



# **RightsCon**

SILICON VALLEY

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OUTCOMES REPORT



# Overview

**723** ATTENDEES    **65** COUNTRIES    **365** INSTITUTIONS

RightsCon Silicon Valley 2014 was an incredible mixture of 723 attendees from 65 countries and 365 institutions. This incredible union of expertise has led to real outcomes, many of which are available in this document.

Participants developed strategies and partnerships, surfaced new thinking, highlighted corporate and government leaders and laggards, launched new apps, demoed new technologies, and had more parallel meetings than a summit in Geneva.

Even as attendees continue to work diligently on the goals generated from RightsCon Silicon Valley 2014, we are looking ahead to 2015 and Southeast Asia, where we will convene civil society and key decision-makers in that rapidly evolving region.



Access, in partnership with EngageMedia, will be hosting **RightsCon South East Asia in March 2015**



We've tried to capture and summarize some of the many outcomes, but we're sure we missed a few: please drop us a note at [info@accessnow.org](mailto:info@accessnow.org) if you've got something to add!



# SPOTLIGHT



1. Brett Solomon, Executive Director, Access
2. Reception
3. Joe Sullivan, Chief Security Officer, Facebook  
Del Harvey, Senior Director of Trust and Safety, Twitter
4. Mitchell Baker, Executive Chair, Mozilla
5. "Protecting User Rights Online: Practical Issues Facing Early-Stage Technology Companies"
6. Brad Burnham, Managing Partner, Union Square Ventures



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POLICY 



Transparency Reporting for Beginners



Bart Volkmer, Legal Director, Dropbox



Dorothy Chou, Policy Communications Manager, Google

1. The US Government announced six principles to guide communications surveillance activities, closely mirroring several of the civil society-developed *International Principles on the Application of Human Rights to Communications Surveillance*. The announcement is the first time the US has acknowledged that international human rights norms apply when to surveillance.

→ Internet Freedom: Where to From Here? Perspectives from Government

2. A group of experts developed a plan for increasing the effectiveness and efficiency of the mutual legal assistance treaty system, so that international sharing of user data happens through mechanisms that better safeguard human rights, due process, transparency, legal certainty, and accountability.

→ MLATs: Making Global Data Request Treaties Work for Human Rights

3. Companies and experts discussed the scope of legal obligation of multinational corporations for their subsidiaries' actions (or non-actions), as well as the legal obligations of the countries where these multinationals are headquartered ('home countries'), in order to identify how states and companies' human rights commitments and obligations can be leveraged to ensure a more rights-respecting world.

→ Home and Away: International Parent Company Responsibility for Human Rights

4. Drawing on telco reports that have already been issued, experts explored what transparency reporting in the telecom sector should look like to identify the differences between transparency and sustainability reporting, and tease out the benefits of that reporting, including improved human rights compliance and investor relations.

→ Game of Phones: Global Telcos on Transparency, Regulatory Restrictions, and Human Rights

5. Experts discussed the challenges and benefits of transparency reporting, such as the associated practical, legal, political, and communications issues that arise when compiling and releasing transparency data, and the steps that would make transparency reporting more valuable to human rights defenders, such as structured data formats.

→ Transparency Reporting for Beginners

6. Experts explored the ways that businesses can respect human rights in their everyday operations and successfully apply their various forms of leverage to prevent, mitigate, and remedy government requests that would violate human rights.

→ Leverage: How Business Can Change the Paradigm for Protecting Human Rights

# POLICY



Patrik Hiselius, Senior Advisor, Digital Rights, TeliaSonera  
Michael Posner, Professor of Business and Society, NYU's Stern School of Business



Randy Milch, Executive Vice President, Public Policy & General Counsel, Verizon



Dalia Haj-Omar, Sudanese Activist



Rebecca MacKinnon, Ranking Digital Rights Project

7. Experts discussed the current state of US tech sanctions, including what exports are allowable under recent licenses and authorizations, in order to articulate a path forward for further sanctions relief, and how the tech sector can and should be involved in this process.

