



### Top Stories

#### Hamis wins Palestinian election

Prime Minister, Ahmed Qurei of Fatah and his cabinet submitted their resignations when Hamas announced that it had an "outright majority" in the 132-seat Palestinian Legislative Council.

#### Microsoft to licence Windows source code

Computer operating system giant to sell portions of its intellectual property to avoid European antitrust fines.

### Featured story

#### Interview: Danny O'Brien of the Electronic Frontier Foundation

Danny O'Brien of the Electronic Frontier Foundation answers questions on a variety of topics related to freedom and privacy online in our exclusive in-depth interview.

### Wikipedia Current Events

•Georgian President Mikhail Saakashvili pledges to end his country's energy crisis by importing Iranian natural gas. Starting Monday, Georgia will import 2 million m3 of gas a day at \$120/m3, \$10 more than for Russian gas. Georgia's supply of Russian gas has been interrupted since Sunday due to pipeline explosions. Saakashvili has accused Moscow of sabotage for political gain.

### Wikipedia Current Events

- French President Jacques Chirac falls for 'Canadian PM' radio prank.
- European leaders remember the Holocaust, with the 61st anniversary of the liberation of the Auschwitz death camp.
- A 7.7 magnitude earthquake strikes the Banda Sea of eastern Indonesia.
- Newly elected Prime Minister of Canada Stephen Harper, who has a history of asthma, seeks treatment for a chest cold at the Ottawa Hospital.
- Johannes Rau, a prominent figure in post-war German politics and the country's first head of state to address Israel's parliament in German, has died. He was 75.
- The world honours Mozart on his 250th birthday anniversary

#### Chantelle Wins Celebrity Big Brother

Chantelle Houghton has won the British reality TV show Celebrity Big Brother. Michael Barrymore came in second place.

Houghton, 22, was the only non-celebrity on the show and was given a secret mission for four days by Big Brother to convince the other housemates she was a member of the fictional band "Kandy Floss".

The television show, aired on Channel 4 in the United Kingdom is a spin off of the popular series

shown around the world. This series of the show started on 5 January 2006 and lasted for 23 days. There were 11 housemates, six of whom were evicted on the 27 January 2006.

Unknown to either the audience nor the winner until her exit interview, Houghton won £25,000 for winning the show and not being a Celebrity.

Also evicted on the 27th were: Chantelle Houghton (non-celebrity promotions girl and Paris Hilton look-a-like) - Winner  
Michael Barrymore (television broadcaster and comedian) - Runner Up: 2nd Place  
Maggot (member of Goldie Lookin' Chain) - Runner Up: 3rd Place  
Samuel Preston (lead singer of The Ordinary Boys) - Runner Up: 4th Place  
Pete Burns (former Dead or Alive singer) - Runner Up: 5th Place  
Traci Bingham (actress from Baywatch and model) - Runner Up: 6th Place

#### Bloggers investigate social networking websites

The humble beginnings of many popular Web services, such as Google, LiveJournal, and Yahoo!, are well-documented and available on their websites, and frequently recounted in news stories about the firms. These websites are also scrutinized for any perceived violations of users' privacy or other basic rights.

However, until recently no investigation had been done into

MySpace and Facebook, two new "social networking" sites of explosive popularity among teenagers and college students. American bloggers, using Google and financial records, have begun investigations into the origins and policies of these sites, making some claims that the site owners explicitly deny.

## Facebook

Facebook was founded by Mark Zuckerberg, an individual web developer looking to make friends at Harvard University. Although Facebook has been sued by ConnectU.com for allegedly copying its concept and data, Facebook is actually the first worldwide college network on the Internet. As one of the most popular college websites, Facebook is notable for its lack of prominent advertising. It quickly accumulated \$50,000 in debt in 2004, and it took nearly a year for it to begin turning a profit, so clearly it needed a large amount of venture capital.

In August 2005, independent blogger Josh Smith theorized that Facebook could actually be a data-gathering operation. He determined that Facebook received its initial funding from Peter Thiel, which he named as co-author of the book "The Diversity Myth", which argues that "multiculturalism" is used to promote social intolerance on American college campuses. Smith also found that Facebook also received \$13 million in funding from "Accel Partners", a firm whose manager James Breyer formerly served as the chairman of In-Q-Tel, a venture capital firm operated by the United States Central Intelligence Agency.

