Privacy Implications of Unmanned Aerial Vehicles (UAVs) in Canada

March 2014
OPC Drone Surveillance Research Group
Pathways to Privacy Symposium, University of Toronto
• **UAVs In Canada**: are increasingly used for a range of surveillance purposes in the public and private sector.

• **Our Report Focuses On**: the implications of UAV use for organizations accountable to PIPEDA for the safe, open and limited collection of personal information is of primary consideration.

• **Our UAV Research Examines**: historical development, privacy sensitive aspects, marketing by Canadian manufacturers, and public knowledge and opinion of UAV use in Canada.
Tyendinaga First Nation in Ontario
March 5, 2014
Ontario Police Defend use of Drone Cameras Over Protests (CBC)
Kenneth Jackson
@afixedaddress

Report from Tyendinaga blockade: OPP launch drones over protest site just now.
11:53 AM - 4 Mar 2014
60 RETWEETS 12 FAVORITES

OPP East
@OPP_ER

@freeleereed Unmanned Aerial Vehicles (UAV) are an economical way to take pictures. It is a tool used in investigations.
12:53 PM - 4 Mar 2014
18 RETWEETS 1 FAVORITE

OPP East
@OPP_ER

@FredGlaubitz the OPP Aerial vehicle only takes photos and video. It is also used for crash scenes etc...
4:55 PM - 4 Mar 2014
4 RETWEETS 1 FAVORITE

Kenneth Jackson
@afixedaddress

Here is a picture of the drone OPP say they used to take pics of protesters blocking road near Tyendinaga.
#mmiw
2:58 PM - 4 Mar 2014
@afixedaddress @TwoRowTimes They are treating this like a military operation?
5:10 PM - 4 Mar 2014

@OPP_ER dispatch drones to intimidate peaceful protest. but, won't spend $$$ looking for Missing & Murdered FN women. #cdnpoli
12:13 PM - 4 Mar 2014

@OPP_ER @freeleereed So are you or are you not deploying drones?
2:31 PM - 4 Mar 2014

Report from Tyendinaga blockade: OPP launch drones over protest site just now.
11:53 AM - 4 Mar 2014
WHAT DOES THIS CASE REPRESENT?

It exemplifies the overall themes that come out of our work about UAVs in Canada: no awareness and no shared context of privacy.
<table>
<thead>
<tr>
<th>Awareness</th>
<th>Piloted</th>
<th>UAV</th>
<th>Diff. in Awareness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Package Delivery</td>
<td>44</td>
<td>14</td>
<td>30</td>
</tr>
<tr>
<td>Agricultural Spraying</td>
<td>71</td>
<td>31</td>
<td>40</td>
</tr>
<tr>
<td>Advertizing</td>
<td>45</td>
<td>18</td>
<td>27</td>
</tr>
<tr>
<td>Agricultural Surveying</td>
<td>56</td>
<td>43</td>
<td>13</td>
</tr>
<tr>
<td>Mineral Exploration</td>
<td>44</td>
<td>32</td>
<td>12</td>
</tr>
<tr>
<td>Aerial Photography</td>
<td>81</td>
<td>65</td>
<td>16</td>
</tr>
<tr>
<td>Survey and Inspection of Power and Pipe</td>
<td>61</td>
<td>44</td>
<td>17</td>
</tr>
<tr>
<td>Cartography</td>
<td>68</td>
<td>57</td>
<td>11</td>
</tr>
<tr>
<td>Oceanographic Research</td>
<td>54</td>
<td>44</td>
<td>10</td>
</tr>
<tr>
<td>Atmospheric Weather Assessment</td>
<td>59</td>
<td>60</td>
<td>-1</td>
</tr>
<tr>
<td>Geological Survey</td>
<td>64</td>
<td>49</td>
<td>15</td>
</tr>
<tr>
<td>Search and Rescue</td>
<td>83</td>
<td>52</td>
<td>31</td>
</tr>
<tr>
<td>Emergency and Disaster Monitoring</td>
<td>75</td>
<td>49</td>
<td>26</td>
</tr>
<tr>
<td>Fire Fighting</td>
<td>73</td>
<td>41</td>
<td>32</td>
</tr>
<tr>
<td>Traffic Accidents</td>
<td>75</td>
<td>44</td>
<td>31</td>
</tr>
<tr>
<td>Surveillance of Public Spaces</td>
<td>55</td>
<td>39</td>
<td>16</td>
</tr>
<tr>
<td>Border Patrol</td>
<td>62</td>
<td>48</td>
<td>14</td>
</tr>
<tr>
<td>Law Enforcement</td>
<td>68</td>
<td>41</td>
<td>27</td>
</tr>
</tbody>
</table>
PUBLIC OPINION

Data Sharing and Visibility

- 87% Flying Too High to be Seen
  - 13% "See" into Your Home
- 11% Sharing with the USA Government
  - 89% 13% Sharing with the Canadian Government
- 93%
LACK OF CONSULTATION

- No members from privacy commissions, civil libertarian groups, public interest groups, etc.
- Proceedings are not accessible to the public
Fact Sheets

Privacy Impact Assessments

What are Privacy Impact Assessments?

Privacy Impact Assessments (PIAs) are used to identify the potential privacy risks of new or redesigned federal government programs or services. They also help eliminate or reduce those risks to an acceptable level.

Virtually all government institutions, as defined in section 3 of the Privacy Act, including parent Crown corporations and any wholly owned subsidiary of these corporations, must conduct PIAs for new or redesigned programs and services that raise privacy issues.

PIAs take a close look at how government departments protect personal information as it is collected, used, disclosed, stored and ultimately destroyed. These assessments help create a privacy-sensitive culture in government departments.

- No Privacy Impact Assessments have been submitted for UAV related programs with the OPC to date
- Recommendations by the UAV Working Group have suggested the exclusion of certain UAVs from regulation when overall proceedings still have not consulted on public opinion or privacy matter
LACK OF ACCESSIBILITY

Unmanned Air Vehicle (UAV)

Spectrum Management and Telecommunications
Transport Canada
Special Flight Operation Certificate (SFOC)

- No Electronic Records of Issued Certificates
- No Electronic Records of Flights in Progress
- No Specific Privacy Requirements for SFOCs

- SFOCs Kept in Paper Copy at the Region Level
  (Pacific Region; Prairie and Northern Region; Ontario Region; Quebec Region; Atlantic Region)

- ATIP Requests Heavily Redacted for Reasons of the “Proprietary” Nature of Flight Information.
Industry Canada
Tactical Common Data Link (TCDL) Systems (2009)
14.5 - 15.35 GHz Spectrum Utilization

Footnote C41
• Prior to October 1, 2013, government-exclusive aeronautical mobile applications shall not cause harmful interference into fixed service systems.
• Beginning on October 1, 2013, fixed service systems may continue to operate, but shall not claim protection from government systems operating in the aeronautical-mobile service.
• Beginning on October 1, 2017, fixed service systems may continue to operate in these bands, but shall not cause harmful interference to government systems operating in the aeronautical-mobile service.

• No records have been shared, though an ATIP request has been submitted.
• No evidence (yet) of privacy requirements (encryption, etc.).
QUESTIONS...?

Privacy Implications of the Spread of Unmanned Aerial Vehicles (UAVs) in Canada
March 2014
OPC Drone Surveillance Research Group
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