

draft-association HRPC

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Background

- draft-association is one of the specific rights drafts after 8280, specific to rights of association and assembly
- Niels and Gisela were the original editors. Joe, with “co-traveller” Stéphane, took over editorial role at IETF 104 (or 105?).
- Post-IETF106 (December 2019) proposed a “way forward” articulated around 3 meetings/seminars that took place in the last months.
- Stéphane re-conducted literature review and identified new research sub-questions with Mallory. Published in draft-irtf-hrpc-association-05 (in June)

<https://datatracker.ietf.org/doc/draft-irtf-hrpc-association/>

Summary of the Draft

- ~~RQ: “How does the architecture of the internet enable and/or inhibit the right to freedom of assembly and association?”~~
- RQ: “What are the considerations of the right to freedom of assembly and association for protocol development?”
- Literature review
- 7 research sub-questions

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What has been done so far since IETF 107

1. Reformulation of a new broad, softer aim: “addressing the relationships” instead of “testing” or “establish” them.
2. Enhancing literature review.
3. Identification of 7 new research sub-questions coming out of literature review.
 - a. Propose to use these questions to guide the remainder of the text, keeping some of the previous 7 use cases, but not all.
 - b. Propose to create a new milestone for the document: Writing the conclusions section only after the research sub-questions have been addressed and agreed by the group.

Lit. Review: Exemples

Recommendations, Special Rapporteur on FAA :

- “increase the quality of participation in and implementation of existing multi-stakeholder initiatives”
- “support the research and development of appropriate technological solutions to online harassment, disinformation and propaganda, including tools to detect and identify State-linked accounts and bots”;
- “adopt monitoring indicators that include specific concerns related to freedom of peaceful assembly and association”

FAA Cases, Council of Europe Report:

- Switch-offs in protest (Arab Spring, Bart)
- Targeting of social media users who call for or organise protests though the Internet
- VPNs (Virtual Private Networks) to the ToR project to ensure anonymity
- Distributed Denial of Service attacks (DDoS) as civil disobedience


How is this related to protocols? What are the implications for IETF?

Lit. Review: Council of Europe document

Case identified, Council of Europe document

- Instances of **switch-offs in the Arab Spring**, “to prevent people from organising themselves or assembling”
- The Bay Area Rapid Transit (**BART**) shut down all cell phone service, to avoid protester violence and disruption of service
- The wholesale **blocking of Google Sites** as a violation of freedom of expression
- Telus, a telecom company which **blocked customers’ access to websites critical of Telus** during a Telecommunications Workers Union strike against it
- **Gezi Park protests**: targeting of social media users who call for or organise protests through the Internet
- Mass surveillance or other interferences with privacy in the context of law enforcement and national security
- **VPNs** (Virtual Private Networks) to the ToR project to ensure anonymity
- Distributed Denial of Service attacks (**DDoS**) as civil disobedience

Committee of experts on cross-border flow of Internet traffic and Internet freedom (MSI-INT)

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

MSI-INT (2014)08 rev5
30 September 2015

Draft report on freedom of assembly and association on the Internet

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How is this related to protocols?
What are the implications for IETF?

Questions coming out literature review

(New research sub-questions??)

1. As a general matter, what are the features of protocols that enable freedom of association and assembly? Can protocols facilitate agency of membership in associations, assemblies and interactions? Where in the stack do we care for FAA?
2. Does protocol development sufficiently consider the enabling of freedom of association without discrimination as to race, colour, national, ethnic origin?
3. Does protocol development sufficiently consider usable and accessible formats and technologies appropriate for persons with different kinds of disabilities?
4. Is it possible to distinguish "peaceful" and "non-peaceful" association from the perspective of protocol development? If yes, can and should protocols be designed to limit "non-peaceful" Association?
5. In particular, should protocols be designed to enable legitimate limitations on association in the interests of "national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others", as stated in the ICCPR article 21?
6. Can a protocol be designed to legitimately exclude someone from an association?
7. In general, what kind of human rights impact assessments should be made to incorporate the rights to freedom of peaceful assembly and of association when developing protocols?

Conclusions section

- Rather than move forward with the case studies AND the conclusions section,
- We should aim to first finish the research into the case studies before concluding anything.
- This is obvious, so why are we bringing it up?
 - In the past this draft pre-determined that it would NOT present recommendations,
 - when perhaps, based on the case studies, this draft might need to do.

Agreements: Proposed actions

- Establish agreement on the revisions to the draft so far.
- Establish agreement on the proposed way forward.
 - New research sub-questions are the right questions.
 - 7 sub-questions inform further use of case studies for research.
 - Hold on drawing conclusions until case study research is complete.
- Stéphane is stepping down as editor.
- Call for new editor(s).
- Call for authors for work on sub-questions.