However, both Accel Partners and

Peter Thiel have invested in many dot-com companies. Peter Thiel is the co-founder of PayPal, and James Breyer has done extensive work in Silicon Valley. Investigating a firm's sources of venture capital has not often led to breakthrough exposes in the past.

More importantly, Smith discovered clauses in Facebook's current Privacy Policy which state that they "may share your information with third parties, including responsible companies with which we have a relationship". The Privacy Policy also warns that "Facebook also collects information about you from other sources, such as newspapers and instant messaging services. This information is gathered regardless of your use of the Web Site." Other bloggers have also called attention to this ambiguous statement, which seems to point towards a Facebook conspiracy theory. User "tomd" at the Reddit news website noted that "these sites provide possibly the most accurate and easiest to use resource for mining information about groups of people."

According to Chris Hughes, spokesperson for Facebook, The clause you reference in the privacy agreement is leftover from an outdated version of the privacy policy which is currently being updated. We used to have a couple features on the site that aren't still there, such as collecting users' away messages from AIM (if they said they wanted it) and displaying mentions of their names in campus newspapers (again, upon request). That clause will not be included in the upcoming version of the privacy policy which will be released in the next couple of weeks.

The main issue surrounding Facebook is one of trust. Privacy advocates on the Web are always wary of any website that asks for detailed personal information, and Facebook takes this to the extreme by displaying entire social networks. However, most Facebook users seem to trust it deeply, providing full friends lists, phone numbers, and personal photo albums.

## MySpace

Trent Lapinski, another blogger, began an investigation into MySpace in July 2005, when it was acquired by Rupert Murdoch's News Corporation, parent company of FOX News. MySpace does not often receive criticism about privacy issues, as its users typically do not give out last names or other personal information, but its company history is more interesting. Lapinski was threatened with a lawsuit by MySpace's legal team when he let them know about his investigation, but on January 4, he decided to come forward with the details anyway.

MySpace expressed interest in commenting on this Wikinews article but did not respond by press time.

MySpace's CEO Chris DeWolfe and its most prominent spokesperson Tom Anderson first met in 1999 at Xdrive Technologies, a dot-com startup which gave away free storage space to Internet users. DeWolfe and Anderson went on to work together at ResponseBase, LLC., which was acquired by eUniverse, Inc., which later became Intermix Media. The relationship between these three companies is tangled indeed, and involves the MySpace name itself.

According to Chris DeWolfe, "the general MySpace site" was launched in September 2003. Tom Anderson claims that "MySpace was a creative idea before it was a business." However, long before MySpace became a social networking website, the name MySpace and the domain myspace.com had been used by ResponseBase for their profitable newsletter about "Freebies, Deals, & Discounts", and a free disk space host similar to Xdrive. Newsgroup archives show multiple messages linking to copyrighted files hosted on MySpace. In 2001, MySpace's spokesperson was quoted in an article about "warez". The Internet Archive has backups of MySpace.com going back to 1999, but these cannot be accessed because MySpace's current owners have blocked the Internet Archive specifically from accessing the site.

One newsgroup message from 2001 documents the transition from MySpace to ResponseBase: Got more steaming piles of spam from "Media Now!" aka "responsebase.com". The specific username that the spams were sent to was only given to a specific company (freediskspace.com, later myspace.com) for their use only. Unfortunately they sold it, even though my business relationship with them ended in May 2001 when they discontinued the service I was using. Apparently they couldn't pay their bills and sold their list to spammers.

Actually, MySpace had simply shut down and become ResponseBase-- as evidenced by the "Freebies" newsletter above. ResponseBase also used a list of 8 million e-mail addresses purchased from Xdrive for their newsletters. In 2002, ResponseBase was booted from their ISP as an illicit spam

organization-- with Tom Anderson himself listed as their billing contact. And later still, ResponseBase would be renamed to MySpace.

In 2002, DeWolfe went on to become a director of "Fog Cutter Capital Group", whose CEO, Andrew Wiederhorn, was convicted of income tax and pension felonies and sentenced to prison. Fog Cutter continued to pay Wiederhorn a salary of \$350,000 per month for 18 months while he sat in jail. Wiederhorn's wife, Tiffany Wiederhorn, is on the board of directors at MySpace's parent company Intermix Media.

