoting the concept of digital rights. The first efforts were aimed to the importance of internet freedom and internet communication, and it resulted in the promotion of states to recognize and implement digital rights under the international collaboration which incorporated governments, civil society and technical community. These attempts preconditioned the official status of the rights to digital at the international level. In 2016, the United Nations Human Rights Council made an important move in the form of a resolution that said that the rights that

individuals have in the real world should be applied to the online realm. This resolution recognized the internet access as one of the fundamental rights and has mentioned some of the key issues such as freedom of expression, freedom of access to information, and digital accessibility. The resolution was widely agreed upon, but not all states wanted the solution, which is symptomatic of a geopolitical and regulatory conflict that continues to exist.

Other important issues that have been covered by the resolution are deliberate internet blackouts, digital inequalities, and accessibility to marginalized groups, especially women and people with disabilities. Moreover, it highlighted the importance of civil society and technical actors in the realization of inclusive digital governance and connected open access to an open internet in the realization of the Sustainable Development Goals (SDGs) (Cho & Agbor, 2022; Zaidan & Ibrahim, 2024). Notably, the developments are based on previous United Nations principles, especially Article 19 of the Universal Declaration of Human Rights, which provides freedom of expression, whether online or offline. Even though these resolutions are not binding, they have a strong normative impact by informing state actions, designing policies, and enhancing advocacy activities across the globe.

Moreover, the United Nations has demanded increased accountability by requesting states to resolve problems of surveillance, limited access, and the digital gender divide via joint reporting and policy-making processes. These attempts reflect the changing status of international institutions in addressing the new digital difficulties. To sum up, the international resolutions and initiatives are good indications that digital rights are becoming a basic human right. Although these instruments are more like soft law, they create an important legal and normative backbone that strengthens the legitimacy, independence, and international applicability of digital human rights to the international legal system.

V. PRINCIPLES GOVERNING THE EXERCISE OF DIGITAL RIGHTS BY INDIVIDUALS

There are four main principles of digital rights of individuals, which are accessibility, right to privacy, freedom of expression, and freedom of use and innovation. It is possible to make a difference between natural human rights, which are the rights entrenched in human nature, and legal rights, which are the rights established and governed by law. In this respect, the concept of digital rights can be defined as legal ones; in this case, the law takes a regulatory and inquisitory role in structuring and securing them by creating a legislative framework that ensures their exercise and deters them.

The global nature of digital rights is explained by their association with the global information network and the growing demand of people to utilize them in the sphere of communication, publishing, browsing, messaging, blogging, and other digital activities. These rights have been identified by the Human Rights Council as basic rights as opposed to recreational and secondary privileges because they cut across many aspects of everyday life. It has caused them to obtain extensive coverage at the national and global levels.

Furthermore, the digital rights are viewed as an extension of and a support for other human rights, whereas they also reserve a certain level of independence, being an autonomous system. They also help in the improvement of freedoms and digital justice in contemporary societies. These rights have since assumed a dominant role in the sphere of human rights, because they are one of the most influential supporting rights to all other human rights, as well as a potent instrument of controlling information, capturing it, and sharing knowledge regarding international adherence to such rights and their acknowledgment in the context of the international human rights law.

Digital rights and responsibilities are the privileges and liberties of using the Internet and digital space as a whole, and the ethical and legal duties that emerge from its utilization. It involves raising the level of awareness of people about their rights and obligations in the relationship with digital technologies, such as ethical use of electronic resources and consideration of the rights of intellectual property through referring to the original source in case of benefiting from any digital content. It also requires adherence to the acceptable use standards created by the competent bodies and compliance with the digital laws and ethical regulations of cyberspace.

Based on this, all digital users have access to digital rights, including the right to privacy and electronic freedom, which ensures the right to defend and publish creative works on the Internet in compliance with the existing laws. Hence, every person has to understand that it is not permissible to abuse other people or companies in any way by acting irresponsibly or using offensive language.

