

PRUV Background Paper

The Protection of Privacy and Family (Articles 17 and 23 ICCPR) in the Urban Vulnerability Context

The first part of this Background Paper outlines the contents of Articles 17 and 23 ICCPR on a general level. The subsequent part analyses relevant documents regarding Colombia, Indonesia, and Kenya within the context of the U.N. Human Rights Committee. In a final part, the paper concludes and develops recommendations as to the overall research project on urban vulnerability.

I. Articles 17 and 23 ICCPR

1. Article 17 ICCPR

- (1) No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.
- (2) Everyone has the right to the protection of the law against such interference or attacks.

One of the most authoritative sources on Article 17 ICCPR is General Comment No. 16 of the Human Rights Committee.¹ In it, the Committee reaffirms that the provision obligates States to not commit prohibited interferences or attacks as well as protect, through legislative and other measures, from interferences or attacks by private (natural or legal) persons. The Comment, however, is only of limited help due to its vague nature and ill-conceived structure.

Article 17 ICCPR, commonly referred to as the right to privacy, lists a number of protected rights and interests. Conclusive definitions are scarce. “Privacy” is not defined in the General Comment; the interpretation of the term “family” is said to depend on the understanding “in the society of the State party concerned”.² “Home” is defined as “the place where a person resides or carries out his usual occupation.”³ Correspondence, honour, and reputation are not defined.⁴

This lack of definitions is, however, not necessarily a weakness. Just as most of the other notions of Article 17 ICCPR, “privacy” is a particularly elusive concept prone to societal evolution and individual preferences. Its understanding has, accordingly, undergone significant changes. In its origin, privacy was mainly understood as a “right to be left alone”.⁵

¹ U.N. Human Rights Committee, *General Comment No. 16: Article 17 (Right to Privacy)* (Apr. 8, 1988), reprinted in 1 Human Rights Instruments 191–93, U.N. Doc. HRI/GEN/1/Rev.9 (Vol I) (2008) [hereinafter: General Comment No. 16], also available at <http://ccprcentre.org/ccpr-general-comments> [last accessed Oct. 20, 2016].

² *Ibid.*, at ¶ 5.

³ *Ibid.*, at ¶ 5.

⁴ Due to a perceived lack of relevance, this paper does not address issues of honour or reputation.

⁵ Samuel D. Warren & Louis D. Brandeis, *The Right to Privacy*, 4 HARVARD LAW REVIEW 193 (1890).

Today, it has been associated with broader concepts of human autonomy and liberty.⁶ Recent U.N. reports define privacy, for example, as “the presumption that individuals should have an area of personal autonomous development, interaction and liberty free from State intervention and excessive unsolicited intrusion by other uninvited individuals.”⁷ Instead of attempting to develop an all-embracing definition, the U.N. Human Rights Committee has addressed issues of privacy on a case-by-case basis, allowing a flexible and pragmatic application of the term.⁸

Interferences in privacy, family, home or correspondence only comply with human rights law if they are neither unlawful nor arbitrary. “Unlawful” means that the interference must have a basis in domestic law, which itself must fulfil certain quality criteria: The domestic law must be accessible, its effects foreseeable, and it must contain safeguards against arbitrary use.⁹ Secondly, an interference must not be arbitrary, which means it must be “reasonable in the particular circumstances.”¹⁰ Arbitrariness thus is closely linked to the notion of proportionality: the interference in question must pursue a legitimate interest and must be necessary. According to the European Court of Human Rights’ understanding of the parallel provision in the European Convention on Human Rights, this means that the interference must be “justified by a pressing social need and, in particular, proportionate to the legitimate aim pursued.”¹¹

Because of their openness to an increasing variety of interpretation, Article 17 ICCPR has been invoked in a large number of cases, ranging from surveillance and data protection, deportation and eviction, to the right to know one’s origins.¹² The protection of one’s home, for example, includes the protection from unlawful or arbitrary forced entry;¹³ the protection of family life may be violated by a refusal to grant a visa¹⁴ and entails a right to correspond with one’s families while imprisoned¹⁵.