→ Code Without Borders/Ensuring Access in Sanctioned Countries

8. Internet governance experts discussed the technical, social, economic, and political benefits and challenges to "localizing" user data (e.g., mandatory in-country storage citizens' data, mandatory location of servers within country, launching state-run services, restricting transborder internet traffic routes) and whether this approach constitutes an appropriate or effective response to mass surveillance.

→ Localizing the Global Internet: Data Centers, Traffic Re-routing, and the Implications of Post-Surveillance Policy Proposals

9. Human rights defenders identified effective and promising approaches to ensuring transparency and respect for human rights in global corporate supply chains, particularly with regards to scalability and opportunities for innovative technological solutions.

→ Supply Chain Transparency: Advancing Human Rights through Tech & Innovation

10. Policy experts and lawyers exposed how international policy laundering, particularly in the copyright enforcement realm, threatens digital rights, and shared effective and proposed policy and advocacy strategies for resisting and confronting the effects of policy laundering.

→ Policy Laundering: Hacking the International Innovation Policy Machine

# STRATEGY

1. Civil society and internet governance experts developed strategies ahead of the Global Multistakeholder Meeting on the Future of Internet Governance (NetMundial) occurring in April 2014 to ensure that conference's outcomes center on keeping the internet an open, shared global resource with human rights and inclusivity at its core.

→ Sao Paulo and Beyond: The Future of Global Internet Governance

2. Experts shared insight into the phenomenon of "collateral freedom" – ensuring the free flow of information by inserting digital rights into trade negotiations – and strategized on ways to effectively increase the real economic costs of censorship.

→ Collateral Freedom: Using Global Trade to Reshape Censor Incentives

3. Experts strategized on how to influence intransigent bad actor companies to end their human rights abuses and recognize their obligations under the UN Guiding Principles on Business and Human Rights.

→ Laggards and Leaders: Moving Companies Towards Respecting Human Rights

4. Experts shared strategies and ideas about how internet platforms and telecommunications companies can honor their obligation to provide effective access to remedy under the UN Guiding Principles on Business and Human Rights, highlighting what has — and what has not — worked in other sectors.

→ The Forgotten Pillar: Concrete Remedy in the Fluid Sector

5. A group of women and men highlighted the unique barriers to access and risks women face online, and moved the ball forward on new strategies to enable free, full, and safe participation online for all.

→ The Web Woman Want

6. Development experts met with internet experts to discuss how digital rights can be addressed as part of the post-2015 Sustainable Development Goals, which will influence UN action and mandates for the foreseeable future.

→ Internet Rights after the MDGs: The Post-2015 International Development World



James Cowie, CTO, Renesys



7. Civil society trained local and international-level digital rights activists on how to make better use of the UN Human Rights Council's Universal Periodic Reviews as a means of holding their companies accountable on human rights, and developed specific strategies and partnerships to address countries that will be coming up for review in the near future.

→ Holding Your Government to Account: Using the U.N. Universal Periodic Review Process for Digital Rights

8. Engineers and activists shared recent trends in the fight against state-sponsored malware, explored the landscape of state surveillance capabilities, and framed out strategies and models, such as coercion-resistant design, to defeat both.

→ State of the Fight Against State-Sponsored Malware

9. Investors, engineers, and technologists identified key practices for policy and engineering strategies that would allow startups to defend their users' rights and, in doing so, their bottom lines.

→ Early Stage? You Aren't Too Small To Be Concerned About User Rights

10. Online organizers identified strategies to guarantee the right to protest while making the most of new, online tools of activism and limiting the challenges and dangers posed by state surveillance and tracking techniques.

→ Demonstrate and Disobey: Protest and Civil Disobedience On and Offline

# IDENTIFYING AREAS OF COLLABORATION (COALITIONS, PARTNERSHIPS, ETC)



1. The Dynamic Coalition will launch a global campaign, including a common platform to collate parallel campaigns aimed at ending network discrimination, to be launched ahead of the Brazil Meeting Net Mundial meeting at the end of April 2014.