VI. TYPES OF DIGITAL RIGHTS

The list of rights discussed in terms of digital human rights involves the rights regarding the dissemination of information, e.g., freedom of opinion and speech, freedom of information flow, the right to privacy, the right to access to digital security, the right to knowledge, the right to education, and the right to enjoy the fruits of scientific progress, amongst others. The following are some of the rights that are explained:

TABLE I DIGITAL HUMAN RIGHTS AND THEIR ASSOCIATED BENEFITS

Digital Human Right	Description	Key Benefits
Digital Privacy	Right to control personal data and protect it from unauthorized access	Protects personal information, prevents misuse, and enhances user trust
Freedom of Expression	Right to express opinions freely in digital platforms	Promotes democracy, supports open dialogue, and encourages social participation
Right to Access Information	Right to seek and obtain information online	Enhances knowledge sharing, supports education and research, and improves transparency
Right to Internet Access	Right to access the internet without discrimination	Enables digital inclusion, supports economic and social development
Digital Security	Right to secure digital environments and protect data from cyber threats	Reduces cyber risks, ensures safe communication, and protects sensitive information
Right to Digital Education	Right to acquire digital skills and knowledge	Improves digital literacy, enhances employability, supports lifelong learning
Right to Digital Oblivion	Right to delete or control personal data online	Protects reputation, ensures data control, enhances personal autonomy

Table I shows the most significant elements of digital human rights and the benefits it has in the digital world. It highlights the contribution made by each right towards the protection of individuals, development of society, and safe online engagement (Al Makhzoumi et al., 2024). A thorough description is provided in table I with the view to having a clearer understanding of the practical applicability of the digital rights in providing privacy, access, security and freedom in the digital age.

The Right to Digital Privacy

A fundamental digital human right, the right to privacy is the right of an individual to withhold personal data, personal information, and personal life against unauthorized access and disclosure. It helps people to protect their identity and keep confidential data secure in the cyber world. As communication technologies have rapidly developed, this notion has been extended to the right to communicate without being monitored and the guarantee of privacy of the data stored on digital devices like the Internet and cell phones. Illegal spying by states or other authorities amounts to a serious infringement of this right.

Privacy is also perceived as the personal right to control access to personal data and decide on how personal data is gathered, processed, and disseminated. Nonetheless, the growing dependence on digital technologies has exacerbated the risk of violating personal life, raising questions about the loss of privacy in contemporary society. In this regard, digital or informational privacy focuses on the right of the person to control personal data and its processing in the digital system. The social media, Internet, and digital services have become more popular, and it has increased awareness about the threats to privacy, including cyber threats like malware, data breaches, and unlawful use of data. This is causing individuals to be increasingly concerned about their personal information and how it is stored, retained and used.

Simultaneously, the practices of states, especially in counter-terrorism, have increased surveillance. Governments tend to do this on the basis of national security and utilize

sophisticated technologies and data sources offered by third parties to keep a track of people. Nonetheless, there are serious legal and ethical issues with these practices. As a reaction, international human rights frameworks stress that surveillance should be conducted in line with legal provisions, such as legality, necessity, and proportionality. The Special Rapporteur on counter-terrorism has emphasized that, lawfully, any invasion of privacy should be justified and restricted to no more than the purpose. Therefore, the security-privacy dilemma is one of the main issues in the digital era.

The Freedom of Expression in Digital Space

One of the pillars and the most basic principles on which the digital rights are founded is the right to digital freedom of expression. As it is common, the technological growth and the progress of the means of communication between individuals and groups have widened the available spaces. Blogs and social networks have given popular groups of people and organizations a vast platform to communicate on most subjects and areas. Liberation of opinion is a way that people can use to declare their identity. Hence, this freedom should not be suppressed, and this is pressure on the entity of the state, which violates its essence, and this, in turn, has an impact on its integrity and political well-being.

The Right to Obtain Information

The freedom to access information has been considered one of the most pronounced aspects and manifestations of the digital revolution. The Internet has leveled all individuals with regard to access to information and acquisition of digital transmission tools. Thus, freedom of access to information is a privilege of digital human rights, and any denial of access to information is regarded as a human rights violation in the digital era (Kartashkin, 2022).

The Rights to Know Digitally

This right applies to the right of all Internet users to participate and contribute digital content and digital libraries to the Internet, to be evaluated, and to be equipped with the

capacity of computational thinking. The right to access to knowledge and the freedom of information is a wide right since knowledge is the basis of sustainable human development, and the Internet allows sharing the knowledge base and collaboration in knowledge production.

The Right to Have the Internet

The right to access the Internet for everyone means that everyone has access to infrastructure, irrespective of the place of residence, and also access to knowledge and skills that allow people to use the Internet in order to satisfy their needs. This right should be provided to both men and women, and affordability should be ensured. It also involves allowing workers and employees in their workplaces to enjoy their right to Internet access in a manner that is compatible with the objectives of professional training accorded to them.

Electronic Security the Right to Electronic Security

Digital security simply implies keeping the information of an individual under his or her direct control, and thus no one should have access to their information without their knowledge or approval. It also demands that individuals must be conscious of the dangers of letting other people access their personal information, especially since the majority of people want to keep the content of sensitive data like passwords and credit card details confidential, and also ensure that other people cannot access the information (Mikołajczyk, 2023).

