Provisional programme

Privacy, security and surveillance: tackling international dilemmas and dangers in the digital realm

Monday 17 – Wednesday 19 November 2014 | WP1361

There are strong views about ways in which to ensure safety and security and protect privacy in the digital realm, particularly with regard to state responses to threats and dangers. The events of the past 18 months, including claims of government and corporate surveillance, have raised fundamental questions about privacy, free speech, and security. There is an increasing need for clarity regarding expectations and responsibility of companies, and what constitutes effective oversight of laws governing interception and surveillance. There are calls for a profound rethink about the rules followed by governments and business regarding: lawful interception; the sale of surveillance and dual use technology; protection for civil society groups, trade unions, the media, private citizens, and business, while recognising the government's legitimate role and responsibility to protect people from terrorism and threats. These questions currently affect nearly every country in the world.

This roundtable meeting will bring together stakeholders from government, business and civil society worldwide to facilitate frank and practical discussion in order to:

- Highlight the increasing challenges and dilemmas for companies in responding to lawful government requests for interception of communications worldwide
- Examine the implication of the sale and export of technologies that may be used by states in ways that may violate international human rights standards
- Address the appropriate balance between privacy rights, freedom of expression, and legitimate security concerns in designing new laws for data retention and surveillance

The proposed outcomes of the meeting include:

- Clearer understanding of the process of lawful interception worldwide and how that impacts the global cyber export industry and regulations on investigation and data retention
- Stronger collaboration and co-operation between government, civil society and business
- Developed awareness of the expectations of companies and responsibilities of governments including an examination of how these align with the government duty to protect human rights and the corporate responsibility to respect human rights as set out in the UN Guiding Principles on Business and Human Rights.

This is an invitation only meeting.

In partnership with:
The Institute of Human Rights and Business, London

In partnership with: **With support from:**

Monday 17 November

1300-1430   Participants arrive and buffet lunch available

1500

Welcome to Wilton Park

Julia Purcell
Programme Director, Wilton Park, Steyning

Introduction to the meeting
John Morrison
Executive Director, Institute for Human Rights and Business, London

1515-1645

1. Understanding the context and the challenges: where we are

Marietje Schaake
Member of European Parliament, Brussels

Dunja Mijatović
Representative on Freedom of the Media, Organisation for Security and Cooperation in Europe, Vienna

Rob Fenn
Head, Human Rights and Democracy Department, Foreign and Commonwealth Office, London

1645-1715   Tea/coffee

1715-1800

2. Understanding technology: development and change

How is technology evolving? What challenge does rapid technological development present to human rights? How to bridge the gap between technology and policy? What do policy makers need to be aware of? What does the future look like?

Session Chair: John Morrison
Executive Director, Institute for Human Rights and Business, London

Ulf Ewaldsson
Senior Vice President; Group Chief Technology Officer, Ericsson AB, Stockholm

1800-1900

3. Challenges for business

What challenges and dilemmas are businesses facing as they strive to respect human rights, in particular privacy and freedom of expression? What are the competing demands from governments? How to manage customer/user expectations? How do the UN Guiding Principles help? What are the constructive ways forward?

Session Chair: Peter Frankental
Programme Director, Economic Relations, Amnesty International UK, London

The Challenge of Competing Government Demands in a Multi-Country Business
Chris Burgess
Head, Corporate Responsibility, VimpelCom, Amsterdam

The challenge of cyber-exports
John Davies
Director, Strategy and Government Relations, BAE Systems Applied Intelligence, Gloucester

1900   Reception followed by dinner

Tuesday 18 November

0800-0845	Breakfast

0915-1045

4. The UK surveillance debate: what happens now?

How is the UK aligning its Cyber Export Strategy with its commitment to protect and respect human rights? What is the UK doing to ensure transparency? What is expected of companies according to the Data Retention and Investigatory Powers Act? What preparations are being made by companies and civil society in advance of the sunset clause in 2016? What are the implications for other countries?

Session Chair: Paul Bernal
Lecturer in Information Technology, Intellectual Property and Media Law, University of East Anglia, Norwich

David Anderson
Barrister, Brick Court Cambers; Independent Reviewer, Terrorism Legislation, London

Ben Emmerson
UN Special Rapporteur on Counter Terrorism and Human Rights; International Lawyer, Matrix Chambers, London

Mark Stephens
Chair, Global Network Initiative; Senior Member, Howard Kennedy Fsi, London

1045-1130	Photograph followed by tea/coffee

1130-1300

5. Civil society responses to the challenges

Civil society has been active in researching and highlighting a range of issues, such as the misuse of lawful interception, the sale of surveillance technology and challenging the actions of government. What are their key findings? What challenges have civil society groups faced? What are the intended outcomes of their action? What are the next steps?

Session Chair: Jane Duncan
Professor, Department of Journalism, Film and Television, University of Johannesburg

Shahzad Ahmad
Country Director, Bytes for All, Islamabad

Eric King
Deputy Director, Privacy International, London

1300-1430	Lunch

1500-1630

6. Beyond the familiar: how do other countries deal with security and surveillance oversight?

An overview of other country models of oversight: What are the norms? Where are the gaps? What can the UK learn?

Session Chair: Julia Purcell
Programme Director, Wilton Park, Steyning

Marina Kaljurand
Undersecretary of Political Affairs, Ministry of Foreign Affairs, Tallin

Pranesh Prakash
Policy Director, The Centre for Internet and Society, Bangalore

1630-1700	Tea/coffee

1700-1830	## 7. Expectations and challenges: response from business
	Session Chair: Motoko Aizawa Managing Director, USA, Institute for Human Rights and Business, Washington DC
	Annette Fergusson Group Senior Sustainability Manager, Vodafone Group, London
	Steve Crown Vice President, Legal and Corporate Affairs, Microsoft, Redmond
	Ihab Osman Chief Executive Officer, Blunai Inc, Khartoum
1945	Conference dinner

Wednesday 19 November

0800-0845	Breakfast and checkout
0915-1045	## 8. Changing the status quo
	How have other countries dealt with calls for changes in the law and what are the results?
	Chair: Ben Wagner Director, Centre for Internet and Human Rights, Frankfurt
	Cathleen Berger International Cyber Policy Coordination Staff, Ministry of Foreign Affairs, Berlin
	Moez Chakchouk Chairman and Chief Executive Officer, Tunisian Internet Agency, Tunis
1045-1115	Tea/coffee
1115-1215	## 9. The applicability of the Guiding Principles
	What is expected from companies under the UN Guiding Principles framework? How do they help? What are the opportunities? Where are the gaps?
	Chair: Margaret Wachenfeld Director of Research and Legal Affairs, The Institute for Human Rights and Business, London
	Cynthia Wong Senior Internet Researcher, Business and Human Rights, Human Rights Watch, San Francisco
	Sidsela Nyebak Sustainability Director, Telenor Group, Fornebu
	Rebecca MacKinnon Director, Ranking Digital Rights, New America Foundation, Washington DC
1215-1300	## 10. Concluding session: what are the next steps?
	John Morrison Executive Director, The Institute for Human Rights and Business, London
1300	Lunch
1400	Participants depart

This is a preview programme and as such may be subject to change.

This is an invitation only conference.