→ Network Neutrality: How to Identify Discrimination and Advance Solutions

2. Representatives from government discussed the state of internet freedom and what steps national governments can, are, and should be taking to better protect digital rights at the upcoming Freedom Online Coalition session in Tallinn into the future.

→ Internet Freedom: Where to From Here? Perspectives from Government

3. Judicial end-users, such as the International Criminal Court, came together with on-the-ground information gatherers to address the risks and needs of human rights defenders and international justice practitioners when gathering, storing, transferring, and distributing information regarding human rights abuse.

→ ICC

4. Donors engaged in a two-way conversation with their beneficiaries about the challenges and opportunities in the digital rights space, to try and move grantmaking toward better serving the needs of civil society groups and the communities they serve.

→ Philanthropy Stream

5. Civil society developed strategies to advance the adoption of the Necessary and Proportionate Principles, which is fast becoming a global norm articulating the human rights duties and obligations of states when conducting communications surveillance.

→ Advancing the Necessary and Proportionate Principles

6. Representatives from major, multinational telecommunications companies discussed their human rights challenges and obligations, and shared the planned activities of the Telecommunications Industry Dialogue for ongoing sector reform.

→ Game of Phones: Global Telcos on Transparency, Regulatory Restrictions, and Human Rights

7. A group of legal experts explored the challenges to trans-border requests for domain seizures, content takedowns, and access to user data with an eye towards identifying new transnational cooperation mechanisms between States, platforms, and users that successfully navigate heterogeneous national laws and norms while respecting due process.

→ Internet and Jurisdiction: How do Competing National Laws Coexist Online?

8. Digital security trainers and various civil society groups working in the CIS region met to discuss the digital security threats facing activists in these countries, and to share best practices and discuss implementation strategies.

→ Digital Security for Civil Society in the CIS: Experiences and Best Practices

9. Policy experts laid the groundwork for the development of a framework to guide companies in addressing the pressures on corporations to voluntarily police users and censor content through terms of use policies, toward an approach that is effective, necessary, proportionate, and avoids unintended consequences.

→ Privatized Enforcement and Corporate Censorship: The Future of Freedom of Expression

10. Advocates planned ways increase transatlantic cooperation and collaboration between civil society against government mass surveillance and related pertinent threats to digital rights.

→ From DC to Brussels: Transatlantic Cooperation of Civil Society

11. Technologists discussed the ethical values that ISPs should respect such as network neutrality, cooperation on the decision making-process, and transparency on traffic management measures, and identified challenges faced by community ISPs as they confront monopolies and restrictive legislation.

→ DIY ISPs: (Re)build the Internet

# LAUNCHES

1. Access announced commitments by leading internet companies to take tangible actions to improve data security in line with the Data Security Action Plan.

→ The NSA Strikes Back: Who Really Won the Crypto Wars?

2. Researchers unveiled a new methodology for ranking the world's most powerful internet and telecommunications companies, and brainstormed how best to use these new metrics to hold companies accountable to their human rights obligations.

→ Holding Companies Accountable on Free Expression and Privacy

3. Lawyers from Foley Hoag and Harvard's Berkman Center unveiled new guidance intended to help early-stage companies navigate the maze of laws governing leading internet policy issues like freedom of expression, privacy, and intellectual property, and provided practical advice that startups can implement to minimize their legal and reputational risks.

→ Protecting User Rights: Practical Issues Facing Early Stage Companies

4. Civil society representatives from Latin America presented the internet policy making approaches in the region, drawing on research conducted by Access and ONG Derechos Digitales, and shared the ins and outs of the region's legislative successes and unique tradition of human rights, offering model for Latin American countries and the world.

→ The Latin American Way



5. Security trainers shared lessons learned from the SAFE initiative, a pilot-program that seeks to deliver integrated trainings — digital, physical and psychosocial — focusing on why it is so difficult to transfer skills, knowledge and awareness to individuals who are traumatized, desensitized and otherwise affected by war, conflict and repressive environments.

