



Intrusion Surveillance Technology: Is it justified?

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Latest Terror Attacks

- Nice, France:
 - A delivery truck run into the crowded sea-front walk and killed more than 80 people on Bastille Day (French National Day)
 - Mohamed Lahouaiej Bouhlel, a 31 year old French-Tunisian. He was not religious and not under the watch-list of the French intelligence services with only petty crimes record.
- Munich, Germany:
 - 10 killed and 27 injured in the shooting incident at a shopping mall in the capital of Bavaria
 - Ali Sonboly, and 18 years of Munich-borne Iranian
 - Nothing was found associating him with any terrorist groups
 - Has been in research of mass killing and known psychiatric problems
 - Residents were warned by the Munich's Smartphone Warning System to avoid public places and stayed home and kept informed by the radio and TV

Meaning of surveillance

- As suggested by Prof. Neil Richards:
 - *secret surveillance is illegitimate* and prohibit the creation of any domestic-surveillance programs whose existence is secret
 - Information collected surreptitiously can be used to blackmail or discredit opponents by revealing embarrassing secrets.
 - In a free society, all forms of surveillance must be ultimately accountable to a self-governing public, and for this reason, secret domestic-surveillance programs of any kind are illegitimate.

Information Surveillance of the US

- Foreign Intelligence Surveillance Act (FISA) of the United States provides authority to the Federal agencies, including, but not limited to the FBI, to perform surveillance activities over foreign nationals AND US Persons if there are reasons to believe potential attacks or grave hostile acts may be carried out.
- The USA PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism)
 - Enacted by Congress almost unanimously after the September 11, 2001 attack.
 - The Act allows Federal agents to conduct digital surveillance and track Target Persons (or Persons of Interests) on their movements and activities on- and off-line, including business records of any organizations deemed relevant by the federation agency in order to deter possible terror attacks.

Oversight within the USA

PATRIOT Act

- The Attorney General must report to the Congress Select Committees every 6 months on the statistics of total number of applications and authorizations granted.

Is Intrusive Surveillance Justified

- First question:
 - Who can justify this?
 - Who oversea(s) such justifications?
 - Will the citizens be informed or would the record of the application and approval be ever made public?
- Dark or Unaccountable surveillance should never be illegalized, and surveillance should be monitored under scrutiny.
- Intrusive surveillance should be under the most straight scrutiny and approval by an "open" sets of "trusted process".