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WHERE THE LAW ENFORCEMENT MEETS THE INTERNET: POLISH STRUGGLE FOR MORE TRANSPARENCY

(TS//SI//NF) **FAA702 Operations**
Two Types of Collection

PRISM

Upstream

- Collection of communications on fiber cables and infrastructure as data flows past.

(FAIRVIEW, STORMBREW, BLARNEY, OAKSTAR)

You Should Use Both

PRISM

- Collection directly from the servers of these U.S. Service Providers: Microsoft, Yahoo, Google Facebook, PalTalk, AOL, Skype, YouTube Apple.

ZOOM IN: POLAND

- who can ask for your data?

- how often they do it?

- for what purposes?

- what legal safeguards apply?

	I	II	III	IV
I poł. 2012	1137	148	351	843
II poł. 2012	1633	198	409	2135
I poł. 2013	2155	225	496	1629

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99,8% **74,4%** **16,6%***
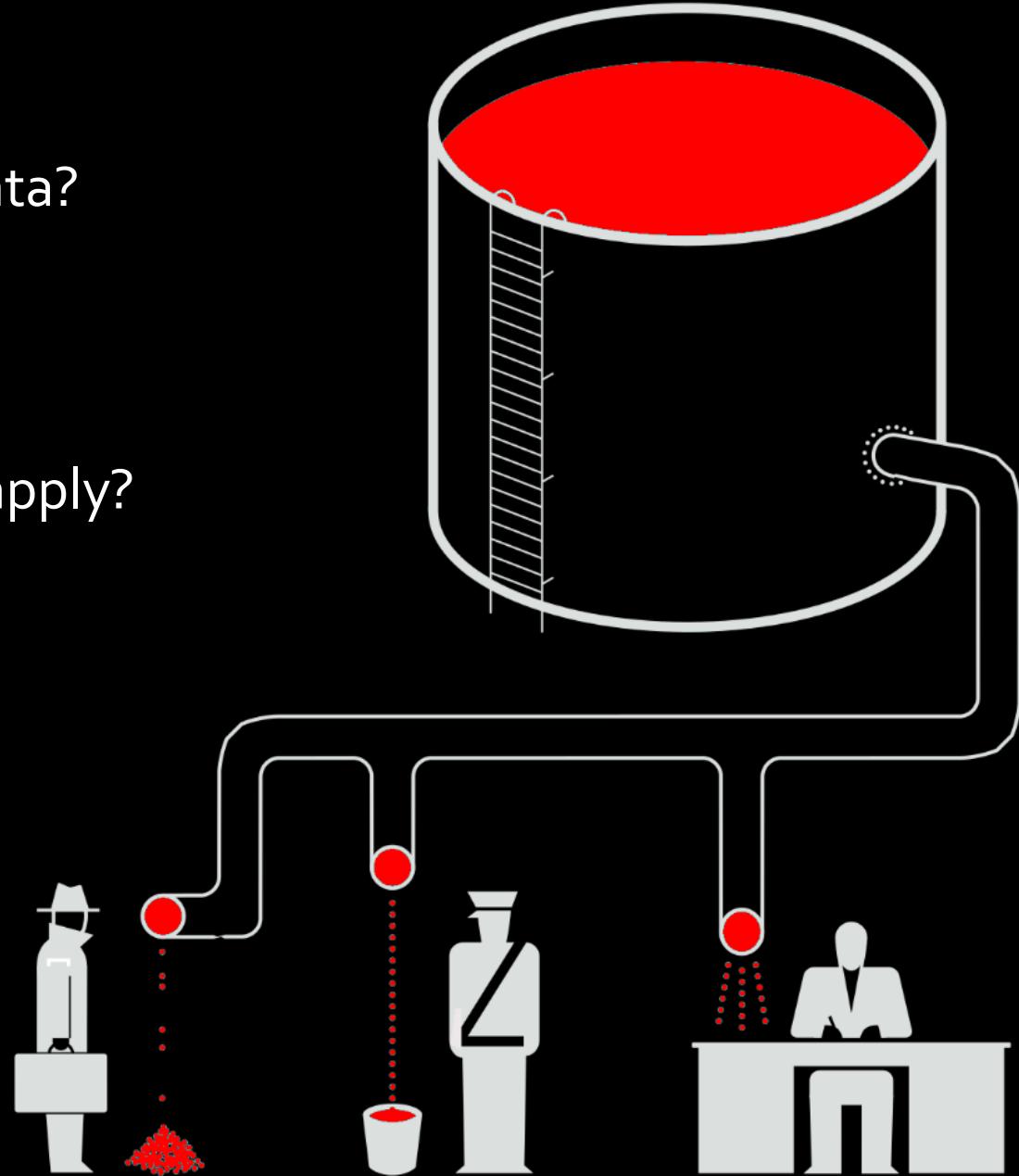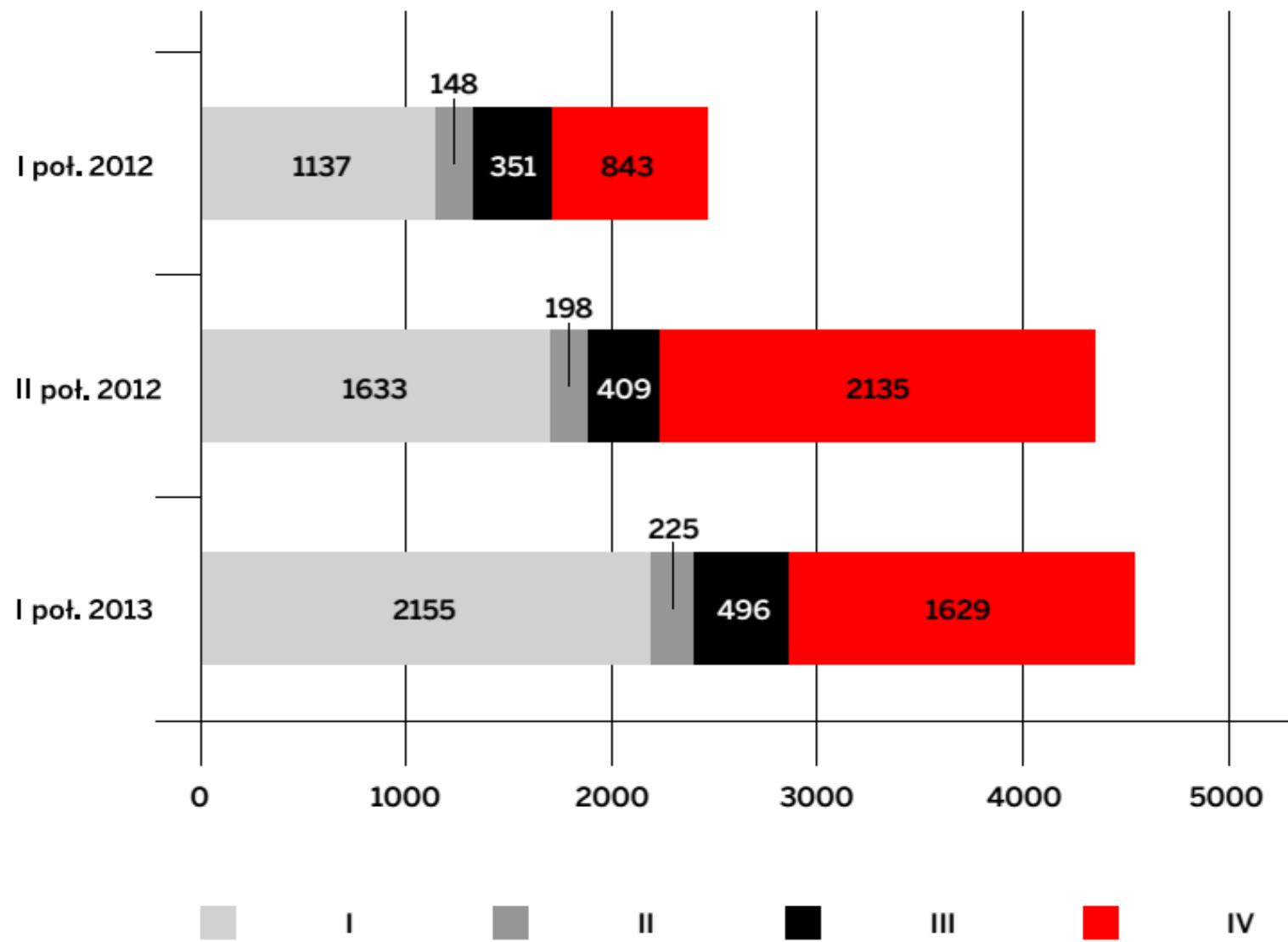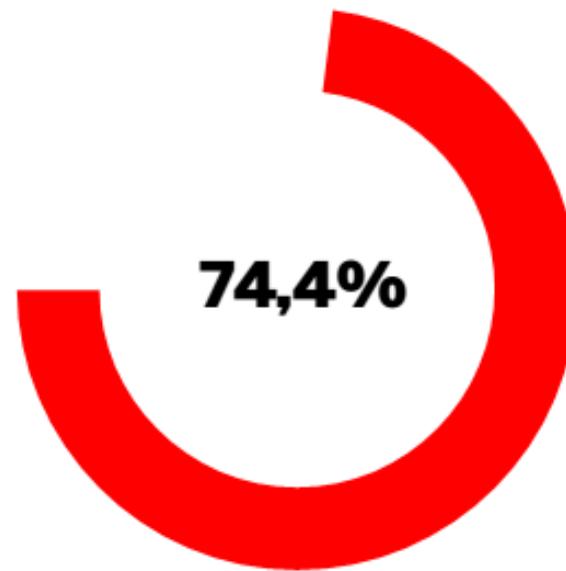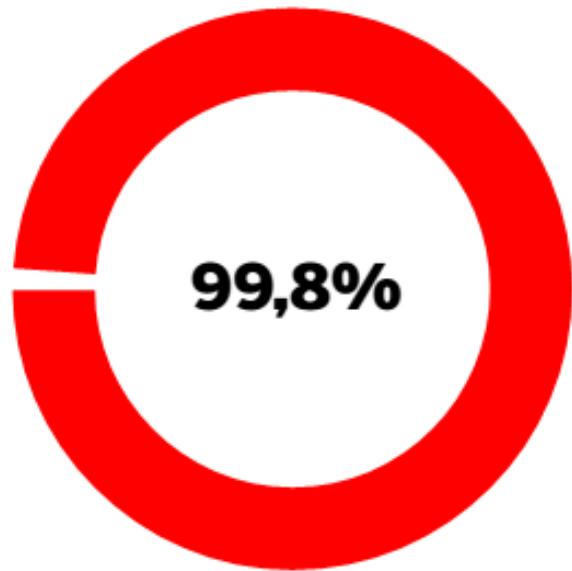
I II III