Intermix Media itself has a tangled history. In 2004, Intermix (then operating as eUniverse) was named as a spammer organization on USENET. It purchased ResponseBase, shut down its operations, and reformed it as MySpace. On April 28, 2005, Intermix was sued by the State of New York for installing malicious spyware over the Internet.

According to their press release: The Attorney General documented at least ten separate web sites from which Intermix or its agents were downloading spyware, providing either no warning or other misleading disclosures. In this way, Intermix and its agents downloaded more than 3.7 million programs to New Yorkers alone, and tens of millions more to users across the nation.

Intermix also went to great lengths to protect the spyware and adware it secretly installed. The programs were hidden in unlikely locations on the computer and could not be removed through a computer's "Add/Remove" function. In addition, the programs omitted "un-install" applications, and even reinstalled themselves after being deleted.

Just before the adware investigation was announced, Intermix's primary investors sold \$25,000,000 worth of Intermix stock at roughly \$8 per share. When the attorney general announced the investigation, Intermix stock fell to \$4 per share. Intermix's former CEO, Brad Greenspan, has accused Intermix investors of insider trading.

Soon afterwards, the spyware issue was settled out of court; Intermix paid \$7.5 million to the State of New York.

According to The Economist, "As an internet business, MySpace.com considers itself to be an entirely new breed ... The community has grown virally, with no advertising." However, this leaves one crucial question unanswered: without advertising, how did the site become popular in the first place?

### **Saudis boycott Danish dairy produce**

On January 26th, a massive boycott of dairy produce from Arla Foods started in Saudi Arabia over what is perceived as a Danish attack on Muslim values. The Saudi ambassador to Denmark has been recalled for consultations.

The Danish/Swedish dairy company Arla is facing a massive loss after a spreading boycott of its produce in Saudi Arabia. Four Saudi retail chains have already removed Arla products from the shelves. One retail chain has placed yellow warning tape (common fare for accidents and crime scenes) over Arla products. There have been cases reported of Arla delivery trucks being attacked by stones thrown from bystanders. Marianne Castenskiold, a senior consultant for Dansk Industri,

expressed a fear that the boycott will spread to other countries in the region and have detrimental effects on other Danish products. Denmark is one of the leading exporters of agriculture in northern Europe, whose economy is heavily dependent on foreign trade and investment.

The boycott has been announced at Friday prayer services in Saudi mosques since 20 January 2006, obviously helping to foment popular support of the nation's response to Denmark's alleged ignorance of Muslim values. On at least one occasion, a delivery truck has been greeted by thrown stones.

The boycott is a response to the publication of an article in a major Danish newspaper, *Jyllands-Posten*. In its 30 September 2005 issue it printed 12 drawings of the Muslim prophet Muhammed, as a response to previous news reports that the publisher of a forthcoming childrens' book about the prophet had had difficulty in finding an illustrator, due to fear of extremist reactions; drawings of the prophet are prohibited by Islamic Law (see aniconism). In an attempt to start a debate over freedom of speech in Denmark, the newspaper printed 12 drawings of the prophet. 4 of these were of a satirical nature, with one showing the prophet with a turban hiding a lit bomb.

The immediate reactions to the publication of the drawings included ambassadors from 12 Muslim countries demanding that the Danish Prime Minister, Anders Fogh Rasmussen, denounce the newspaper. Rasmussen rejected this demand, stating that "Danish freedom of speech does not allow the government to control what newspapers print". He further

noted that the only possible legal action against the newspaper would be one under the charge of blasphemy.

A debate ensued over the following months about freedom of speech and its value in relation to avoiding religious taboos. In mid-December 2005, a delegation from several Danish Muslim organizations went on a tour in several Midle-Eastern and Arabic countries, reportedly to gain sympathy for their point of view. Several reports state that during the tour the difficulties faced by Muslims in Denmark were grossly overstated.

### **German Wikipedia to be printed**

The German online news site, *Der Spiegel* is reporting that "Zenodot Verlagsgesellschaft", the publishing house that has already been selling the German language Wikipedia on DVD, is interested in offering a printed version of the German Wikipedia. The work would be comprised of 100 volumes of about 800 pages each. Two volumes, at a price of €15 each, would be published every month starting in January of 2007.

