

The Freddi Staurs of Social Networking – A legal approach

IFIP/PrimeLife Summer School

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Eleni Kosta
Interdisciplinary Centre for Law & ICT (ICRI) – K.U.Leuven



Overview

- 1 SNSs: Private or public spaces?
- 2 Some legal challenges
- 3 Consent of the user
- 4 Proposed “solutions”...
- 5 PICOS Privacy Advisor



Freddi Staur (ID fraudster)



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POLICEONE.COM News ... site to facebook 'trawl'

Ox ... When a Risqué Online Persona Undermines a Chance for a Job

By ALAN FINDER
Published: June 11, 2006

Photo: Tien Nguyen, a college senior, said he was seldom asked to interviews until he withdrew a satirical essay that was published online. (Photo by Jamie Rector for The New York Times)(pg. 30)

Facebook ... When a small consulting company in Chicago was looking to hire a summer intern this month, the company's president went online to check on a promising candidate who had just graduated from the University of Illinois.

At Facebook, a popular social networking site, the executive found the candidate's Web page with this description of his interests: "smokin' blunts" (cigars hollowed out and stuffed with marijuana), shooting people and obsessive sex, all described in vivid slang.

It did not matter that the student was clearly posturing. He was done.

"A lot of it makes me think, what kind of judgment does this person have?" said the company's president, Brad Karsh. "Why are you allowing this to be viewed publicly, effectively, or semipublicly?"

Staff supervising the exam had seen ... background ... Trusted!

icri

SIGN IN TO RECOMMEND
E-MAIL
SEND TO PHONE
PRINT
REPRINTS
SHARE



“M” (or “C”)

What could go wrong?

'Congrats to Uncle C' – how his wife's Facebook page exposed new MI6 head

- Page removed as Miliband plays down security lapse
- Children, pets and swimwear revealed

Sam Jones and Richard Norton-Taylor
guardian.co.uk, Sunday 5 July 2009 22.21 BST
Article history



John Sawers, who takes up the post of MI6 boss in November. Photograph: Emmanuel Dunand/AFP/Getty Images



But are actually social networking sites
just a “mirror” of everyday life?



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Applicability of data protection directive?



Personal data

❖ **Personal data** are information relating to an identified or identifiable natural person.

- Name (together with:)
- Cell phone number
- Address
- Sexual preferences
- Political beliefs...



Sensitive data

❖ **Sensitive data** are data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, and the processing of data concerning health or sex life



Data controller

Controller shall mean the natural or legal person, public authority, agency or any other body which alone or jointly with others **determines** the **purposes** and **means** of the processing of personal data.



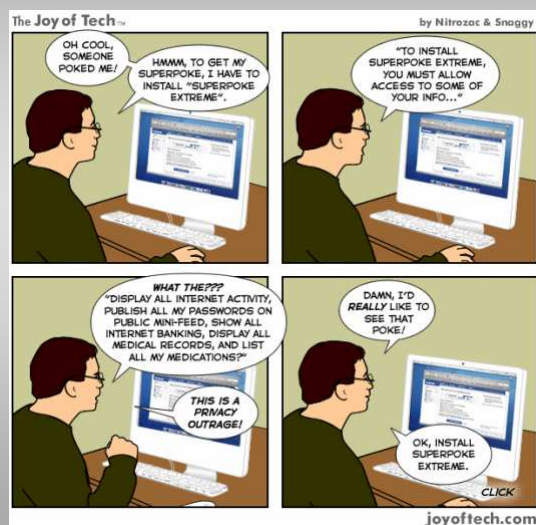
Data controllers in SNS

SNS providers:

- ✓ They provide means for the processing of user data
- ✓ They provide all the basic services related to user management
- ✓ They determine the use of the collected data



External applications



Data controllers in SNS

Application providers:

They **may** be controllers, when they run external applications



Data controllers in SNS

SNS users:

They are considered as “data subjects”

Can they also be “data controllers”?



Household exemption

Article 3 Scope

1. This Directive shall apply to the processing of personal data wholly or partly by automatic means, and to the processing otherwise than by automatic means of personal data which form part of a filing system or are intended to form part of a filing system.

