Towards a world without mass surveillance

InternetNZ's contribution to the Electronic Frontier Foundation's Game Plan for Ending Global Mass Surveillance

InternetNZ

At a glance

The Electronic Frontier Foundation (the EFF) has a 'Game Plan' for ending global mass surveillance. InternetNZ will support this Game Plan by:

• encouraging user-side encryption

• encouraging and incentivising the creation of secure communication tools

• contributing to the legal principles around surveillance and privacy

• increasing transparency.

If this sounds like something you want to get involved with, please get in touch.

The Game Plan

What is this Game Plan?

The Game Plan is focussed on addressing the global issue of mass surveillance and making it harder for intelligence agencies, and others, to undertake mass surveillance.

The Game Plan contains eight parts. They are to:

1. pressure technology companies to harden their systems against NSA surveillance

2. create a global movement that encourages user-side encryption

3. encourage the creation of secure communication tools that are easier to use

4. reform Executive Order 12333

5. develop guiding legal principles around surveillance and privacy with the help of scholars and legal experts worldwide

6. cultivate partners worldwide who can champion surveillance reform on the local level, and offer them support and promotion

7. stop NSA overreach through impact litigation and new U.S. laws

8. bring transparency to surveillance laws and practices.

You can read more about the Game Plan on the EFF's website here:

www.eff.org/deeplinks/2015/01/effs-game-plan-ending-global-mass-surveillance

How is the EFF's Game Plan relevant to New Zealand?

The EFF's Game Plan recognises the global nature of the Internet. It focuses on the NSA and its global surveillance alliance - the Five Eyes (which New Zealand is part of). But the Five Eyes are not alone. There are a number of other countries that use the Internet for mass surveillance, some of which are intelligence partners with western nations. Russia, China, Iran, France, Germany, Israel and both North and South Korea all have some form of intelligence capabilities that leverage the Internet for large scale, or mass, surveillance.

Being subject to mass surveillance is not good for our right to privacy or our freedom of expression.

We want to play a role to support the Global Plan and help make Aotearoa more resistant to mass surveillance.

We want to lead efforts in New Zealand

InternetNZ believes in a better world through a better Internet. To us, a better Internet is open and uncapturable.

Our concern is that surveillance over the Internet is a form of capture.

This is, capture by governments who then seek to utilise the openness of the Internet to undermine the security and trust that we, as users of the Internet, rely upon when using it.

Mass surveillance is becoming ever more possible and attractive as more private and public communications are directed across the Internet.

We think the Game Plan is a useful way of reinforcing trust and confidence in the Internet and working on the Game Plan supports many of our policy principles here at InternetNZ.

This Game Plan seeks to both understand and define surveillance via the Internet as well as coordinate international efforts to curb its impact. Our challenge is to assess just how much of this Plan is useful to us in that context and how much of the Plan we can usefully contribute to.

What would a New Zealand version of the Game Plan look like?

There are a number of things that can be done here in New Zealand which will contribute to the goals of the Game Plan.

We like the ideas that the EFF have suggested, and while some are not a great fit for New Zealand culture (e.g. impact litigation), we think there are significant contributions that can be made here.

We want to champion, and lead work on, the following areas:

- encourage user-side encryption (Game Plan item 2)

- encourage the creation of secure communication tools that are easier to use (Game Plan item 3)

- contribute to legal principles around surveillance and privacy (Game Plan item 5)

- increase transparency about how surveillance and law enforcement agencies access New Zealanders' data (Game Plan item 8).

Encouraging user-side encryption

The area of user-side communications encryption has existing guides and tools to help people (for example the EFF's surveillance self-defence resource). However, there is limited visibility in New Zealand and PGP/GPG is not easy, nor particularly user friendly, to implement. We want to produce, and/or reuse (with permission), some user friendly, accessible guidance on how New Zealanders can use encryption tools.

Initiatives

- Security and privacy centric apps:
  We will produce guidance about calling, messaging and mail apps that New Zealanders can use to secure their communications.

- Secure mail guidance:
  We will draw attention to, and supplement, 'how to' guides for GPG and existing tools like Mailvelope and GPG4Win.

Encourage and incentivise the creation of secure communication tools

We are not well placed to develop new secure creation tools. However, we do want to encourage the creation of secure communications tools.

Therefore, to incentivise their creation, we will be seeking partners to develop an 'X-Prize' style award that will be given to a person or team that creates a secure communications tool. We will seek to work with a group of like-minded organisations to create a $100,000 prize pool as a minimum value.

Guiding legal principles around surveillance and privacy

InternetNZ has an important and valuable role in being a voice for the Internet in policy discussions.

We see our role as standing up for an open and uncapturable Internet – this includes seeking legislative reforms that will make it harder for mass surveillance to take place, as well as pushing for greater clarity around privacy and transparency.

Initiatives

- Internet Law Observatory:
  We will contribute to the development of an Internet Law Observatory in New Zealand to draw together New Zealand's best Internet law minds and opinions. Our early thinking, and call for action can be read on our website here: www.internetnz.nz/content/scoping-internet-law-observatory-nz

- Submissions to government and parliament:
  We will submit to government discussion documents and select committees which relate to surveillance and privacy (including the forthcoming Privacy Act review).

Bring transparency to surveillance laws and practices

Openness and transparency go hand-in-hand. We think that more New Zealand organisations should be following Trade Me's lead and publishing information about which government agencies seek information from them, how many times they seek information, and how often they 'push back' and say no to a request.

