

IETF 103 Bangkok — 5 November 2018

Freedom of Assembly and Association Online

Arthit Suriyawongkul
Thai Netizen Network
@bact @thainetizen

FOAA - Online

- ❖ The rights to freedom of peaceful assembly and association should be construed to include any space where people can meet, include online spaces.

“Peaceful”

- ❖ Includes “conduct that may annoy or give offence, and even conduct that temporarily hinders, impedes or obstructs the activities of third parties”

— OSCE* Guidelines of freedom of peaceful assembly

(*Organization for Security and Co-operation in Europe)

Limitations to FOAA

- ❖ Articles 21 and 22 of International Covenant on Civil and Political Rights (ICCPR) provide that any limitations on the rights must be provided for by law, and only those absolutely necessary for national security, public order, or the protection of other rights**.

Freedom of Assembly 2D

- ❖ The right to organise and plan an assembly — through offline or online interaction
- ❖ The right to peaceful assembly itself, that occur in a space — offline and online — like on Twitter or discussion forums.

Freedom of Association Online

- ❖ Existing kinds of associations reach out further
- ❖ Some kinds of associations may only exist online, in some societies

Links to Other Rights

- ❖ Freedom of expression
enables assembly and association
- ❖ Freedom of association
helps develop message to express and make it reach out
- ❖ Right to privacy (including anonymity and to be forgotten)
is key for realisation of assembly and association

To Enjoy Freedom of Assembly

- ❖ Need a secure communication
- ❖ Need a safe and publicly accessible space

To Enjoy Freedom of Association

- ❖ Need trust
- ❖ Need relative anonymity

Technical Measures against FOAA

- ❖ **Filtering, blocking, and DDOS** — affect integrity of communication and availability of spaces
— limit freedom of assembly
- ❖ **Surveillance and profiling** — affect confidentiality, limit privacy, and create fear
— limit freedom of association

RFC 6973

- ❖ **RFC 6973 - Privacy Considerations for Internet Protocols**
- ❖ datatracker.ietf.org/doc/rfc6973
- ❖ “This document offers guidance for developing privacy considerations for inclusion in protocol specifications. It aims to make designers, implementers, and users of Internet protocols aware of privacy-related design choices. It suggests that whether any individual RFC warrants a specific privacy considerations section will depend on the document's content.”

RFC 7258

- ❖ RFC 7258 - **Pervasive Monitoring Is an Attack**
- ❖ datatracker.ietf.org/doc/rfc7258
- ❖ “Pervasive monitoring is a technical attack that should be mitigated in the design of IETF protocols, where possible.”

RFC 8280

- ❖ **RFC 8280 - Research into Human Rights Protocol Considerations**
- ❖ datatracker.ietf.org/doc/rfc8280
- ❖ “This document aims to propose guidelines for human rights considerations, [...] The other parts of this document explain the background of the guidelines and how they were developed. This document is the first milestone in a longer-term research effort. It has been reviewed by the Human Rights Protocol Considerations (HRPC) Research Group and also by individuals from outside the research group.”

More to come

- ❖ **Human Rights Considerations of Internet Filtering**
- ❖ datatracker.ietf.org/doc/draft-elkins-hrpc-ifilter
- ❖ “[...] This document is based on several real world considerations: the existence of national and regional sovereignty, Internet Service Providers (ISPs) and Content Distribution Networks (CDNs) that provide connectivity and content hosting services, Over-the-top (OTTs) and Content Delivery Platforms (CDPs) that play a disproportionate role in capturing the attention and "eyeballs" of many of the users of the Internet.”

Hyperlinks

- ❖ hrpc.io — hrpc.io/net-of-rights (16-min documentary)
- ❖ FOAA Online freeassembly.net
- ❖ Freedom of Association on the Internet
datatracker.ietf.org/doc/draft-irtf-hrpc-association
- ❖ Guidelines for Human Rights Protocol Considerations
datatracker.ietf.org/doc/draft-irtf-hrpc-guidelines
- ❖ Notes on networking standards and politics
datatracker.ietf.org/doc/draft-irtf-hrpc-political

Thank you.