2. This Directive shall not apply to the processing of personal data:

- in the course of an activity which falls outside the scope of Community law, such as those provided for by Titles V and VI of the Treaty on European Union and in any case ...by a natural person in the course of a **purely personal or household** (incl activity to State security matters) and the activities of the State in areas of criminal law,

- by a natural person in the course of a purely personal or household activity.



In other cases:

Purpose for the processing of the data needs to be defined and **consent** needs to be acquired!



When?

Art. 29 data protection working party

- When the profile is public
 - When data are possible to be indexed by search engines
- ❖ Exemption: journalistic purposes, artistic or literary expression



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Consent

Freely given

Specific

Informed

(h) ' the data subject' s consent' shall mean any freely given specific and informed indication of his wishes by which the data subject signifies his agreement to personal data relating to him being processed.



Consent

Information on Identity & Purposes

- ...use for direct marketing purposes
- ...eventual sharing with other parties
- ...overview on user profile
- ...use of sensitive data
- ...



Consent

Facebook's Privacy Policy

Facebook may also collect information about you from **other sources**, such as newspapers, blogs, instant messaging services and other users of the Facebook service through the operation of the service (e.g. photo tags) in order to provide you with more useful information and a more personalised experience.

By using or accessing Facebook, you are accepting the practices described in this Privacy Policy.

The Profile information that you submit to Facebook will be available to users of Facebook who belong to **at least one of the networks** you allow to access the information through your privacy settings (e.g. school, university, geography, friends of friends).

contact: iK038re_waach00g@a11cp.r77www.c0nsumer0r9y.c0nsumer0r9ywaach00g_c0mpla1n1.c0mp-1K038re_waach00g
serve as a liaison with us to resolve your concerns.

We **may provide information to service providers** to help us bring you the services we offer [...] In connection with these offerings and business operations, our service providers may have access to your personal information for use for a limited time in connection with these business activities

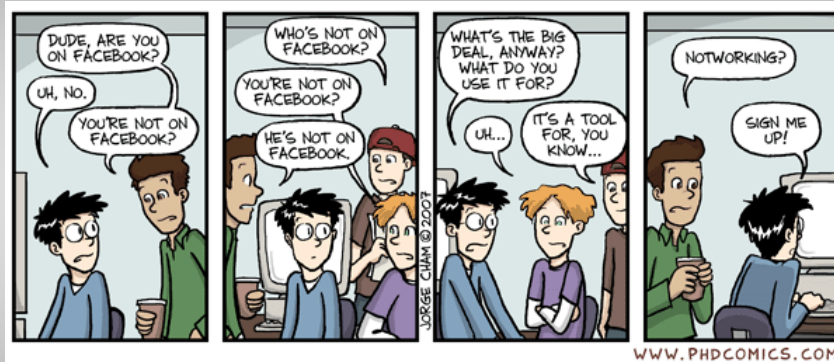


The information we collect

When you visit Facebook you provide us with two types of information: personal information you knowingly choose to disclose that is collected by us and Website use information collected by us as you interact with

Would people actually consent, if they read it all?





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Privacy settings

facebook

Privacy

- Profile** ▶
Control who can see information on your Profile page.
- Search** ▶
Control who can search for you, what they can see and how they can contact you.
- News Feed and Wall** ▶
Control what recent activity is visible on your Profile and on your friends' home pages.
- Applications** ▶
Control what information is available to applications you use on Facebook.



Privacy settings

facebook

Privacy ▶ Search

Search discovery

Use the setting below to control who on Facebook can find you through the search function. Your Friends will always be able to find you.

Search Visibility Everyone

Search results

People who can find you in search can click through to a very limited version of your Profile. Use these tickboxes to control what people can see in addition to your name.

People who find me in a search can see:

- My Profile picture
- My friend list
- A link to add me as a friend
- A link to send me a message
- Pages I am a fan of

Public Search Listing

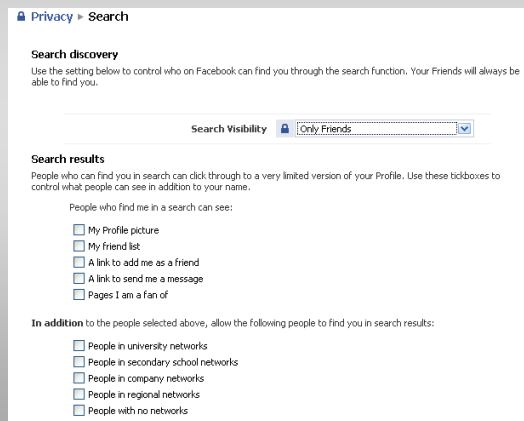
Use this setting to control whether your search result is available outside Facebook.