⁶ H. Tomás Gómez-Arostegui, *Defining Private Life Under the European Convention on Human Rights by Referring to Reasonable Expectations*, 35 CALIFORNIA WESTERN INTERNATIONAL LAW JOURNAL 153, 160 (2005). Considerations on the European Convention on Human Rights are, to some extent, equally valid with regard to the ICCPR, as both instruments possess significant similarities, including their history, content, and wording.

⁷ U.N. Human Rights Council, Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism ¶ 11 (Dec. 28, 2009) (*prepared by Martin Scheinin*), U.N. Doc. A/HRC/13/37.

⁸ Manfred Nowak, U.N. COVENANT ON CIVIL AND POLITICAL RIGHTS: CCPR COMMENTARY 385 (2d ed. 2005); David Harris, Michael O’Boyle, Edward Bates & Carla Buckley, LAW OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS 36 (3d ed. 2014).

⁹ Nowak, *supra* note 8, at 382.

¹⁰ U.N. Human Rights Committee, *General Comment No. 16*, *supra* note 1, at ¶ 4.

¹¹ European Court of Human Rights, *Radovanovic v. Austria*, Appl. No. 42703/98 (Apr. 22, 2004), ¶ 31.

¹² NOWAK, *supra* note 8, at 432.

¹³ See U.N. Human Rights Committee, *Consideration by the Human Rights Committee at its 111th, 112th and 113th sessions of communications received under the Optional Protocol to the International Covenant on Civil and Political Rights* ¶ 130 (with references to case-law) (Sept. 8, 2015), U.N. Doc. CCPR/C/113/4.

¹⁴ See *ibid.*, at ¶¶ 132-133 (with reference to case-law).

¹⁵ See *ibid.*, at ¶ 136 (with reference to case-law).

2. Article 23 ICCPR

- (1) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.
- (2) The right of men and women of marriageable age to marry and to found a family shall be recognized.
- (3) No marriage shall be entered into without the free and full consent of the intending spouses.
- (4) States Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolution, provision shall be made for the necessary protection of any children.

The first point of reference, again, is a General Comment on the provision adopted by the U.N. Human Rights Committee in 1990.¹⁶ Family, as indicated above, is a relative concept, depending upon the respective State or even region within a State, rendering the task of defining it comprehensively practically impossible.¹⁷ If, however, a State considers “a group of persons” as a family, the protection of Article 23 ICCPR kicks in. Human rights law thus does not dictate what a “family” is, but builds on the national State’s own conception and links to it certain legal consequences.

Under Article 23(2) and (3) ICCPR, the right to marry must be recognised. The requirements for marriage are not specified by the ICCPR. Certain restrictions, however, do exist. For example, the marriageable age “should be such as to enable each of the intending spouses to give his or her free and full personal consent in a form and under conditions prescribed by law.”¹⁸

Further, the right to found a family must be recognised. The Committee explains that this right “implies, in principle, the possibility to procreate and live together.”¹⁹ This means that family planning policies must not be discriminatory or compulsory and that States must adopt appropriate measures “both at the internal level and as the case may be, in cooperation with other States, to ensure the unity or reunification of families, particularly when their members are separated for political, economic or similar reasons.”²⁰

Finally, Article 23(4) provides that States parties shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. The Committee notes in its General Comment that this means that “no sex-based discrimination should occur in respect of the acquisition or loss of nationality by reason of marriage. Likewise, the right of each spouse to retain the use of his or her original family name or to participate on an equal basis in the choice of a new family name should be safeguarded.”²¹ It goes on emphasising that “[d]uring marriage, the spouses should have equal rights and

¹⁶ U.N. Human Rights Committee, *General Comment No. 19: Article 23 (Protection of the family, the right to marriage and equality of the spouses)* (July 27, 1990), reprinted in 1 Human Rights Instruments 198-199, U.N. Doc. HRI/GEN/1/Rev.9 (Vol I) (2008), also available at <http://ccprcentre.org/ccpr-general-comments> [last accessed Oct. 20, 2016].

¹⁷ *Ibid.*, at ¶ 2.