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Prosecutor — 62,7%

Police — 33,2%

Security Agencies — 2,3%

other (including courts in civil cases) — 0,5%

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1745

Internal Security Agency

878

Customs

101

Military Gendarmerie of the Polish Armed Forces
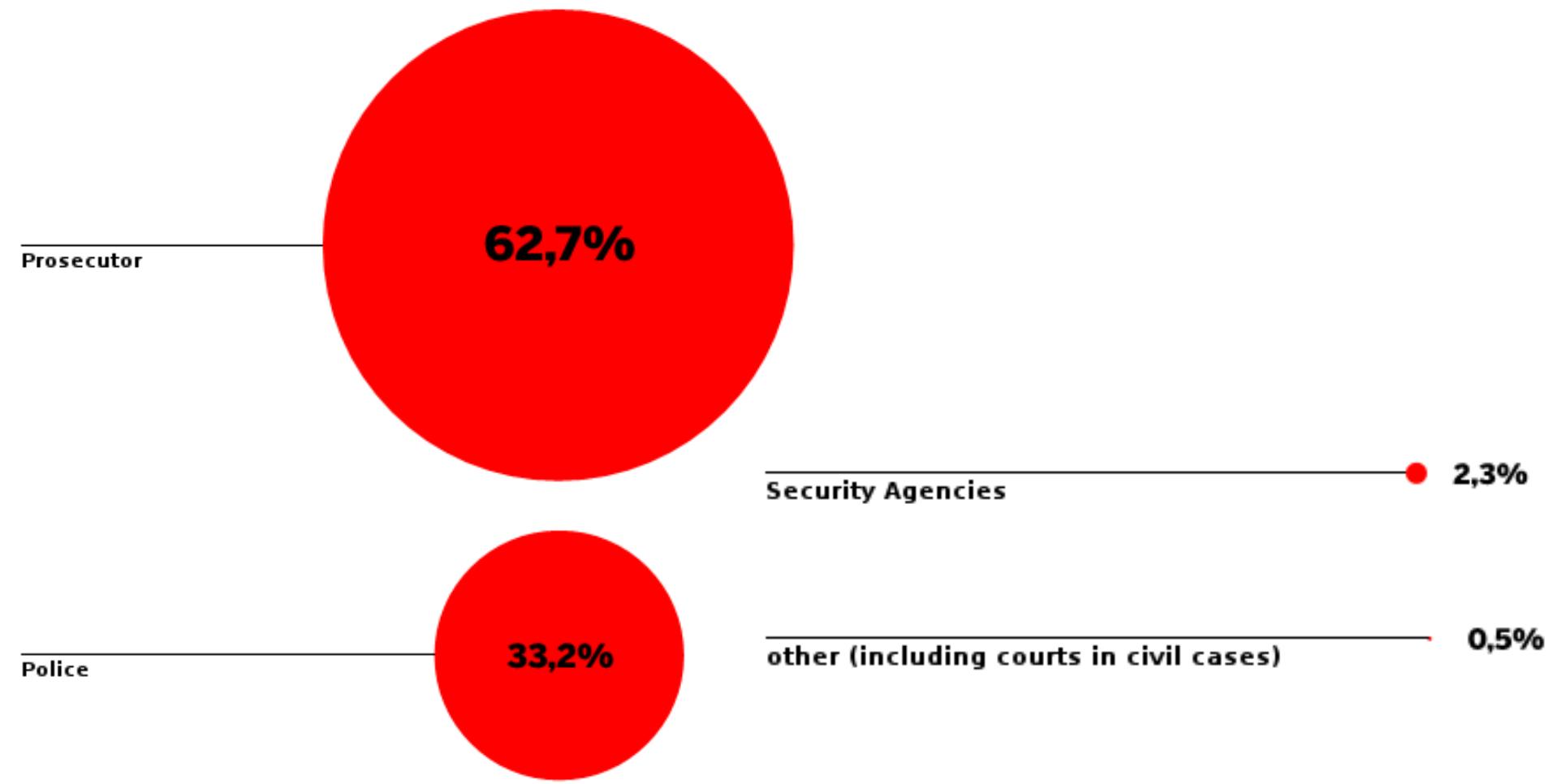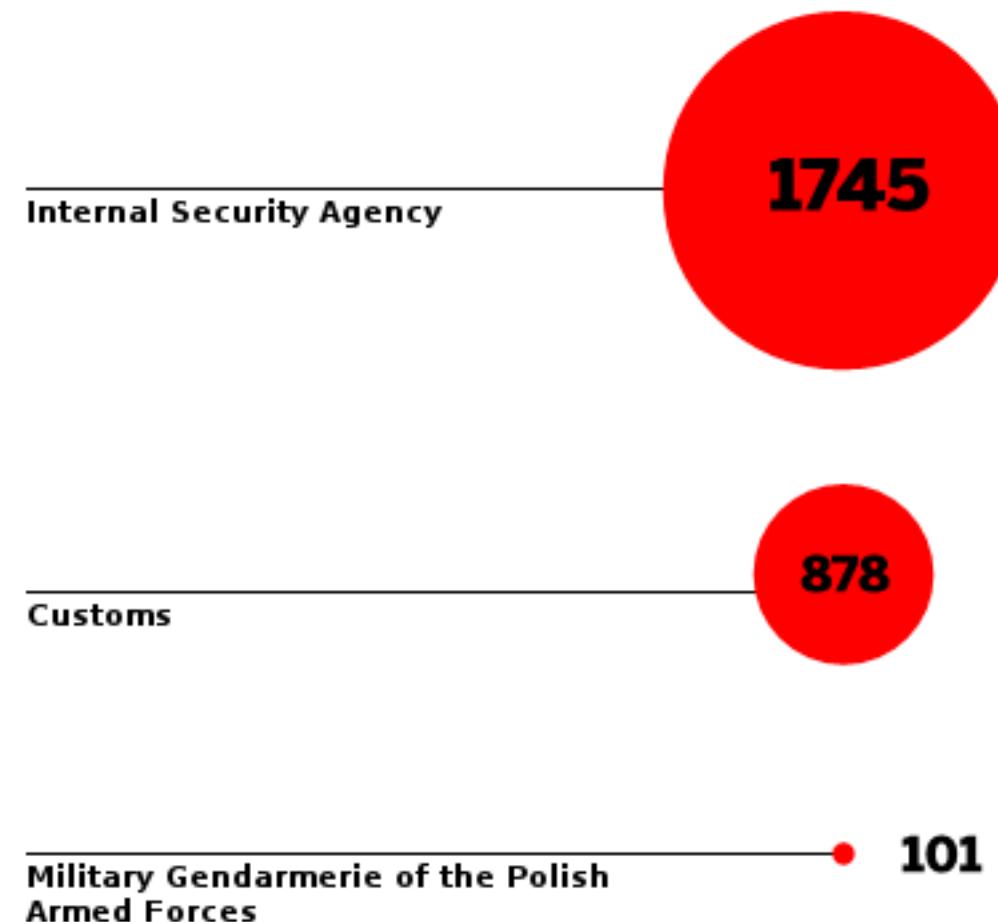
Police
Central Anti-Corruption Bureau
Foreign Intelligence Agency
Military Counterintelligence Service
Military Intelligence Service
Border Guard
fiscal control bodies
Prosecutor
Courts

?

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1. Real numbers of law enforcement's requests for personal data impossible to verify (not just on-line)

2. The companies forced to solve serious interpretative doubts at their own risk

3. Lack of any independent oversight over requests for Internet-related data

4. Different standards of fulfilling requests depending on the company

5. Lack of clear legal rules with regard to reimbursement for the cost of dealing with requests

6. Instrumental use of criminal legal procedures – just to obtain personal data of Internet users

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