- Create a public search listing for me and submit it for search engine indexing (see preview)



Privacy settings

Privacy–friendly DEFAULT settings...



Privacy > Search

Search discovery
Use the setting below to control who on Facebook can find you through the search function. Your Friends will always be able to find you.

Search Visibility

Search results
People who can find you in search can click through to a very limited version of your Profile. Use these checkboxes to control what people can see in addition to your name.

People who find me in a search can see:

- My Profile picture
- My friend list
- A link to add me as a friend
- A link to send me a message
- Pages I am a fan of

In addition to the people selected above, allow the following people to find you in search results:

- People in university networks
- People in secondary school networks
- People in company networks
- People in regional networks
- People with no networks



Other suggestions

- ❖ Expiration of data and account (Mayer-Schönberger)
- ❖ Codes of conduct
- ❖ New “Code”



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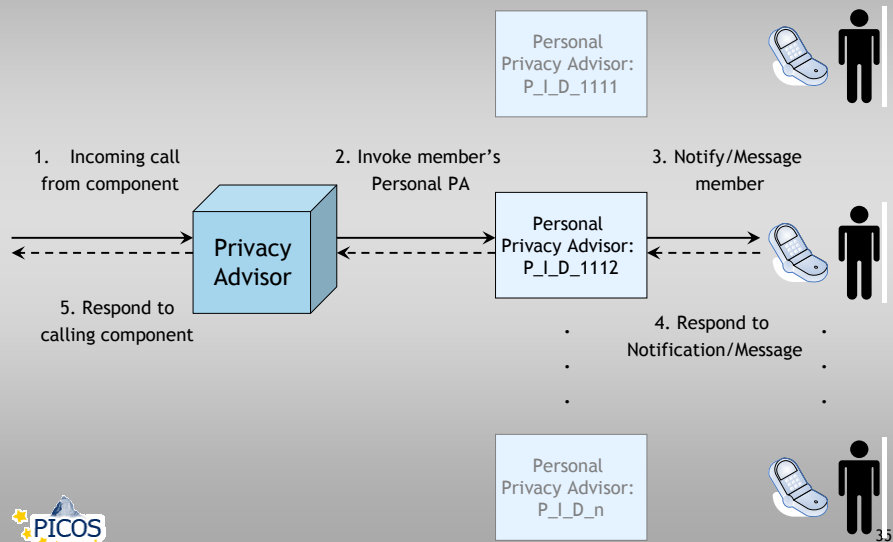
PICOS Project

The screenshot shows the PICOS Project homepage. At the top, there is a navigation bar with links for Home, News, About, Partners, Events, Resources, Press, Links, and Contact. Below this, a search bar and a 'You are here: Home' breadcrumb are visible. The main content area is divided into three columns. The left column contains a 'Home' menu with links to Login, Search, Sitemap, and Privacy Policy. The middle column features a 'Welcome to the PICOS Homepage' section, followed by a description of PICOS as 'Privacy and Identity Management for Community Services'. Below this, there are sections for 'Who we are' and 'Our Motivation', each with a brief description and a list of partner logos including Goethe University Frankfurt, HP, Atos Origin, Leuven, Cure, and IBM-Geosmax. The right column displays 'Latest News' with two entries: one dated 13.08.09 18:18 titled 'Achievements of PICOS' and another dated 28.04.09 11:28 titled 'PICOS Background'. Each news entry includes a short summary and a '[more]' link.