→ Towards Holistic Security: The Psychological Underpinnings of Digital Security Training

6. Cryptocat announced its new iPhone app, bringing accessible and secure messaging to the mobile world.

→ Cryptocat – Accessible Private Chat Goes on Mobile Platforms

7. Security First announced the Umbrella app, attempting to provide a mobile one-stop shop for security information and communications.

→ Security First – A One-Stop-Shop For Security At Your Fingertips

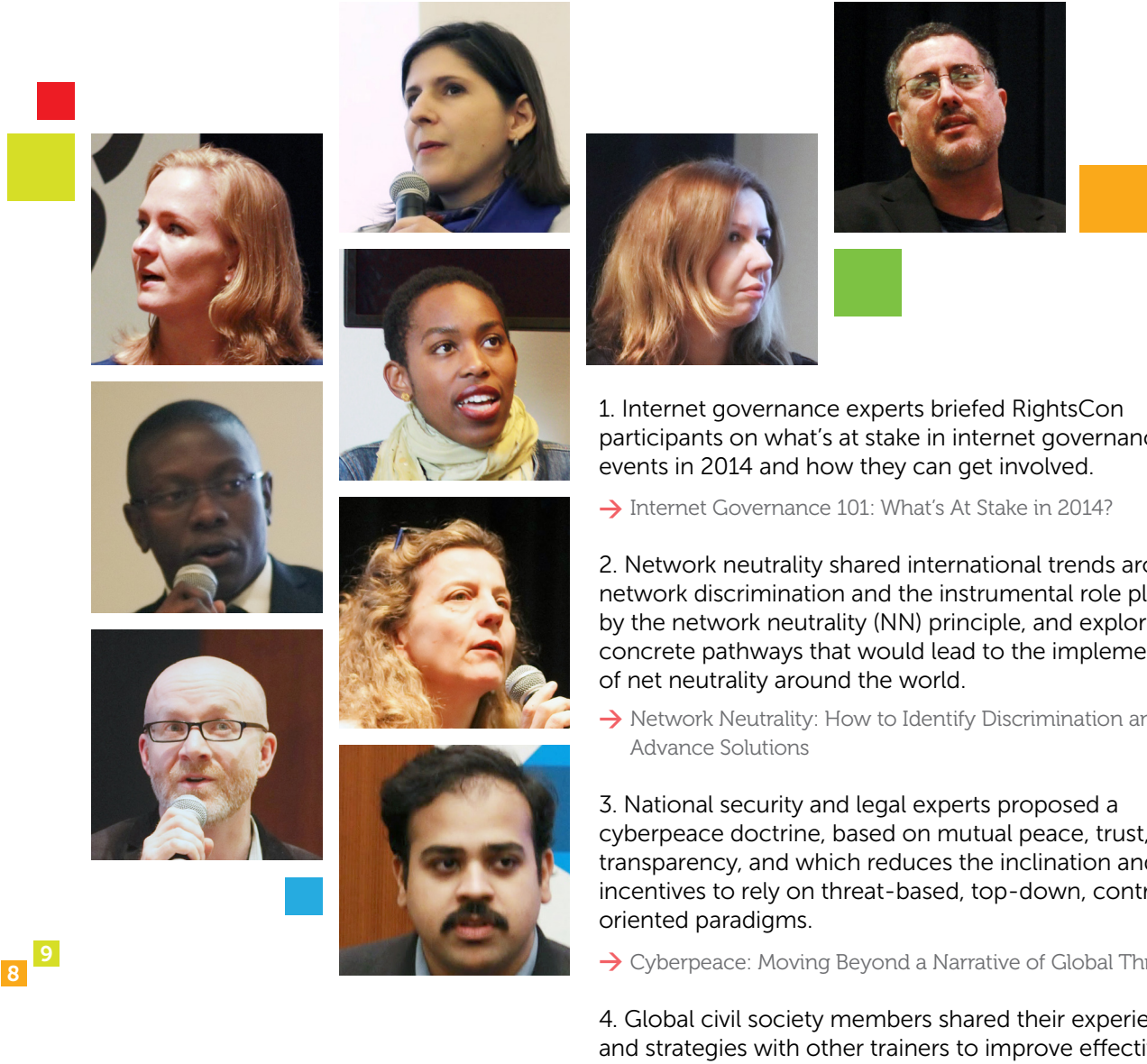
8. Deflect announced the Distributed Deflect infrastructure, to aid targeted websites in mitigating denial of service attacks.

