



Shazia Ilmi is free to contest from anywhere:

Kejriwal

Mail Today

Vodafone lets snoop cat out, says India sought access to its network even as it admits to existence of 'direct wires'

Mail Today Bureau | Mail Today | New Delhi, June 7, 2014 | UPDATED 13:31 IST



The 'Zoozoo joke' is on the 167 million Indians who use Vodafone services.

The world's second largest mobile phone company has said that India is among 29 nations that sought access to its network last year, acknowledging at the same time the existence of secret direct-access

wires that are used by government agencies to snoop on private conversations, text messages and emails.

The direct-access wires Vodafone has admitted to are connected directly to its network, allowing agencies not only to monitor and record phone conversations but also to trawl metadata, which provides the location of a mobile device user and the time and date of communication. The revelations came in the UK-based firm's first Law Enforcement Disclosure Report released on Friday, and nearly a year after American whistleblower Edward Snowden blew the lid off the blanket surveillance conducted by America's National Security Agency around the world.

Extreme secrecy

The 20-page report, however, did not mention the number of requests made by India as disclosure of information on interception and communications data is not allowed by domestic law. Vodafone, whose footprint spans 29 countries and 400 million subscribers, did not say if it complied with the requests made by the Indian government. "There is no judicial oversight over the interception process," Vodafone said in the section for India in the legal annexure to its report.

Under the Unified Access Service License (UASL) and the ISL License Agreement, firms are required to provide "access to all call data records as well any other electronic communication". Vodafone said the Indian Telegraph Act 1885 obliges service providers to "maintain extreme secrecy" in matters concerning lawful interception.

"These prohibitions extend to the very existence of such directions, and could therefore authorise the government to prevent the publication of aggregate data relating to the number of directions received by the licensee," the report said.

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No transparency

A Vodafone India official told Mail Today: "We provide access to the government as required under the rules of law. Obviously no access or information can be shared with the public as the details are with the government agencies." Cyberlaw expert Pavan Duggal concurred: "The amendment in the Information Technology Act in 2008, makes it mandatory for all telecom companies to provide government access to data, voice and other means of communication services provided by them to their consumers."

Flagging the privacy concern, Duggal added: "On the other hand, the government is not transparent about the mechanism on phone-tapping. There have been many cases where the government agencies have not followed the procedure required for approval. This could mean that orders for phone tapping may not have been taken from the authority concerned."

India's secretive National Technical Research Organisation (NTRO), a technical intelligence agency created in 2004 and directly under the National Security Advisor in the PMO, also possesses extensive capabilities to intercept or listen into phone conversations and digital communications. The Intelligence Bureau, RAW and some other agencies too have considerable interception capabilities. Some of these capabilities spilled into the open when the Niira Radia tapes were leaked in 2010.

Reports dating back to June last year about India's coming Central Monitoring System (CMS) tie-in very well with the Vodafone confession. The CMS, the reports had said, would give nine government agencies the power to access, in real-time, phone conversations, video conferences, text messages, emails, and even Internet search data and social media activity. The CMS, that one report said makes the US Prism plan look like a "model of restraint", is not to be encumbered by independent oversight; the agencies can monitor targets without court approval or Parliament. With the CMS, security agencies won't need to make requests to telcos; they will get it directly from interception systems built into networks.

The Vodafone report is the first time a private service provider has published a

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One of the key revelations from Vodafone is that governments across the globe can directly access its network.				
COUNTRIES	METADATA	CONTENT	NATIONAL METADATA	NATIONAL CONTENT
ALBANIA	5,778	It is unlawful to disclose any aspect of how interception is conducted		
AUSTRALIA			68,5757	3389
BELGIUM	2			
CZECH REP		7,677	7,677	
CONGO	436			
EGYPT	It is unlawful to disclose any aspect of how interception is conducted			
FIJI	760			
FRANCE	3			
GERMANY			18,026	23,687
GHANA				
GREECE			8,602 in total	
HUNGARY	75,938	It is unlawful to disclose any aspect of how interception is conducted		
INDIA	It is unlawful to disclose any aspect of how interception is conducted			
IRELAND	4,124	Permission to publish refused		
ITALY	605,601			140,577
KENYA				
LESOTHO	488			
MALTA	3,773	It is unlawful to disclose any aspect of how interception is conducted		
MOZAMBIQUE				
NETHERLANDS			62,554	43,956
N ZEALAND				34
PORTUGAL	28,145		13,046	
QATAR	It is unlawful to disclose any aspect of how interception is conducted			
ROMANIA	It is unlawful to disclose any aspect of how interception is conducted			
S. AFRICA	It is unlawful to disclose any aspect of how interception is conducted			
SPAIN	48,679	24,212		
TANZANIA	98,765			
TURKEY	It is unlawful to disclose any aspect of how interception is conducted			
UK			514,608	2,760

**The figures give the number of warrants issued for content interception.*



Tharoor



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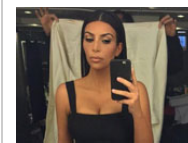
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report on its cooperation with government agencies to intercept and monitor phone conversations and other digital communications.

"For governments to access phone calls at the flick of a switch is unprecedented and terrifying," said Shami Chakrabarti, director of the rights group Liberty. "Snowden revealed the Internet was already treated as fair game. Bluster that all is well is wearing pretty thin - our analogue laws need a digital overhaul."

The report covered Vodafone's businesses in 29 countries where it had received lawful demands for help from government and law enforcement agencies between April 2013 and March 2014. During this period, it received the highest number of requests - 605,601 - for metadata of mobile phones in Italy, while it received 98,765 requests in Tanzania and 48,679 requests in Spain. The report focussed on two categories of law enforcement demands that accounted for the overwhelming majority of all snooping - lawful interception and access to communications data. While most countries required legal notices to tap communications, there were six nations where this was not needed, Vodafone said. The firm did not name these six countries.

Vodafone called on authorities to submit to "regular scrutiny by an independent authority" and to amend laws that enable agencies to access communications infrastructure without the knowledge of the operator. But the firm also said it would continue to comply with the requests for intercepts as it has to abide by the laws of different countries. "If we do not comply with a lawful demand for assistance, governments can remove our licence to operate, preventing us from providing services to our customers," it said.

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Posted by: ashok
June 8, 2014

means of communication should never be privatized. lesson from ancient India. We all know Banjara community which lives in remote villages are transporters. Kings use to only control them

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Posted by: ashok
June 8, 2014

Vodafone has to pay huge taxes to the government of India and many other governments hence this may be blackmailing

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Posted by: haiwoihaiwoi
June 7, 2014

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June 7, 2014

Shame of humanity and danger on civil liberties. It should be opposed right from beginning. All will end up in prison, for some or another reason.

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