The Right to Digital Oblivion

This right means the right of all individuals who are on the Internet to correct, alter, delete, or retract all data or information concerning them on digital transmission media, without any discrimination of the rights of others or law and order. This right demands that the parties in charge of websites must not retain such information after the reason why they were gathered and must not interfere with the right of an individual to forget his or her personal data.

The right to digital oblivion was characterized by the French National Commission on Informatics and Liberties (Commission Nationale de l'Informatique et des Libertés – CNIL) as the right of all people to manage their digital footprint and their online life, both public and personal.

VII. DIGITAL RIGHTS CHARACTERISTICS

The digital rights have been regarded as essential human rights as they were recognized in 2013 by the Human Rights Council, followed by 2014 and 2016 (Moyn, 2014). By these resolutions, the Council recognized digital rights, asserted that they are to be respected, encouraged their application in the digital realm, and thus confirmed that they have no lesser value than the earlier generations of rights and freedoms.

It is important to mention that human rights are defined as not lapsing, as well as being irrevocable or negotiable, because

they are inherently attached to the human being as a value in itself. They also relate and are inseparable; human beings are equal and enjoy equal rights like other humans. Lastly, they are found to be universal, that is, one cannot say that certain people or peoples are more human rights than others.

Elaborating on the above, one can say that digital human rights have a number of core aspects, which include:

- Digital rights are unlawful rights:

Digital rights are considered legal rights, since they were formally enacted and accepted by law. Legal rights are those recognized by the legal systems, and this is what differentiates them from natural rights. The latter are innate and do not relate to legal systems, whereas the digital rights are the rights of a legal kind. Law plays a regulatory and protective role in this regard as concerns these rights.

- Digital rights are changing rights:

Digital human rights are directly related to the digital revolution. As technology, applications, and new practices are constantly evolving and changing on the Internet, new digital rights have to be discovered, safeguarded, and approved to counter the changes.

- Digital rights: Digital rights are universal rights:

Digital rights are universally based on the universal and extensive nature of the international information network. The digital rights associated with human needs like communication, publishing, browsing, messaging, blogging, and access to information have been easily fulfilled with the availability of the Internet. The global Internet connectivity has also enhanced this.

- Digital rights are recently arisen rights:

Digital rights are said to form new categories and generations of human rights, which have been developed in response to the marked global technological development. These rights are part and parcel of human advancement. They are genuinely diverse in terms of their novelty, being the rights that must be seen as being inherently interconnected with the international information network and all the tools that enable access to the latter and take advantage of its possibilities.

- During the digital era, digital rights are inherent rights:

As the Human Rights Council identified these rights, they made it clear that they were basic rights, both cognitive and ethical in nature, that is, they are not recreational rights or secondary rights. This aligns with the character of such rights and the fact that they are badly needed because they follow individuals in all the spheres of their lives and are now inseparable from all the aspects of everyday life.

- Digital rights are incorporated rights:

Digital rights are not distinct and independent rights; on the contrary, they are interconnected and complementary. Internet access allows people to acquire data and information that helps exercise different rights, one of which is the right to privacy.

VIII. LAWS THAT REGULATE THE ENFORCEMENT OF DIGITAL HUMAN RIGHTS

The fast-growing digital technologies have created a plethora of issues, such as cyber threats, privacy breaches, and abuse of communication channels. Governments around the world have responded by enacting legal and regulatory frameworks to regulate online activities at the expense of human rights and national security issues (Hoffman et al., 2022). Such frameworks usually take into account international charters and declarations that focus on the protection of basic rights (Faturoti, 2022). Nevertheless, there are still deviations with some states restricting it by means of surveillance, censorship, internet blockade and cyber activity (Gill & Germann, 2022). Telecommunications companies are sometimes encouraged to engage in such practices based on government requirements, and there are threats of criminal activities in the cyberspace.

To overcome these issues, the idea of digital security has become an important element in protecting individuals, organizations, and states against digital threats. When it comes to the regulation of digital human rights, governments turn more and more to international examples, aligning the

legal norms and securing the fundamental freedoms of equality, freedom of expression, privacy, and belief. It is interesting to note that rights acknowledged in the traditional legal systems have been applied in the digital context, which positively supports their applicability.

However, the international human rights law allows some limitations to the freedoms, especially the freedom of expression, as long as they are limited by law. These restrictions are usually grounded in the factors such as respecting the rights and reputation of other people, national security, the order in society, health, and morality (Moyn, 2014).

