



OpenMedia Election Platform

Canada's Digital Future

Mission Statement: Canadians pay some of the highest prices in the world for Internet service and we increasingly face online censorship and widespread surveillance. These shortcomings represent a digital deficit that is harmful to our democracy, our economy and our ability to connect with our loved ones. This digital deficit is caused by a fundamental democratic deficit in Canada's government and business bureaucracies.

At **OpenMedia** we strive to utilize participatory and community-led processes – modeling the values that should govern government and commercial decision-making. We believe that through modeling participatory processes and empowering the voices of everyday Internet users, we can show the way towards a more connected Canada and brighter digital future for us all.

We're proud that over the last several years we've worked with hundreds of thousands of Internet users (like you!) to develop crowdsourced agendas to safeguard our right to privacy, enable more open and affordable access to the Internet, and enhance free expression and sharing online.

We've brought together our consultations on key digital rights pillars – privacy, access and free expression – to form a crowdsourced plan we're calling 'Canada's Digital Future Platform'.

The more people who pledge to support our platform the more power it will have. This election let's not do politics as usual – let's reimagine our democracy and create a more policy-centric rather than partisan party-centric electoral system. Let's embrace a crowdsourced digital future.

Sign the Digital Future Pledge Now at OurDigitalFuture.ca.

General Policy Points

Privacy

Get a warrant: Completely repeal Bill C-51 and forbid the government from spying on the private communications and activities of law-abiding residents of Canada, whether domestically or through international partners, without a warrant issued by an open court.

End mass surveillance: Put an end to blanket surveillance and the bulk collection of metadata.

Embrace accountability: stronger oversight for government spy agencies, and increased transparency for government surveillance activities.

- [Check out our more detailed policy recommendations.](#)
- [Watch our short video.](#)
- Background: [See our full crowdsourced privacy research report](#)

Access

Boost Choice: Open up our networks by creating fair rules that ensure Canadians enjoy unrestrained choice from more affordable independent Internet providers.

Expand Access: Follow the lead of countries like Australia and devote significant investments to ensure faster, cheaper next-generation Internet services across the country.

Promote innovation: Embrace citizen-based oversight of telecom networks To ensure net neutrality (Internet openness) rules prevail on all platforms.

- [Check out our more detailed policy recommendations](#)
- [Watch our short video](#)
- Background: [See our full crowdsourced privacy research report \[here\]\(#\), \[here\]\(#\), \[here\]\(#\) and \[here\]\(#\).](#)

Free Expression

Respect creators: Protect the public domain and empower creators of all types to remix, reuse, and recycle content into new works.

Prioritize free expression: Copyright and other digital policies should promote access to knowledge and culture, enable online commerce and prevent censorship.

Embrace democratic processes: Copyright and other digital policies should be produced through participatory, democratic and transparent processes.

- [Check out our more detailed policy recommendations](#)
- [Watch our short video](#)
- Background: [See our full crowdsourced Free Expression research report](#)

Privacy (Specific)

GET A WARRANT

- Repeal Bill C-51 in its entirety
- End legal immunity for 'voluntary' warrantless disclosure of personal information
- Strengthen transmission data warrant thresholds to "reasonable belief"
- Mandatory reporting of subscriber data requests
- Require greater transparency from telecom companies
- Bring Canada's 35 year old Privacy Act into the digital age
- Mandatory notification of surveillance targets
- Require a warrant to search cell phones and other digital devices
- Prohibit the 'voluntary' disclosure of personal information by organizations
- Safeguard privacy in emergency situations
- End the use of drones to conduct warrantless surveillance
- Create strong, independent control of the CSE
- Implement the CSE oversight recommendations proposed in Bill C-220
- Establish a cross-party Parliamentary Committee tasked with ongoing review of spy agency activities
- Fully implement the Privacy Commissioner's January 2014 'Checks and Controls' recommendations
- Ensure that the Security Intelligence Review Committee can perform its role effectively
- Implement the oversight recommendations of the 2006 O'Connor Report
- Establish an Interception Commissioner to review the interception of private communications by spy agencies
- Rein in the steep costs of excessive government surveillance
- Going forward, ensure that oversight keeps pace with new spy agency capabilities and powers.
- Ensure new privacy-impacting laws and reforms abide by the [Necessary and Proportionate Principles](#).

END MASS SURVEILLANCE

- End all suspicionless mass surveillance, including the bulk collection of metadata
- Require judicial not political authorization for surveillance
- No future expansion of surveillance without a verifiable need
- Prevent government agencies monitoring what Canadians say on social media

EMBRACE ACCOUNTABILITY

- Reinstate the Office of the CSIS Inspector General

LEARN MORE

- [Watch our short video.](#)
- [Check out Canada's Privacy Plan, our crowdsourced action plan to safeguard the privacy of all Canadians.](#)

Access (Specific)

UNLEASH CHOICE

- Split digital networks off of large telecom conglomerates to enable choice in the wired and wireless broadband markets (also called “structural or functional separation”)
- Wireless spectrum policies including set-aside for open access including:
 - ◇ use-it-or-lose it clauses
 - ◇ continued support for spectrum set-aside for non-incumbent providers
 - ◇ strict rules preventing transfer of additional spectrum licenses to entrenched incumbent providers (The Big Three).
- Mandate mobile virtual network operator (MVNO) access in our wireless sector.
- Prioritize opportunities to support non-incumbent ISPs and IPTV providers, municipalities, community access programs and non-profit service providers to deliver services to Canadians.
- Give the CRTC a policy directive calling on the regulator to ensure the creation of open, accessible, neutral, world-class networks that maximize user preference.
- Maintain foreign investment rules that prioritize investment in new independent telecom startups for increased choice for Canadians.