¹⁸ *Ibid.*, at ¶ 4.

¹⁹ *Ibid.*, at ¶ 5.

²⁰ *Ibid.*, at ¶ 5.

²¹ *Ibid.*, at ¶ 7.

responsibilities in the family”, e.g. regarding “choice of residence, running of the household, education of the children and administration of assets.”²² And finally: “Thus, any discriminatory treatment in regard to the grounds and procedures for separation or divorce, child custody, maintenance or alimony, visiting rights or the loss or recovery of parental authority must be prohibited, bearing in mind the paramount interest of the children in this connection.”²³

II. The Protection of Privacy and Family in Colombia, Indonesia, and Kenya in the Context of Urban Vulnerability

A preliminary remark must be made with regard to the available data: Among the special mandates of the Office of the U.N. High Commissioner for Human Rights, no Special Rapporteur exists who deals with the rights discussed in this paper.²⁴ Although, in 2015, a Special Rapporteur on the right to privacy was appointed, his mandate focuses on the right to privacy *in the digital age*. The specific context of “the rapid pace of technological development”, the threats to individual privacy posed by surveillance and the collection of personal data, as well as the reason behind such infringements, the prevention of terrorism,²⁵ is certainly of less significance in the urban vulnerability nexus.

In lack of specific documents, further research would be needed to complete the picture, if the issue was to be deemed worthy of such research. The evaluation of all available reports on the three countries with regard to privacy and family issues exceeds the capacity and form of this background paper. The outcome of such a detailed inquiry into U.N. reports seems, either way, rather questionable.

The following sections are based on a synopsis of the latest country reports to the U.N. Human Rights Committee and that body’s case-law, if available. The limited concreteness of the reports – neither regarding privacy/family nor regarding urban violence – and the limited number of cases do arguably not allow a completely coherent and comprehensive analysis.

²² *Ibid.*, at ¶ 8.

²³ *Ibid.*, at ¶ 9.

²⁴ See Office of the U.N. High Commissioner for Human Rights, *Current and Former Mandate-Holders for Existing Mandates* (undated), available at www.ohchr.org/EN/HRBodies/SP/Pages/Currentmandateholders.aspx [last accessed Oct. 20, 2016].

²⁵ U.N. Human Rights Council, *The right to privacy in the digital age* (Mar. 26, 2015), U.N. Doc. A/HRC/RES/28/16.

1. Colombia

Colombia submitted its latest report to the Human Rights Committee in 2014 (Article 40 ICCPR).²⁶ Concluding Observations are not yet published. Its previous report was submitted in 2008.²⁷ The Concluding Observations on the earlier report neither mention Article 17 nor 23 ICCPR.²⁸

Colombia's constitution and/or national laws entail protection of both, privacy and family.²⁹ Recently, the Constitution was amended as to include a right of habeas data, "whose main objective is to strike a balance in the conflict between the right of the citizen to know, to update and to rectify information about him that exists in the databases and the collective and general right to information."³⁰ The reports on developments with regard to Article 17 ICCPR are mainly focused on the protection of personal data and the privacy of communications. Likewise, the queries of the Human Rights Committee aim at alleged illegal intelligence activities.³¹

The reports on Article 23 ICCPR reiterate the constitutional protection of the family and list new legislative, judicial, and administrative developments. In the context of urban vulnerability, the following developments might be of interest:

- Act. No. 1432 of 2011 introduced subsidies for families affected by catastrophic events and natural disasters.³²
- A project aimed at promoting family well-being "seeks to develop and to enhance the individual and collective capacities of *vulnerable families* in order to strengthen ties".³³
- The "Protection Network against Extreme Poverty", created in 2006, "seeks to promote the effective inclusion of the poorest households in the State's social networks and assist them in overcoming poverty."³⁴

²⁶ U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant: Seventh periodic reports of States parties due in 2014: Colombia* (Apr. 7, 2015; received Dec. 22, 2014), U.N. Doc. CCPR/C/COL/7 [*hereinafter*: Colombia Report 2014].