A number of international instruments have integrated the issue of digital rights. The Internet Rights Charter (2001) has defined the principles of access to the Internet, the freedom of expression, privacy, and digital governance (Al-Makhzoumi et al., 2024). On the same note, the United Nations General Assembly Resolution 68/167 (2013) reaffirmed that the rights enjoyed offline, especially privacy, should be applied online. On a regional scale, the Data Retention Directive by the European Union (2006) was meant to increase security, but was struck down after it contravened privacy and data protection rights. Generally, national constitutions and legislations have incorporated greater protection of digital human rights, an indication of their acknowledgment as basic rights. Laws are still developed to provide efficient regulation and protection in the digital era.

TABLE II INTERNATIONAL PROTECTION MECHANISMS FOR DIGITAL HUMAN RIGHTS UNDER GLOBAL LEGAL INSTRUMENTS

International Instrument	Institution / Body	Protection Mechanism	Key Digital Rights Covered
Universal Declaration of Human Rights (1948)	United Nations (UN)	Foundational human rights framework	Freedom of expression, right to information, privacy
International Covenant on Civil and Political Rights (ICCPR, 1966)	UN Human Rights Committee	Monitoring, reporting, and complaint procedures	Privacy, freedom of expression, access to information
UN General Assembly Resolution 68/167 (2013)	UN General Assembly	Recognition of privacy in digital age; state obligations	Digital privacy, data protection
UN Human Rights Council Resolution (2016)	UN Human Rights Council	Promotion and protection of rights online; monitoring and recommendations	Internet access, freedom of expression, digital rights equality
OHCHR Mechanisms (Reports & Special Procedures)	Office of the High Commissioner for Human Rights	Investigations, reporting, special rapporteurs	Privacy, surveillance, digital freedoms
Universal Periodic Review (UPR)	UN Human Rights Council	Peer review of state human rights practices	Digital rights implementation, internet freedom
Internet Rights Charter (APC, 2001)	Association for Progressive Communications	Norm-setting guidelines for digital rights	Internet access, privacy, freedom of expression

Table II highlights major international legal tools, and the mechanisms set up by them to safeguard digital human rights (Benedek, 2025; Velasco, 2022). It also emphasizes how the United Nations frameworks, treaties and monitoring bodies play a role in protecting rights like privacy, freedom of expression and access to information. The table further differentiates between binding and non-binding mechanisms

giving a clear insight into their scope, role, and impact on the global digital governance environment.

IX. DIGITAL RIGHTS PROTECTION

Digital human rights have their legal basis in the international conventions and treaties that are intended to guarantee the privacy and provide the respect to personal data] (Li et al.,

2025). However, these rights still stand in danger of incursion especially following the increased amount of personal data disclosed to people due to digitalization efforts by governments across the globe (Suleimanova, 2024). As a result, governments, commercial enterprises, and other individuals have taken to keep personal data, and this has raised serious concerns about the level of protection that may be provided to the digital rights, considering the number of parties that may infringe the rights, and the legal regulations that are necessary to protect the rights at national as well as international levels.

The United Nations General Assembly in Maintaining Digital Human Rights

The United Nations General Assembly has been instrumental in the promotion of digital human rights especially the right to privacy. Resolution 68/167 (2013) recognized privacy as a fundamental right and that the rights enjoyed offline needed to be extended to the online space. It urged the states to protect privacy in online communications and acknowledge the international character of the Internet. This was supported by the Resolution 69/166 (2014) which advised states to look at surveillance legislation and ensure that laws against unlawful interception and data gathering are not breached. These resolutions point to the fact that mass surveillance undercuts democratic principles and has to adhere to international human rights standards (Tangriyevna, 2025).

The Human Rights Council in the Digital Protection of Human Rights

The UN Human Rights Council has enhanced the protection of digital rights by establishing institutional measures. In 2015, it put in place the mandate of the Special Rapporteur on the right to privacy, which is charged with overseeing surveillance practices, ensuring best practices, and keeping an eye on international law. The Resolution A/HRC/RES/32/13 (2016) of the Council reiterated that the rights offline are also applicable online and highlighted the themes of trust, privacy, and freedom of expression in the digital realm. It also pointed out the dangers of technological development and the abuse of digital spaces. Moreover, the Resolution 75/176 (2020) once again underscored the need to protect privacy, which shows that the Council remains dedicated to digital human rights.