→ Deflect – A Community Response to a Global Problem





# IDENTIFYING TRENDS AND STEPS TOWARDS ADVANCING DIGITAL RIGHTS ➔



1. Marietje Schaake, European Parliamentarian
2. Richard Lusimbo, Research Manager, Sexual Minorities Uganda
3. Andrew McLaughlin, CEO, Digg
4. Anja Kovacs, Director, Internet Democracy Project
5. Ebele Okobi, Global Head & Senior Legal Director, Human Rights, Yahoo! Inc
6. Yvette Alberdingk Thijm, Executive Director, WITNESS
7. Pranesh Prakash, Policy Director, Centre for Internet and Society
8. Romaniuk Oksana, Executive Director, NGO Institute of Mass Information
9. Barton Gellman, Senior Fellow, The Century Foundation

1. Internet governance experts briefed RightsCon participants on what's at stake in internet governance events in 2014 and how they can get involved.

➔ Internet Governance 101: What's At Stake in 2014?

2. Network neutrality shared international trends around network discrimination and the instrumental role played by the network neutrality (NN) principle, and explored concrete pathways that would lead to the implementation of net neutrality around the world.

➔ Network Neutrality: How to Identify Discrimination and Advance Solutions

3. National security and legal experts proposed a cyberpeace doctrine, based on mutual peace, trust, and transparency, and which reduces the inclination and incentives to rely on threat-based, top-down, control-oriented paradigms.

➔ Cyberpeace: Moving Beyond a Narrative of Global Threats

4. Global civil society members shared their experiences and strategies with other trainers to improve effectiveness and impact of trainings for users

➔ Global Civil Society Under Attack: Reports from the Frontlines /Seeing the Forest for the Trees: Workshop on Threat and Security Analysis

# ADVANCING SECURITY IN THE SECTOR



Vivek Krishnamurthy,  
Associate, Foley Hoag



RightsCon Opening Ceremony

1. Funders and technologists shared the strengths and weaknesses of using challenges (competitions) to identify new technologies for use by human rights organizations and journalists, including issues around identifying relevant needs, and how best to develop and scale winning ideas.

→ Funding Tech Through Competitions and Challenges: The Good, the Bad and the Ugly

2. Trainers and developers discussed security, usability, and scale in the real-world use of digital security tools, exploring human-centered design approaches to make the usage of security tools more natural and logical and ultimately more secure for users.

→ Security, Usability, and Scale: Building Ubiquitous Tools for Better Outcomes

3. Dozens of developers demonstrated their projects for supporting digital security and the work of human rights activists and defenders, especially in conflict, post-conflict, and other dangerous situations, and shared the lessons learned from the in-field use of these products and services.

→ CrowdVoice – People-Powered Documentation of Human Rights Violations

4. Human rights defenders demonstrated the mobile solutions available for use by clinicians in conflict and post-conflict regions to collect and document court-admissible evidence of sexual violence that cannot be tampered with, lost, or destroyed.

→ Harnessing the Power of Technology to improve Accountability for Sexual Violence

5. Journalists discussed both how critical open source and end-to-end encryption is for the future of journalistic and human rights work, as well as the difficulties in the widespread adoption of these tools, focusing on how to build a sustainable platform for safe, secure, and untamed journalism and human rights work.

→ Encryption TK: Security the Future of Journalism and Human Rights

6. Digital security trainers expanded conceptions of security to include emotional, physical, psychological needs of human rights defenders.

→ Towards Holistic Security: The Psychological Underpinnings of Digital Security Training

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