### **Former German president Johannes Rau dies at 75**

Former German president Johannes Rau has died on Friday morning in his home in Berlin at the age of 75, his office announced. Rau had been president of Germany from 1999 till 2004. He had a heart disease for a long time and had to undergo twice a surgery after leaving office. He is survived by his wife and their three children.

Rau was born on January 16, 1931 in Wuppertal. He first joined the *Gesamtdeutsche Volkspartei* in 1952. After the party had been

dissolved, he followed his political mentor Gustav Heinemann to the Social Democratic Party of Germany (SPD). He was elected state legislature of North Rhine-Westphalia in 1958 and became governor of the state in 1978. He was an unsuccessful candidate for the chancellorship in 1987. He resigned as governor in 1998 when his party promised to nominate him for the presidential elections. During his presidency, Rau became the first German head of state to speak in the Israeli Knesset.

His successor, president Horst Köhler, ordered that a state funeral for Rau be held on February 7. He said Germany "has lost a distinctive politician, a great president and a man who made the world more humane."

Chancellor Angela Merkel said Germany "has lost an exceptional personality".

The governor of North Rhine-Westphalia, Jürgen Rüttgers, called Rau a "great governor" to whom the state and its people owe a great deal.

SPD chair Matthias Platzeck said the Social Democrats lost "an irreplaceable friend, who was one of the most outstanding and popular politicians of our country. [...] We will miss him."

Israeli president Moshe Katsav called Rau a "great friend of the Jewish people and of the state of Israel".

### **Aboriginal Sovereignty Day Declared**

Representatives of Australian Aboriginal Sovereign Nations at a gathering in Canberra, have declared that the 26th of January would be known as Aboriginal

Sovereignty Day. January 26th (Australia Day) is Australia's official national day - commemorating the landing of the First Fleet in Sydney Cove in 1788.

While the rest of the country celebrated the Australia Day holiday with medals, barbecues, fireworks and beer under the Union Jack, hundreds of people at the Aboriginal Tent Embassy in Canberra lit a ceremonial fire and discussed the land that once belonged to their ancestors.

Indigenous Australians communities, past and present

Indigeneous Elders have gathered this week at the Aboriginal Tent Embassy for the Corroboree for Sovereignty convergence, in response to what they say is the continual Government threat to control the historical Tent Embassy site.

The gathering identified the 34 year-old Tent Embassy on the grounds of Old Parliament House in Canberra, as a significant place of social, spiritual and political importance to Aboriginal Peoples - a symbol of the assertion of Aboriginal Sovereignty. The Aboriginal Embassy, not considered an official embassy by the Australian government, has come under review recently in a bid to remove the campsite and dwellings originally founded on Australia Day in 1972.

The Tent Embassy calls on all Aboriginal Sovereign Nations to "stand up against the illegal occupation of our country and continue to resist the oppression of our people." The Tent Embassy say that "until there is true justice for our people, these issues will not go away and we will continue to resist."

Members of the Embassy will take a sacred fire to Melbourne in March for the 2006 "Stolenwealth Games" campaign, in an effort to highlight the plight of Aboriginal people. The fire will contain a "message of peace, healing and justice, and create a focal point for unfinished business."

The group calls on all Aboriginal Nations to send representatives to the Embassy to commemorate and review the issues of Land Rights in Australia. The Tent Embassy also announced the establishment of the National Tribal Law Council.

Indigenous leaders, including Marji Thorpe, Gary Foley, Robbie Thorpe and Michael Mansell claim that Native Title and Reconciliation haven't adequately addressed Indigenous rights. They say: "Native Title has mainly embroiled Indigenous peoples in complex legal processes where they have (generally unsuccessfully) had to prove their fundamental human rights to the land."

The campaigners, known as the Black GST, say the process "puts the onus on Indigenous peoples to somehow prove continuous connection with their land, an impossible task in many situations given the effects of our dispossession and attempted genocide."

On Australia Day the diverse and vibrant group marched peacefully through Canberra, gathered at the Embassy on the lawns in front of Old Parliament House and called for recognition of indigenous sovereignty over the land.

Australain Aboriginal Flag

"We're wanting to let all the people know that all the land in Australia

has been given back to the Aboriginal people... and the sovereignty now lies with all Aboriginal nations," a spokesperson Robert Corowa said at the Embassy.