²⁷ U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant: Sixth periodic report: Colombia* (June 2, 2009; received Dec. 10, 2008), U.N. Doc. CCPR/C/COL/6 [*hereinafter*: Colombia Report 2008].

²⁸ U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant, Concluding observations of the Human Rights Committee: Columbia* (July 28, 2010), U.N. Doc. CCPR/C/COL/CO/6.

²⁹ The relevant national legislations are quoted in the first report of Colombia to the U.N. Human Rights Committee, see U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant: Initial reports of States parties due in 1977, Addendum: Colombia* (Nov. 28, 1979; received Nov. 14, 1979), U.N. Doc. CCPR/C/1/Add.50. Of course, an update would be necessary to achieve a topical picture of relevant legislation.

³⁰ U.N. Human Rights Committee, *Colombia Report 2008*, *supra* note 27, at ¶ 431.

³¹ U.N. Human Rights Committee, *List of issues in relation to the seventh periodic report of Colombia* ¶ 22 (Mar. 7-31, 2016), U.N. Doc. CCPR/C/COL/Q/7. Colombia has responded to these questions, see U.N. Human Rights Committee, *List of issues in relation to the seventh periodic report of Colombia, Addendum: Replies of Colombia to the list of issues* ¶¶ 91-97 (Aug. 18, 2016; received July 27, 2016), U.N. Doc. CCPR/C/COL/Q/7/Add.1.

³² U.N. Human Rights Committee, *Colombia Report 2014*, *supra* note 26, at ¶ 210.

³³ *Ibid.*, at ¶ 216 (italics added).

³⁴ U.N. Human Rights Committee, *Colombia Report 2008*, *supra* note 27, at ¶ 512 (emphasis omitted).

- The “Families in Action” programme aims at “providing an efficient and effective direct monetary support to the poorest families in the population”³⁵

Further research would be needed, as the information reported by Colombia is vague and says nothing of the implementation of the cited legislations and projects. The Human Rights Committee did not present any inquiries with regard to Article 23 ICCPR.

Only a few cases before the Human Rights Committee exist in which Article 17 ICCPR or Article 23 ICCPR were invoked and in which Colombia was involved. After preliminary perusal, the significance of these cases for the present purpose seems low. One case deals with the contact between parents and children;³⁶ another addresses a violent police raid of the home of complainant.³⁷ The latter case, in particular, is not specifically linked to the urban context, but indicative of the restrictions human rights law generally establishes on police actions.

2. Indonesia

Indonesia’s most recent and only report to the Human Rights Committee was submitted in 2012, five years after its due date.³⁸ The country is not a party to the Optional Protocol to the ICCPR.³⁹ Case-law of the Committee does thus not exist.

In its report, Indonesia explains that its Constitution as well as its Law on Human Rights, among others, protect the rights and interests enshrined in Article 17 ICCPR.⁴⁰ In particular, “Law No. 23 of 2004 on the Elimination of Domestic Violence serves as the legal framework to realize a safe, comfortable and prosperous family/household. The Law also contains measures of prevention and treatment of any acts of domestic violence.”⁴¹

With regard to Article 23 ICCPR, Indonesia reports that it sees family as “the most fundamental unit of society” that is constitutionally protected.⁴² The report acknowledges that the State has the obligation to provide “special assistance at the expense of the State for *vulnerable members* of the population and the empowerment of the family as the smallest unit in society.”⁴³

Significantly, Indonesia has laid out its view with regard to evictions at length. Due to the focus on other rights than Article 17 ICCPR, e.g. socio-economic rights (Indonesia expressly invokes

³⁵ *Ibid.*, at ¶ 513(a) (italics omitted).

³⁶ U.N. Human Rights Committee, *Fei v. Colombia*, Communication No. 514/1992 (Apr. 4, 1995), U.N. Doc. CCPR/C/53/D/514/1992, annex.

³⁷ U.N. Human Rights Committee, *Rojas García v. Colombia*, Communication No. 687/1996 (Apr. 3, 2001), U.N. Doc. CCPR/C/71/D/687/1996, annex.

³⁸ U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant, Concluding observations of the Human Rights Committee: Columbia* (July 28, 2010), U.N. Doc. CCPR/C/COL/CO/6.