The Work of the Office of the High Commissioner on Human Rights in defending Digital Rights

The office of the United Nations High commissioner of human rights (OHCHR) is therefore very important to solve emerging issues to digital rights especially those associated with artificial intelligence. Its reports discuss how AI technologies, including profiling and automated decision-making, affect such rights as privacy, freedom of expression, and access to services. Discrimination, data misuse, and transparency in AI systems are some potential risks that these studies point to. The 2021 OHCHR report

emphasized the need for safeguards and called for restricting harmful AI applications. It also suggested a suspension of technologies that pose a threat to human rights until proper legal and ethical frameworks are put in place.

Reasons Why the Legal Protection of Digital Rights of Individuals Should be Allowed

Digital rights do not just exist to ensure that the social order is upheld in the digital era but to protect the freedom of individuals. International institutions help governments to control the rights of privacy, freedom of speech, and equality on the web. Although international law does not forbid any restrictions based on such reasons as the maintenance of order and national security, these should be grounded in the law. Digital rights have been increasingly considered in national constitutions with legislative backing being put in place to protect them. Yet, the dynamism of technology is threatening the current legislation, and the legal changes have to be carried out constantly to maintain efficient control over cyberspace and safeguarding human rights.

X. DISCUSSION

The results of this paper directly respond to the research problem of defining, recognizing and safeguarding digital human rights in international law frameworks. With regards to the former research objective, the article confirms that digital human rights are a development of traditional human rights, as is the strength of the current literature which points to the fact that they are based on such tools as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

The analysis shows that there is an increasing international awareness of digital rights, especially by United Nations resolutions and by international efforts. This observation aligns with other extant reports, which have highlighted the increasing role of international bodies in promoting digital governance and rights-based policies in cyberspace.

The study shows that despite the various international protection mechanisms that have been developed like UNHRC resolutions, OHCHR programs, and the Universal Periodic Review, these are not effective in their implementation due to the lack of bindingness. This agrees with the past researches that a gap does exist between ideals on paper and actual implementation.

Additionally, the findings can also be used in the literature to provide a systematic study of international tools and uncover significant problems like state surveillance, inequality in regulations, and lack of enforcement authority. This study is a comparative outlook on the mechanism of protection and its practical implications as opposed to previous research where conceptual definitions are mostly emphasized.

XI. CONCLUSION

This paper has explored the concept, development and safeguarding of digital human rights in the context of international law. The results affirm that digital rights are a continuation of the traditional human rights, and that the main tools to support it consist of the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966). By undertaking a systematic review of international mechanisms, the paper determined that a number of fundamental digital rights, such as privacy, freedom of expression, access to information, and digital security, are continually acknowledged at the international levels. Also, the study indicates the importance of significant UN resolutions (2013, 2014, 2016, and 2020) in strengthening the idea that rights, protected offline, should also be ensured online. Analytically speaking, the research shows that although there are a number of international mechanisms (e.g., UNGA, UNHRC, OHCHR, UPR) in place that are meant to protect the rights of digital right

s, most of them are non-binding tools (soft law). This creates a wide gap between the normative acknowledgement and the real implementation as evidenced by the fact that surveillance practices are still eminent, the restriction of the internet and even inconsistencies in regulations across borders. Other critical dimensions of governance that have been put in place in the paper are access, privacy and freedom of expression that are fundamental to the effective application of the digital rights. The significance of the findings in contemporary society is that modern societies are increasingly relying on digital systems, where the safety of digital rights is an important element of democratic participation, inclusion in society, and economic development. Enforcement is still complicated by some challenges like technological advancements, risks of artificial intelligence, and cross-border data governance, despite progress. Further work will be to be performed on the creation of binding international legal frameworks, the analysis of the effectiveness of applications at the national level, and the exploration of how new technologies, such as artificial intelligence and big data, can influence digital rights. Also, there is a lack of empirical and comparative research to determine the practical effects of digital rights protections in various jurisdictions.

Recommendations

1. The international human rights instruments should be amended to align with the contemporary technological trends, in an effort to guarantee the safeguarding of the digital human rights as well as the accomplishment of a substantial degree of freedom of expression in the age of information.
2. Digital human rights can be considered a core of human rights, and more attempts should be done to affirm, recognize, and restrict violations of these rights.

3. States are supposed to pass the relevant laws that govern the digital human rights in line with modern demands and ensure that citizens enjoy their rights.
4. The role of the non-governmental organizations interested in human rights should be encouraged and mobilized to track the human rights abuse- in particular the abuse of freedom of expression by the governments- and to supervise the activities of the governments to ensure that individuals enjoy their freedom of thought and expression without any form of abuse, and their right to privacy.

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