To many Indigenous and Non-Indigenous people, Australia Day was is labelled "Invasion Day" - in recognition of the colonisation of the continent by the British, he said. "We call it invasion day. The most important thing is that everybody in Australia who's now living here... we strongly encourage them to come to the Aboriginal Tent Embassy and place a leaf in our fire."

Legal director of the Tasmanian Aboriginal Centre (TAC), Michael Mansell, says the current Australia Day celebrations should be scrapped and a new national day chosen. Mansell said Australia Day would forever remain a racist blot on Australia's political landscape as long as the event was held on the anniversary of the landing of the First Fleet.

"There can never be reconciliation between whites and Aborigines so long as the anniversary of the coming of white people is the basis for celebrating Australia Day," he said. "A fair and just society cannot be built on celebrating gains by one race at the expense of another."

Mr Mansell has also reported the theft of an Aboriginal sign from the TAC premises. The sign reading: "AUSTRALIA DAY Yes, let's celebrate: MURDER, INVASION, RAPE, THEFT" was removed on the 25th of January hours after being installed on the Launceston premises.

Mansell says that he will replace the sign in an effort to "the

obvious need to expose the myth, as expressed in the national anthem, that Australia is a free and fair country" and called for "white society" to punish the offenders.

"This is another instance of the continuing trend in Tasmania of racist attacks on both people and property by extreme elements of white society who don't like the truth, who don't like Aborigines and other races. As with the racial attacks on middle Eastern people in Sydney, these Tasmanian incidents show how Australia under the Howard government is becoming more openly xenophobic," he said.

Activists in Brisbane yesterday burned an Australian flag to protest against celebrations marking European settlement in Australia. Around 300 protesters staged an "Invasion Day" demonstration. Queensland Premier Peter Beattie condemned the action.

"I don't care whether they're black or white ... I don't believe we should burn the Australian flag, particularly at this time (when) we all know we live in an unsettled world," he said.

One protester said he believed the wrong flag had been burned: "I just felt deep down that it should have been the British flag they burnt not the Australian one."

The Tasmanian Aboriginal Centre has strongly opposed the compulsory singing of the Australian national anthem in schools.

NSW Premier Morris Iemma wants to make it compulsory for NSW schoolchildren to sing the national anthem each day before class. The

plan has strong support from both sides of Parliament in Tasmania as well as the Multicultural Council of Australia and the Australian National Flag Association.

However some Aboriginal support groups say forcing the singing of the national anthem diminishes individual enthusiasm for participation.

Michael Mansell says, "more importantly, the anthem is about the white people and immigrants and excludes Aborigines." He said the words "for we are young and free" were a clear reference to the last 200 years of colonisation by Europeans and dismissed the ownership of the country by Aboriginal people.

### **West Papuans refugees forced to fly 4000ks despite tuberculosis fears**

West Papuan asylum seekers who arrived in Australia last week, were forced to make a 4000 kilometre journey to Christmas Island despite suspicions they had tuberculosis. The West Papuans were herded on to an RAAF Hercules last week and flown to Christmas Island.

Two of the group, a man and his child, have now been flown the 2,600 kilometres to Perth, Western Australia from the remote Indian Ocean island. Air force personnel had initially refused to fly them, concerned that the flight crew's health would be at risk.

"It's a complete farce, absurd" said one health official. "It has not only posed an unnecessary health risk, it has been hideously expensive."

The West Papuans were among a group of 43 refugees found last week on the far north-west coast

of Cape York in Queensland. They had made a five-day journey from the Indonesian province in an outrigger canoe. They arrived with banners accusing Indonesia's military in the province ruled by Jakarta of genocide and intimidation. Their 25m traditional boat was fitted with an outboard motor and was flying the outlawed West Papuan flag.

Amid media scrutiny and the disapproval of the Indonesian Government, the boat people underwent health checks before being sent to Christmas Island. X-rays and other medical examinations strongly indicated that at least one man had tuberculosis, yet the group were flown to Australia's Christmas Island Immigration Detention Centre.

Upon landing at the Island, health officials recommended the patients be transferred to Perth. However, the crew of the RAAF Hercules refused to take them, saying they were not "adequately equipped".

A Department of Immigration spokesman (DIMIA) said an alternative flight was arranged. "At this stage there has been no positive diagnosis for tuberculosis," the spokesman said.

