

Anders Halvorsen

From: Anders Halvorsen
Sent: Saturday, March 05, 2016 1:01 AM
To: Jim Poisant
Subject: Draft WITSA Statement of Policy on Restrictions of Free Flow of Information for review
Attachments: Cross-border Data Flows v1.docx

Importance: High

March 4, 2016

TO: Members of the World Information Technology and Services Alliance (WITSA)
FR: Anders Halvorsen, VP Global Public Policy
RE: **Draft WITSA Statement of Policy on Restrictions of Free Flow of Information for review**

Dear Colleagues,

Further to our recent announcement of the draft WITSA cyber-security policy paper (below), we are pleased to attach a first draft WITSA Statement of Policy on Restrictions of Free Flow of Information for your review and discussion at the March 9th Global Policy Action Committee meeting in Canberra. The draft is based on a [presentation](#) made by Professor Makoto Yokozawa at our December meeting in New Delhi and identifies the following draft key policy principles:

1. **DAGE: Data as Global Environments: Principle:** Like air, water and other natural resources, "Data" is one of essential resources for healthy economy growth. Need to raise awareness in its importance and collaborate not to pollute the "Data as Global Environments" then to keep it "green".
2. **DTPD: Data to Protect Data Principle:** In order to protect data, including personal data, sensitive data and confidential data, "data" like access logs, management records and monitoring data is essential for prevention of data breach and quick response after incidents. Excessive restrictions in data will hinder keeping secure management of data and protection of data.
3. **SSTH: Simple, Single, Transparent and Harmonized Data Legislation Principle:** Data regulations must be Simple enough to be understood by anybody who may concern, must have Single administrative window to public, must have Transparent criteria and no gradient, then must be harmonized with other legislative requirements.
4. **NLFM: No Forced Localization Measures Principle:** Localization of Data must be minimized in order to promote inclusive growth in regional and global economy.

Please note that remote participation is possible. The GPAC meeting takes place at 4:00pm Canberra time on March 9th – see your time zone conversions here:

<http://www.timeanddate.com/worldclock/fixedtime.html?msg=Global+Policy+Action+Committee&iso=20160309T16&p1=57&ah=1&am=30>

Be aware that this may be March 8th in your time-zone, so check carefully!

1. Please join the meeting at <https://global.gotomeeting.com/join/712880341> (Use your microphone and speakers (VoIP) - a headset is recommended)
2. Or, call in using your telephone: United States: +1 (312) 757-3126; Australia: +61 2 9087 3604; Austria: +43 7 2088 0034; Belgium: +32 (0) 28 93 7018; Canada: +1 (647) 497-9350; Denmark: +45 69 91 80 05
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3. Code: 712-880-341

All information and documents related to our Canberra meetings are posted at <http://witsa.org/witsa-wp-site/canberra2016/>.

Best regards,
Anders

March 3, 2016

TO: Members of the World Information Technology and Services Alliance (WITSA)
FR: Anders Halvorsen, VP Global Public Policy
RE: **Draft WITSA Cyber Security Paper and Encryption Speech Follow-Up**

Dear Colleagues,

I would like to thank all those who participated in our two encryption-related calls yesterday:

Dr. Vint Cerf, Google
Paul Mitchell, Microsoft
Jen Rutherford, NZTech (New Zealand)
Christine Runnegar, Director, Public Policy - Internet Society
Rahul Sharma, DSCI (India)
Tim, Conway (AIIA)
Otto Rivera, CAMTIC (Costa Rica)
María Contreras Calzada, Softtek Polanco (Mexico)
Marilyn Cade, mCADE, Ilc
Evangelos Papalamprou, SEPE (Greece)
Talal Rajab, techUK (U.K.)
Jim Poisant, WITSA
Anders Halvorsen, WITSA

Participants in both calls endorsed the main points of the proposed speech which WITSA Chairman Santiago Gutierrez will make at the March 8th AIIA Summit Dinner – “*Navigating Privacy and Security*” in Canberra. Several important points were made on the call, including the fact that the judgment against Apple in the San Bernardino case does not technically create an encryption “backdoor” (it requires Apple to bypass or disable the auto-erase function on a seized iPhone and to enable the FBI to more effectively conduct a brute force attack on the device). It was pointed out that WITSA does not intend to address the Apple case specifically, although we do attempt to establish high-level principles which should guide policy away from weakening encryption security on smart devices. It was also pointed out that, in the U.S., the laws used against Apple were antiquated, such as the [All Writs Act of 1789](#), which if sustained against Apple, will dramatically expand law enforcement reach.

It was also pointed out that encryption “backdoors” is one out of several threats to the security of smart devices. There is also the broader issue of third party development of decryption technologies (whether by law enforcement, the NSA, companies (e.g. in the Baltimore security corridor) or hackers. While all important, WITSA believes it is timely to make a stand at this time against the threat to encryption by judicial decree or legislation and the Chairman’s speech therefore will be limited in scope, addressing this particular concern.