www.picos-project.eu

Privacy Advisor Architecture

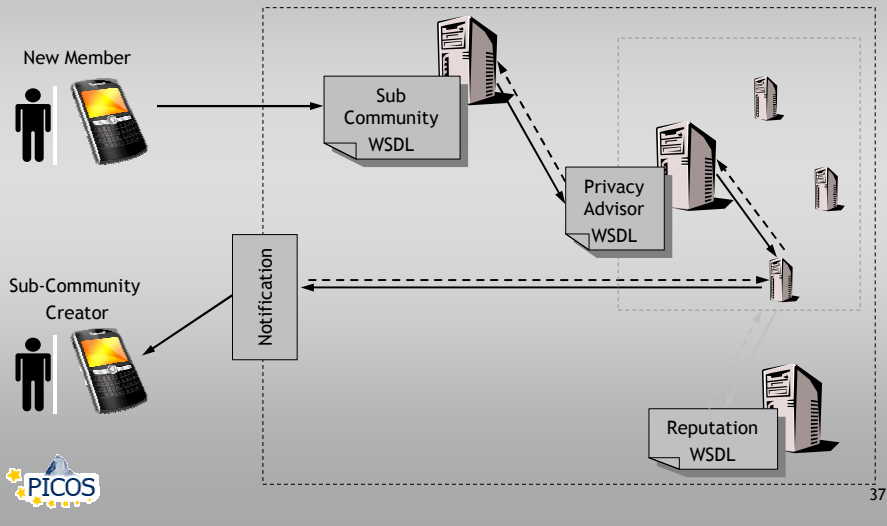


1st Prototype Implementation

- 3 Areas where the Privacy Advisor intervenes:
 - Sub Community Dynamics
 - Content Sharing
 - Revocation Dynamics

Sub-Community Dynamics

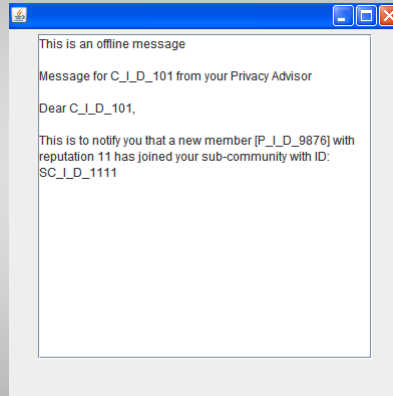
Scenario: A new member joins a sub-community



Input

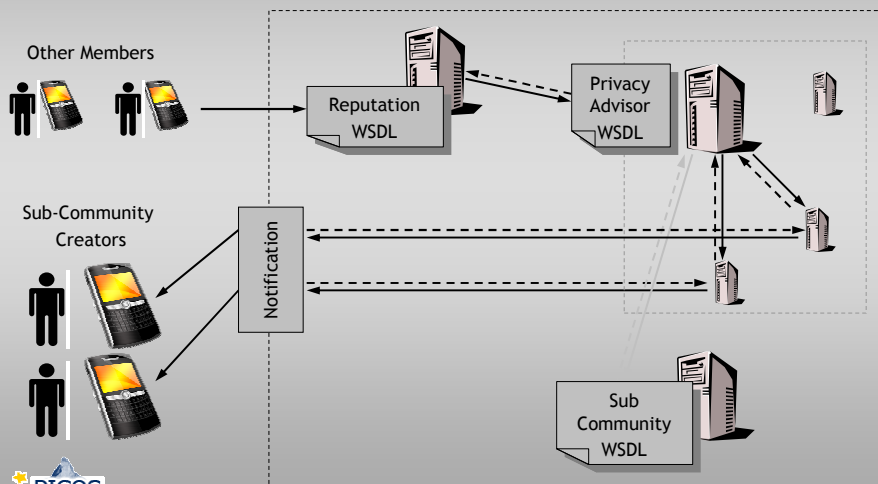
The screenshot shows the 'Privacy Advisor Demonstration' interface. The 'Sub Community Dynamics' tab is active. The 'Partial ID' field contains 'P_I_D_9876'. The 'Reputation' field displays '11'. Below it, a dropdown menu is set to 'Bristol Angling Community'. The 'SubCommunity Details' section shows: SubCommunity ID: SC_I_D_1111, Description: Welcome to the online sea angling forum community, Creator ID: C_I_D_101, Reputation of Sub Community: 69, and Reputation requirement from members: 50. A 'Join Sub Community' button is at the bottom. A note on the right points to the 'Reputation' field, stating 'Reputation < Threshold'.