The removal of the asylum seekers to Christmas Island has been met with fierce criticism from many refugee rights groups and opposition parties, who say it was impractical, potentially traumatising and hugely expensive. The Immigration Department says it has interviewed most of the asylum seekers but won't say if they have made formal asylum claims.

Rallies in Sydney, Melbourne, Darwin, Canberra and Brisbane

were held this week, in support of the West Papuan asylum seekers. Refugee rights advocates protested the forced transfer to the remote Christmas Island facility.

Melbourne auxiliary bishop Hilton Deakin told about 130 people demonstrating outside DIMIA headquarters in Melbourne that, "we know that already the Indonesian authorities, in Canberra and beyond, are trying to get to them."

Yet the he Indonesian embassy in Canberra denied making any approach, saying: "I can guarantee that there has been no contact whatsoever, it hadn't been requested, it was never even sought."

But the Immigration Department has confirmed that "a junior delegation" from the embassy went to Weipa last Thursday seeking access to the asylum seekers. A spokesman for the Immigration Department said the Indonesians arrived in Weipa on Thursday but by then the Papuans had already been put on a plane for Christmas Island. The West Papuans were told they had a right to Indonesian consular assistance if they choose. "Not one has chosen to do so," the spokesman said.

"The majority of these 43 people are leaders for free expression and self-determination and possible independence because of the oppression from which they suffer," Bishop Deakin said. "Massacres, rapes and all the rest of it have gone on in that country for almost 30 years."

He called on the Australian Government to cancel its training program with the Indonesian

military.

Democrats leader Lyn Allison said the Australian Government had "got it wrong on this issue". The 43 asylum seekers had been "whisked off" before they could tell their story, she said.

Greens Senator Kerry Nettle has called on the government to grant access to Papuan asylum seekers. The senator says they should not be in detention and they certainly should be allowed to communicate with the outside world.

Senator Nettle will go to Christmas Island this weekend to meet the imprisoned West Papuans. She said the immigration department is obligated under the Migration Act to allow her to meet them.

Meanwhile New Zealand Greens have offered to take the asylum seekers. "New Zealand can show the Howard government how to be compassionate, as we did back in 2001 when we took some Afghan asylum seekers from the Tampa," the New Zealand Green Party Foreign Affairs Spokesperson Keith Locke says.

"It is shocking that the West Papuan refugees, having survived 450 kilometres of open water in a flimsy craft, are now bundled off to a Christmas Island detention camp - well out of range of those Australians who wish to help them," he said.

"Under refugee law these Papuans deserve special consideration, having come directly from their claimed country of persecution, Indonesia, not via a third country, as is the case with most asylum seekers in this part of the world.

"The Papuans certain have a good prima facie case. I know from my

own visit to West Papua last April that there is substantial and ongoing harassment of the local people, particularly those who assert their right to political self-determination," said Mr Locke.

On Friday last week Indonesian security forces shot dead one Papuan protester, and wounded two others, in the Paniai district, where the 43 asylum seekers originate.

### **Queensland's biggest oil spill in 35 years**

A oil spill in Queensland has been described as a tragedy for the area's marine life and the biggest oil spill in 35 years. The clean-up is expected to take up to a week and cost more than \$3 million.

The spill occurred in Gladstone Harbour on the central Queensland coast, late on Tuesday night, after 25,000 litres of heavy fuel poured from a coal carrier. The accident happened when a tug rammed into a Korean coal carrier, rupturing its fuel tank.

Several government agencies and four skimmer vessels were called in after the "Tom Tough" struck the Korean-owned, Panamanian-registered bulk coal carrier "Global Peace" - puncturing its fuel tank as it was about to berth.

"It'll just annihilate the stocks plus everything up and down the food chain in relation to what the different fishermen catch," local fishing spokesman Warwick Sheldon said. "It's right in the middle of the commercial banana prawn fishing season at the moment - this has the potential to just wipe out their stocks."

Queensland Premier Peter Beattie said an investigation was under way to determine whether anyone

would be prosecuted. "There will be no cost to the taxpayer because of the law," he said. The clean-up costs will be met by the ship's owners in accordance with international maritime law.