We think transparency reporting is a critical step towards society understanding exactly how much law enforcement, and other government agencies, are seeking information about us from the companies that provide us services and goods.

Initiatives will include:

- designing and releasing a template transparency report

- creating a free, open source, tool for organisations to use to record requests from government agencies and make it easy to publish a transparency report

- our initiative "ISP Spotlight" will include transparency reporting as one of the criteria that we will compare ISPs on.

Making a start

We're going to start the New Zealand Game Plan by:

- partnering with the Office of the Privacy Commissioner to make transparency reporting easier for New Zealand organisations to do

- giving New Zealanders guidance on easy-to-use secure communication tools.

But we can't do this alone

We cannot deal with this issue from New Zealand alone, and instead need to look to effective global alliances that can help us share information and share work plans with how to respond.

If, like us, you want to see New Zealanders taking steps to protect themselves online, if you want to understand just how open and uncaptured our Internet is, and make it harder for others to conduct mass surveillance on the users of the Internet, then please...

...join us to make New Zealand more secure, and more hostile to mass surveillance.

About InternetNZ

InternetNZ's vision is for a better world through a better Internet. We promote the Internet's benefits. We protect its potential. And we focus on advancing an open and uncaptureable Internet for New Zealand.

We provide a voice for the Internet in New Zealand and work on behalf of all Internet users across the country.

We are the designated manager for the .nz Internet domain. And through this role we represent New Zealand at a global level.

We provide community funding to promote research and the discovery of ways to improve the Internet. We inform people about the Internet and we ensure it is well understood by those making decisions that help shape it.

Every year we bring the Internet community together at events like NetHui - to share wisdom and best practice on the state of the Internet.

We are a non-profit and open membership organisation.

Be a member of InternetNZ and be part of the Internet community.

You can keep a close watch on the latest tech and telecommunications developments and network with other like-minded people at cool events. Being a member of InternetNZ only costs $21 per year. Find out more at internetnz.nz/join
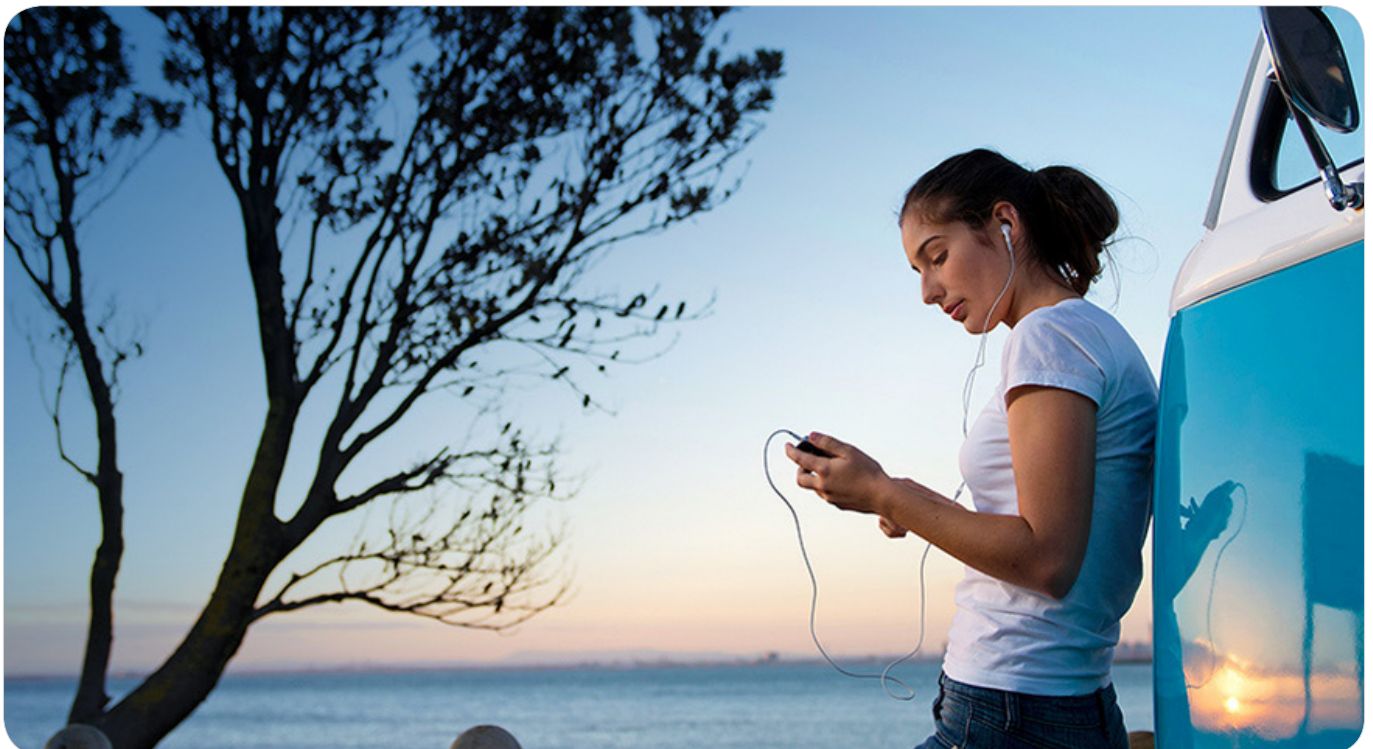
InternetNZ

Level 11
80 Boulcott Street
Wellington 6011

P.O. Box 11-881
Wellington 6142
New Zealand

Free phone: 0800 101 151
Phone: +64 4 472 1600

www.internetnz.nz

@InternetNZ   InternetNZ