³⁹ See U.N. Treaty Collection, *Status of the Optional Protocol to the Covenant on Civil and Political Rights* (Oct. 20, 2016), available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-5&chapter=4&clang=_en [last accessed Oct. 20, 2016].

⁴⁰ U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant, Initial reports of States parties: Indonesia* ¶¶ 232–33 (Mar. 19, 2012; received Jan. 19, 2012), U.N. Doc. CCPR/C/IDN/1.

⁴¹ *Ibid.*, at ¶ 240.

⁴² *Ibid.*, at ¶ 300.

⁴³ *Ibid.*, at ¶ 302 (italics added).

General Comment No. 4 of the Committee on Economic, Social, and Cultural Rights), this Paper may not be the best forum to discuss the issue extensively. Nevertheless, some parts of the statement are worthy of being quoted verbatim:

[E]victions, as part of Government policy, can only take place under “exceptional circumstances”, absolutely necessary, and involve protecting public health and well-being. Eviction is conducted as the last resort when there is no other feasible alternative for the Government to acquire land for public infrastructure. If an eviction is unavoidable, the Government respects the law and basic rights of the evictee and ensures that the eviction is carried out with due process, in compliance with national and international frameworks and standards with the ultimate objective to ensure the rights of the affected people and communities. [...] The Government takes serious measures to ensure the right to compensation and/or resettlement of all affected persons, groups and communities are fulfilled.⁴⁴

3. Kenya

Turning to Kenya, the latest report dates from 2010, submitted two years after the due date.⁴⁵ The report for the most recent reporting cycle, due July 2015, has not been submitted yet. Like Indonesia, Kenya is no party to the Optional Protocol.⁴⁶ Accordingly, no case-law exists.

In the previous report of 2004, Kenya’s law on privacy is briefly explained with a reference to the constitution, protecting the right to privacy and one’s home from arbitrary interference.⁴⁷ In the 2010 report, Kenya notes “no new developments” under Article 17 ICCPR.⁴⁸

Notably, the 2004 report notes: “A family in the Kenyan context falls under three categories—the extended, nuclear and single parent families. The extended family’s role, while still of great impact in society, is waning due to the migration of persons to *urban centres where nuclear and single-parent families are more prevalent*.”⁴⁹ In the 2010 report, Kenya describes steps to modernise its marriage and family law, e.g. by outlawing forced marriages and wife inheritance.⁵⁰

The Family Protection Bill “seeks to make provisions for the protection and relief of victims of domestic violence”.⁵¹ It entered into force in 2015 and was praised as being a “historical” step.⁵²

⁴⁴ Human Rights Committee, *List of issues in relation to the intimal report of Indonesia, adopted by the Committee at its 107th session (11-28 March 2013), Addendum: Replies of Indonesia to the list of issues* ¶¶ 186 and 191 (July 10, 2013; received June 28, 2013), U.N. Doc. CCPR/C/IDN/Q/1/Add.1.

⁴⁵ U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant, Third periodic report of States parties: Kenya*, (Jan. 13, 2011; received Aug. 19, 2010), U.N. Doc. CCPR/C/KEN/3 [hereinafter: Kenya Report 2010].

⁴⁶ See *supra* note 39.

⁴⁷ U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant, Second periodic report of States parties: Kenya* ¶¶ 141–49 (Sept. 27, 2004; received Sept. 27, 2004), U.N. Doc. CCPR/C/KEN/3.

⁴⁸ *Ibid.*, at ¶ 171.

⁴⁹ *Ibid.*, at ¶ 178 (italics added).

⁵⁰ U.N. Human Rights Committee, *Kenya 2010 Report*, *supra* note 45, at ¶¶ 192–93.

⁵¹ *Ibid.*, at ¶ 195.

⁵² See *The Protection Against Domestic Violence Act (PADV) 2015*, HEINRICH BÖLL STIFTUNG (Aug. 8, 2015), available at <https://ke.boell.org/2015/08/27/protection-against-domestic-violence-act-padv-2015> [last accessed Oct. 20, 2016].