As was discussed, WITSA is in the process of drafting a new cyber security paper. To that effect, I am pleased to circulate for your consideration a draft which was written by Tim Conway some time ago. In preparation for our Global Policy Action Committee meeting in Canberra next Wednesday, March 9th, we kindly request your feedback on this draft. If at all possible, kindly make all your remarks in redline in the attached documents and sent back to us. In Canberra, we will discuss the current draft as well as what additional coverage should be added (such as relating to encryption and security of smart devices, Internet of things (IoT) and more.

Best regards,
Anders

March 1, 2016

TO: Members of the World Information Technology and Services Alliance (WITSA)
FR: Anders Halvorsen, VP Global Public Policy
RE: **REMINDER: WITSA Conference Calls to Discuss Risks in Compromising Encryption March 2**

Dear Colleagues,

In preparation for tomorrow's calls, please find attached a proposed speech by WITSA Chairman Santiago Gutierrez to the AIIA Summit Dinner – "*Navigating Privacy and Security*", on March 8th in Canberra, Australia (<https://www.aiaa.com.au/events/navigating>). The proposed speech, which has been drafted by WITSA Director Tim Conway intends to make a clear, general statement regarding the ICT industry's opposition to decryption backdoors. The proposed speech is not intended to be combative and is not specific to any government, or to any device or system. It is high level, and if agreed, will also feed into our new cyber security paper, which is currently being drafted.

I have highlighted a section on page three, which includes the key principles we plan on discussing tomorrow.

We are looking forward to discussing this important matter with you on the phone tomorrow. If you cannot participate on either of the two calls, we would appreciate receiving your written remarks and suggestions as well.

The call-in information is provided again in our February 25th announcement below.

Best regards,
Anders

February 25, 2016

TO: Members of the World Information Technology and Services Alliance (WITSA)
FR: Anders Halvorsen, VP Global Public Policy
RE: **[INVITATION] WITSA Conference Calls to Discuss Risks in Compromising Encryption March 2/3**

Dear Colleagues,

As you may well be aware, the recent U.S. ruling against Apple, requiring it to disable certain security features on an iPhone used in a December 2015 terrorist attack in San Bernardino, California, has put to the forefront the broader issue of law enforcement requests for access to mobile devices which may undermine encryption technologies and thereby consumer privacy, security and the integrity of data critical to the global digital infrastructure.

WITSA is currently in the process of drafting a new WITSA cyber security paper and invite all members to participate in one of two calls we will be holding next Wednesday, March 2 in order to explore how WITSA can best address this important issue, and to discuss any fundamental policy principles we can incorporate into our paper. We will arrange two calls in order to accommodate the many time-zones, as follows:

Call #1:

UTC-time	Mexico City	Washington DC	Brussels	New Delhi	Taipei	Tokyo	Canberra
Wednesday, March 2, 2016 at 16:00:00	Wed 10:00 AM	Wed 11:00 AM	Wed 5:00 PM	Wed 9:30 PM	Midnight Wed-Thu	Thu 1:00 AM March 3	Thu 3:00 AM * March 3

*means the place/city is observing daylight saving time (DST) at time shown

1. Please join the meeting at <https://global.gotomeeting.com/join/356775493> (Use your microphone and speakers (VoIP) - a headset is recommended)
2. Or, call in using your telephone (all available number listed below):
 United States: +1 (669) 224-3217; Australia: +61 2 8355 1024; Austria: +43 7 2088 1403; Belgium: +32 (0) 28 93 7019; Canada: +1 (647) 497-9351; Denmark: +45 69 91 88 64; Finland: +358 (0) 942 41 5781; France: +33 (0) 170 950 592; Germany: +49 (0) 692 5736 7210; Ireland: +353 (0) 14 845 979
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Access Code: 356-775-493

Call #2:

UTC-time	Mexico City	Washington DC	Brussels	New Delhi	Taipei	Tokyo	Canberra
Thursday, March 3, 2016 at 00:00:00	Wed 6:00 PM March 2	Wed 7:00 PM March 2	Thu 1:00 AM March 3	Thu 5:30 AM March 3	Thu 8:00 AM March 3	Thu 9:00 AM March 3	Thu 11:00 AM * March 3

*means the place/city is observing daylight saving time (DST) at time shown

1. Please join the meeting at <https://global.gotomeeting.com/join/462424285> (Use your microphone and speakers (VoIP) - a headset is recommended)
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Access Code: 462-424-285

Additional time-zone conversions can be found at <http://www.timeanddate.com/>

We would greatly appreciate your input and participation in either of the two abovementioned calls. Please let me know if you are able to call-in. If you are not able to participate in one of the calls, we would also appreciate receiving any suggestions or concerns you may have prior to the call.

Best regards,
Anders

Anders Halvorsen
Vice President, Administration

World Information Technology and Services Alliance (WITSA)
"Fulfilling the Promise of the Digital Age"



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