EXPAND ACCESS

- Follow the lead of countries like Australia and devote significant investments to promoting faster, cheaper next-generation Internet services across the country, including municipal fiber.
- Encourage the CRTC to ensure 100%

Canadians have access to a range of world class, affordable Internet services at speeds on par with our international counterparts (at least 25 Mbps download and 3 Mbps upload).

- Develop an ambitious wired and wireless broadband plan funded from the sale of wireless spectrum through the creation of a Digital Endowment fund of at least \$2.2 billion.
 - ◇ Projects should only be funded if they are open access networks; subsidized providers must guarantee minimum levels of service in the subsidized markets
- Require the CRTC to establish a performance measurement process of the wholesale services framework. Criteria include:
 - ◇ Market concentration (with a view to decentralization);
 - ◇ Internet speed and prices as compared to peer countries;
 - ◇ Responsiveness of the framework generally to technological advances and Canadians’ needs.
- Access to Canadian content should be promoted through fair wholesale pricing arrangements – ensuring that content owned by vertically-integrated incumbents is affordable for other distributors.

PROMOTE INNOVATION

- The government should promote innovation by ensuring that net neutrality is observed and enforced on all platforms.
- Close loopholes in the Broadcasting and Telecommunications Acts to ensure that telecom carriers can’t discriminate against

Access (Specific)

competing and providers.(i.e., zero-rating).

- Bring in proactive openness audits for Internet service discrimination across wired and wireless broadband networks including:
 - ◇ Traffic management practices
 - ◇ Average speeds (Ofcom in the UK and the FCC in the US do this in various ways)
 - ◇ Billing practices as set against costs (there have been stories of overbilling/mis-measuring usage by ISPs etc.).
 - ◇ Congestion
 - ◇ Regional broadband speed levels (See: <http://broadbandmap.gov>)
- Avoid additional financial costs for online (or "over-the-top" OTT) digital services given the advantages that vertically-integrated incumbents have over other content producers and distributors.
- Include broader stakeholder and citizen engagement in appointing CRTC Commissioners.
- Show how all new appointments ranked in the overall scorecard based on the must-have and should-have criteria listed in the job postings. The criteria should include significant experience in the public interest or consumer advocacy community.

LEARN MORE

- [Check out our more detailed policy recommendations](#)
- [Watch our short video](#)
- See our full crowdsourced research reports:
 - [Time for an Upgrade - Demanding Choice in Canada's Cell Phone Market](#)
 - [Casting an Open Net - A leading-edge approach to our Digital Future](#)
 - [Connected Canada - Tackling our Digital Divide](#)
 - [Spectrum Policy in Canada - Levelling the Playing Field](#)

Free Expression (specific)

RESPECT CREATORS

- Promote and protect Creative Commons licensing.
- Ensure clear process for creators to dedicate their works to the public domain.
- Embrace fair dealing exceptions for transformative commercial remixes; copyright exemptions for amateur and non-commercial remixes.
- Ensure reasonable copyright terms that focus on compensating creators during their lifetime, and enriching the public domain at their death. At a bare minimum copyright terms should not extend past 50 years after the death of the author, which meets the international standard found in the Berne Convention. Roll back recent term extension for sound recordings.
- Utilize the the crowdsourced [Reimagine CBC findings and recommendations](#).
- Support [content creation, sharing, and interaction for the digital age](#) by enabling an open and affordable Internet through our Access recommendations.

PRIORITIZE FREE EXPRESSION

- No forced disconnections from the Internet for copyright violations; no three-strikes rules that could harm culture and knowledge creators, and everyday Internet users.
- No additional intermediary liabilities for content disseminated by third parties and ensure all laws and reforms abide by the [Manilla Principles](#).
- Maintain our notice-and-notice system for preventing copyright infringement

- Reasonable, civil (not criminal) penalties for sharing copyrighted materials – civil liability geared towards compensation for culture and knowledge creators (i.e. warnings and fines, tied to reasonable copyright terms).
- Support the circumvention of Digital Rights Management (DRM) and Technological Protection Mechanism (TPM) for legal uses of content (i.e. circumvention of regional zone access protection) and enable vision-impaired Internet users to create content and format shift.

EMBRACE DEMOCRATIC PROCESSES

- Craft copyright and other expression-impacting policies through an open, transparent and democratic processes.
- Copyright rules should be clear, and designed to be accessible to the people they are intended to serve.
- Amend the Copyright Modernization Act to include a misuse provision that penalizes those who send abusive copyright letters to residents of Canada.
- Make a commitment to protect democratically-developed laws on copyright from being undermined by closed undemocratic processes like the Trans-Pacific Partnership (TPP).

LEARN MORE

- Watch our [short video](#).
- Check out our full report at [OpenMedia.org/DigitalFuture](#)