Importantly, the Committee noted in 2012 that it regrets the “continuing forcible evictions of inhabitants from informal settlements without prior consultation and notification” in violation of Article 17 ICCPR.⁵³

III. Conclusions and Recommendations for Future Research

Linking urban violence to issues of privacy and family may not be the most obvious thing to do. Likewise, it is not the most obvious field of research – and it may, frankly, not be the most promising either. However, it is not irrelevant and should be, with reservations, integrated into the research design.

Article 17 ICCPR is currently debated intensely in the context of surveillance activities and the protection of personal data. This as well as other major issues of Article 17 ICCPR may not be important to the research project.⁵⁴ Nevertheless, the right may become relevant under specific circumstances. Such cases include the following aspects:

1. First, when assessing State responses to instances of urban violence. Importantly, Article 17 ICCPR significantly restricts **police operations** (i.e. forced entry, surveillance, etc.). Plenty literature as well as general case-law of the Human Rights Committee is available in this regard, although arguably not specifically tailored to the urban context. Nevertheless, future research could easily establish a comprehensive analysis of the legal boundaries of State measures under the provision.
2. Another major point of interest are **forced evictions** (especially in the context of slums and other informal or illegal settlements), occurring in all of the three relevant countries. This issue is certainly highly important for the research project. It is, however, closely linked to issues of housing, land rights, and others. Article 17 ICCPR protects from unlawful or arbitrary evictions and could therefore be one important legal argument for urban populations. However, eviction only plays a minor role in the analysed reports (due to their very general nature), which is why a broader research approach would be necessary. This research, then, should be focused on the phenomenon of forced evictions rather than on Article 17 ICCPR as such.
3. Finally, **domestic violence** may constitute another case of interest. Though not necessarily linked only to the urban context, State obligations to prevent and punish domestic violence could become relevant. Families in urban areas may be particularly prone to domestic violence. This may deserve further research. Similar to forced evictions, other human rights are closely linked to the rights discussed here (namely the right to life or minority rights), rendering, again, a focus on Article 17 ICCPR as such less promising.

Article 23 ICCPR grants a large margin to States (to define family, to set requirements for marriage, etc.) and some of its parts (marrying, founding a family, being able to contact family members, etc.) may not be relevant to the research project. However, the general protection of

⁵³ U.N. Human Rights Committee, *Consideration of reports submitted by States parties under article 40 of the Covenant, Concluding observations adopted by the Human Rights Committee at its 105th session, 9-27 July 2012: Kenya* ¶ 21 (July 25, 2012), U.N. Doc. CCPR/C/KEN/CO/3.

⁵⁴ An exception may be the protection of one’s home. Links to other human rights appear obvious in general, but remain rather opaque in their specific interconnectedness. Any discussion of “home” should thus not be limited to Article 17 ICCPR.

family becomes pertinent, when coupled with broader policy agendas to improve the situation of families, in particular in poor (urban) areas. Article 23 ICCPR could therefore be addressed while dealing, analysing, and evaluating selected projects. Again, the research project would greatly benefit from not attaching too much weight to analysing Article 23 ICCPR as such.

In conclusion, the following observations and recommendations may guide future research with regard to the rights elaborated in this paper:

1. The **overall relevance of the *general* protection** of, in particular, privacy and family, in the context of urban violence is **relatively low**.
2. Future research should **not focus on Article 17 ICCPR and Article 23 ICCPR as such**. The provisions are too broad and cover too many distinct issues that rarely concern questions specific to urban settings.
3. Instead, **research should address issues of privacy and family *en passant***, i.e. once they come up, and not search for them explicitly. As elaborated above, there may be **certain specific circumstances** in the urban setting where questions relevant to the privacy and home/family context arise.
4. Once this is the case, **a broader research approach** should be applied comprising a more specialised set of data. Although many official U.N. documents and some case law exist with regard to the relevant States, it does not seem advisable to spend much time analysing these reports due to their mostly broad nature. Focus should be laid on urban-specific data that may not be found in the U.N. human rights system on privacy/family.