

WIKI n°18: The Digital Rights of Citizens

The development of the digital world necessitates adapting national and international legal frameworks to address new questions regarding the protection of fundamental rights online.

The foundations of digital rights can be traced to the following international texts:

- **The Universal Declaration of Human Rights:** Although adopted in 1948, this declaration lays the groundwork of human rights, notably the right to freedom of expression, which also applies to the digital sphere.
- **The International Covenant on Civil and Political Rights:** This international treaty, adopted in 1966 and entering into force in 1976, guarantees several civil and political rights, including freedom of expression, "*without distinction of any kind, such as race, color, sex, language, religion, political or other opinions, national or social origin, property, birth or other status*"⁷⁹.

Reflection on digital rights has gained prominence due to the following considerations:

- The accelerated development of the Internet as a space for creation, communication, and exchange of ideas and opinions has emphasized the question of how online freedom of expression should be regulated to prevent rights violations.
- The World Economic Forum published an article in November 2015 titled "What are your digital rights?"⁸⁰ was a pivotal moment in discussing digital rights, emphasizing that digital rights are equivalent to the rights individuals hold offline.
- On September 21, 2020, the United Nations General Assembly, adopted Resolution (A/RES/75/1), through which member states affirmed their commitment to "enhance digital cooperation" as part of broader measures aimed at strengthening

⁷⁹ Article 2 of International Covenant on Civil and Political Rights ; 1966 (PIDCP), [Pacte international relatif aux droits civils et politiques](#) | OHCHR

⁸⁰ [What are your digital rights? | World Economic Forum \(weforum.org\)](#)

global governance. Following this resolution, the UN Secretary-General developed an Action Plan outlining "the actions to be taken by the global community to ensure that [all] people are connected, respected and protected in the digital age, [...] and that all human rights are respected [...] by 2030."

- In 2022, the European Commission proposed a "European Declaration on Digital Rights and Principles for the Digital Decade."⁸¹ Furthermore, the European Union introduced new legislation titled: "The European Union's Artificial Intelligence Act," which "lays the foundations for the regulation of artificial intelligence in the European Union," including the protection of fundamental digital rights for citizens.⁸²
- Recognizing the importance of protecting citizen digital rights, Morocco established the National Commission for the Control of the Protection of Personal Data (CNDP) in 2009. This commission's primary objective is to "ensure respect for the fundamental freedoms and rights of natural persons with regard to the processing of personal data."⁸³
- The issue of national data protection has been refined via several legal and regulatory frameworks, notably Law 09-08 (February 2009) concerning the protection of personal data, Law No. 05-20, adopted in July 2020, addressing cybersecurity,⁸⁴ and Law No. 43-20 enacted in December 2020, concerning trust services for electronic transactions.⁸⁵

⁸¹ [CELEX :52022DC0028 :FR:TXT.pdf \(europa.eu\)](#)

⁸² <https://artificialintelligenceact.eu/fr/ai-act-explorer/>

⁸³ [La Commission Nationale de contrôle de la protection des Données à caractère Personnel \(CNDP\).](#)

⁸⁴ [Loi 05-20.pdf \(dgssi.gov.ma\)](#) [Loi n° 43-20 relative aux services de confiance pour les transactions électroniques | DGSSI](#)

⁸⁵ <https://www.dgssi.gov.ma/fr/loi-ndeg43-20-relative-aux-services-de-confiance-pour-les-transactions>