

2. While protecting privacy may contribute to (national and private) security, it does not equate security, as Terry Cormier indicated.

The concept of sovereignty was also briefly addressed. Some said that sovereignty is still not fully appreciated in the context of Internet and networking. Questions to consider include: Where does jurisdiction and sovereignty start and end? Who is running cyberspace? Is cyberspace American?

## **2.2. Agency**

The participants discussed the degree of agency an individual has over information. In this context some suggested that a distinction is made between a situation whereby privacy is forgone with sanction and a situation where information is obtained surreptitiously or by force of law. On the one hand, there are many instances where people give away information if the "price is right." On the other hand, concerns about privacy are high when mail is opened and e-mail monitored by the police.

These conflicting attitudes to privacy rights could be countered by ensuring that Canadians are in control of the information they give and that they have venues to redress misuse. However, this may be difficult to achieve. The challenge in attempting to see one's own credit records may demonstrate the point aptly. In the absence of a standard, "sign or die pressure" is exerted on individuals in countless situations including, signing hospital admission forms or loan agreements.

A point was made that the decision whether private information is used for commercial purposes should rest with the individual, rather than the state or a private business. "Many Canadians actually wish to exchange their private information for something they value" (i.e., providing personal information in order to get a tailored service). Others pointed out that some people "agree" to sell their organs as well, suggesting that, just as selling organs, privacy issues are not simply reducible to consent.

Some suggested that uninformed consent effectively amounts to coercion. Others pointed out that informed consent could be interpreted as a "notice," in the context of a "sign or die pressure." Yet another point was that consent is a valid term, provided a choice was given.

## **2.3. Public Engagement**

Some participants suggested that many Canadians do not fully understand the value of information they give away (i.e., the way behavioural information could be profiled and used) and the threat of "rogue" entities. Moreover, ongoing global level negotiations on issues related to privacy and sovereignty, including cybercrime, are closed to the public. NGOs and civil society in general are unlikely to be admitted to state fora (UN, OSCE, Council of Europe)