Output



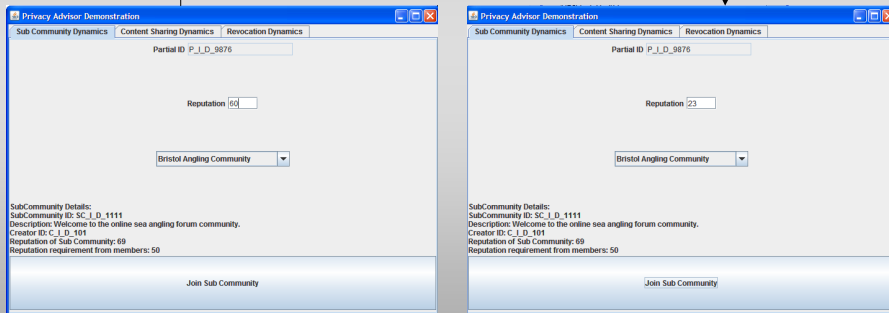
Sub-Community Dynamics

Scenario: A member's reputation drops below a threshold

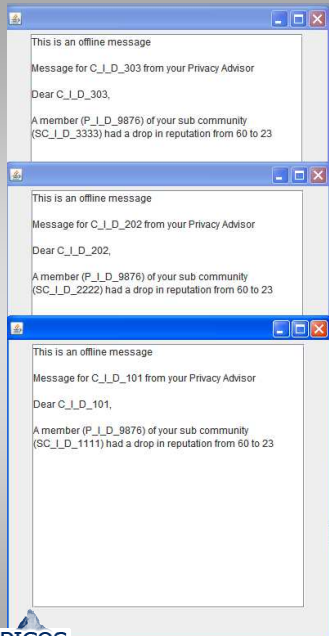


Input

Reputation change from 60 to 23 (Threshold = 50)



Output

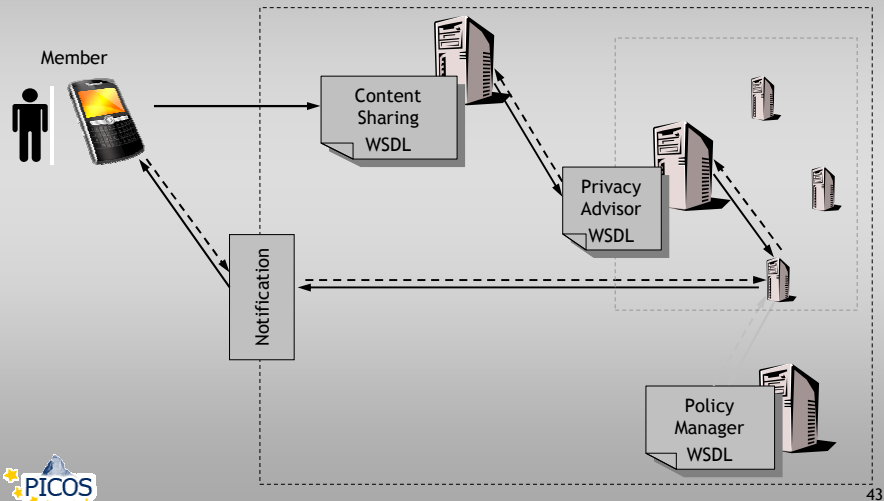


Since P_I_D_9876 is a member of three sub communities, All three sub community creators are notified of this change



Content Sharing Dynamics

Scenario: A member contributes content within the community



PartialID P_ID_9876

Public
 Personal
 Personal Sensitive

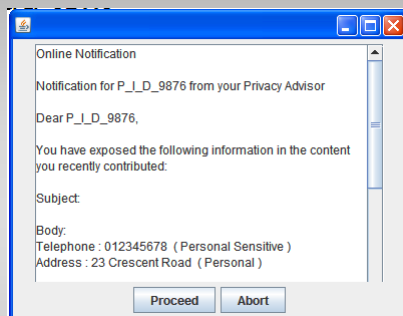
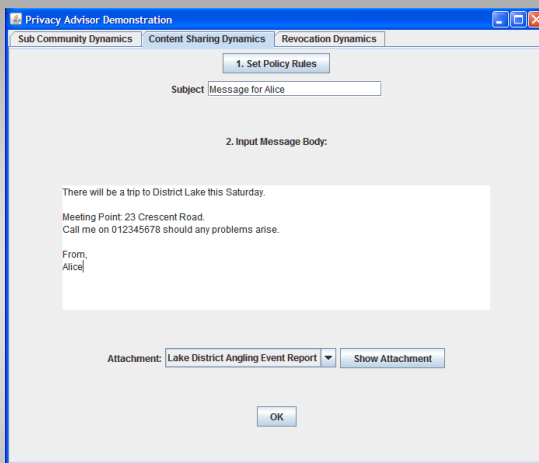
Name:

Public
 Personal
 Personal Sensitive

Address:

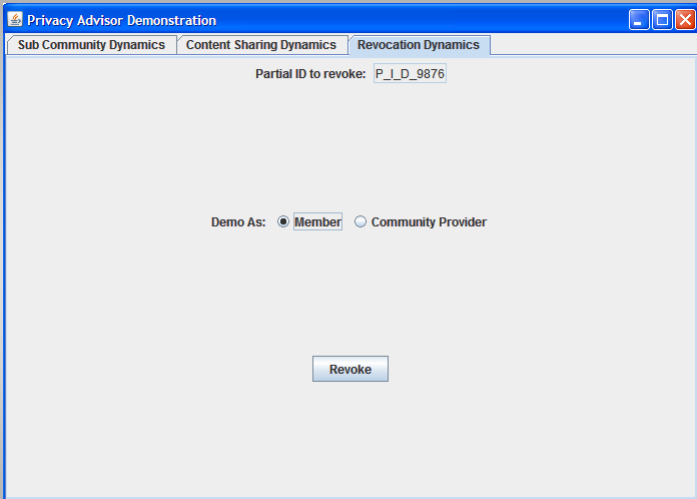
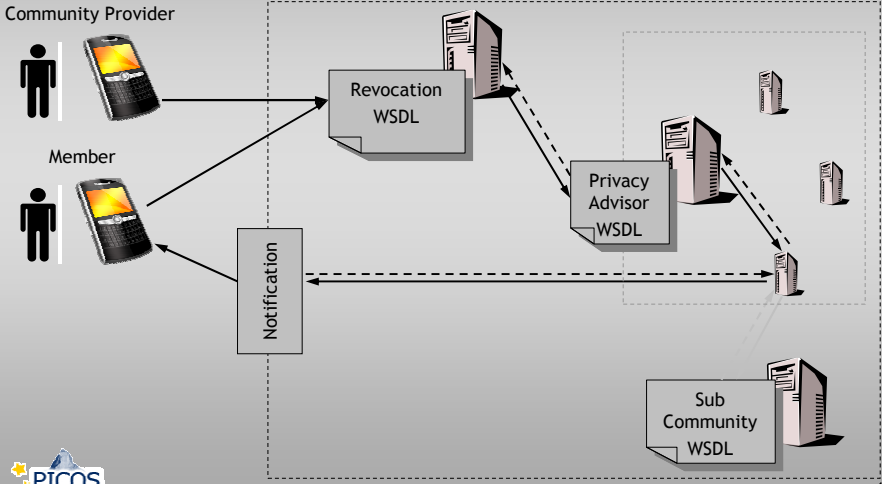
Public
 Personal
 Personal Sensitive

Telephone:

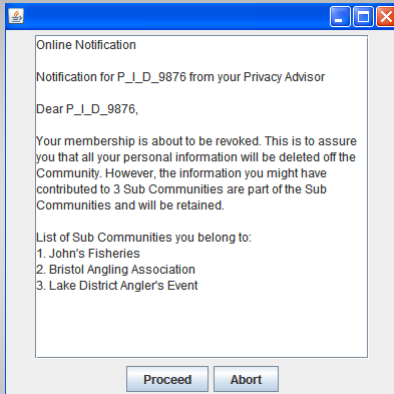


Revocation Dynamics

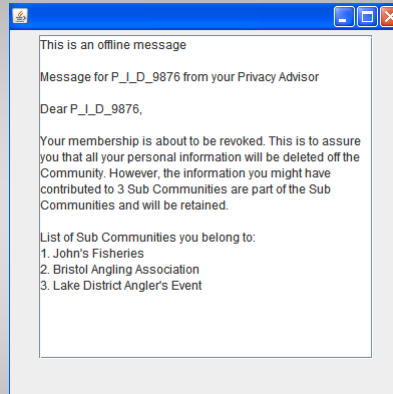
Scenario: Membership is revoked by Member / Community Provider



Revocation initiated by member



Revocation initiated by Community Provider



Thank you for your attention!

Eleni KOSTA
eleni.kosta@law.kuleuven.be

Interdisciplinary Centre for Law & ICT – ICRI
Katholieke Universiteit Leuven

Interdisciplinary Institute for BroadBand Technology