The Wildlife Protection Association of Australia (WPAA) says the spill inside the harbour occurred in the worst place possible. "It's probably the worst place that we could ever have a spill because it's inside the harbour," said WPAA president Pat O'Brien. "It's an area where there's a whole range of animals there that'll be affected by it. There's dugongs and porpoises and animals like that, that breathe air, that come to the surface regularly. Turtles again too, they'll finish up with oil all over them."

It is the worst oil spill in Queensland since the Oceanic Grandeur ran aground in the Torres Strait in 1970 and the second spill in Gladstone's Harbour within a week. About a tonne of oil spilled in the harbour last week.

A marine investigator from the Australian Transport Safety Bureau (ATSB) is investigating the incident. Investigation leader Peter Foley says the type of oil involved has added to problem. "It's certainly more difficult to control than perhaps crude oil because it tends to be around the same specific gravity or same density as sea water," he said.

### **GM posts first annual loss since 1992**

General Motors Corporation has posted its first annual loss since 1992. GM reported losing US\$4.8 billion in the fourth quarter of 2005 and a total loss of US\$8.6 billion for the entire year.

GM admitted Thursday night that the loss could swell further as its

pays pensions and healthcare costs to thousands of former workers. GM warned that the amount calculated for last year is preliminary and could rise before it is officially reported to the US securities and exchanges commission in March.

The loss was far greater than analysts predicted. Ford, the second of the big three American car manufacturers beat predictions earlier in the week.

GM's automotive division lost \$1.5 billion in the fourth quarter, driven by losses in North America. This has been attributed to GM's shrinking market share, which has been taken by Japanese manufacturers Toyota and Nissan.

A further \$1.3 billion was lost in restructuring charges. As part of the restructure GM plans to cut 30,000 jobs and close 12 facilities by 2008.

An aide for Kirk Kerkorian, GM's largest individual investor (at 9.9%) has called on the company to halve its \$US1.1 billion annual dividend expense, cut executive pay and sell Saab.

### **Storms a mixed blessing for Victorian firefighters**

Firefighters in the Australian state of Victoria have received a mixed blessing overnight as storms crossed the state.

The Anakie fire in the state's west received a fair amount of rain helping firefighters to contain the fire.

The Kinglake fire North-East of Melbourne also received rain, but helped firefighters very little.

The large Grampians fire in the state's west and the fire at

Moondarra in the Gippsland region did not receive any rain. The storms did however spark two spot fires alongside the Grampians fire.

### **Interview: Danny O'Brien of the Electronic Frontier Foundation**

January's second Interview of the Month was with Danny O'Brien of the Electronic Frontier Foundation (EFF) on 23 January in IRC.

The EFF is coming off a series of high-profile successes in their campaigns to educate the public, press, and policy makers regarding online rights in a digital world, and defending those rights in the legislature and the courtroom. Their settlement with Sony/BMG, the amazingly confused MGM v Grokster decision by the Supreme Court of the United States, and the disturbing cases surrounding Diebold have earned the advocacy organization considerable attention.

When asked if the EFF would be interested in a live interview in IRC by Wikinews, the answer was a nearly immediate yes, but just a little after Ricardo Lobo. With two such interesting interview candidates agreeing so quickly, it was hard to say no to either so schedules were juggled to have both. By chance, the timing worked out to have the EFF interview the day before the U.S. Senate schedule hearings concerning the Broadcast flag rule of the FCC, a form of digital rights management which the recording and movie industries have been lobbying hard for - and the EFF has been lobbying hard to prevent.

[Wikinews] I'd like to jump into some direct questions which were suggested by people on the



research page. These first ones relate to the US government and online privacy.

Since 9/11 the US administration has been progressively violating privacy standards in online communications, including circumventing its own surveillance laws and developing—and possibly implementing—the Total Information Awareness project. What is EFF's position regarding government monitoring of private communications such e-mail, instant messaging, and voice over IP?

*[Danny O'Brien] Since the very beginning, the EFF has worked hard to keep the traditional laws regarding wiretapping and monitoring away from the Internet, not just because we believe in strong 4th Amendment rights but because technologically, a wiretap on an individual line is miles away from what is needed to do the equivalent on the Internet. That's why, for instance, we fought against CALEA being extended to the Net, and why we're fighting the FCC's extension of it now.*

*A lot of simple approaches to surveillance that the gov't would like to take are far from reasonable, to use the language of the 4th amendment.*

*I should say that I'm using American examples here, but we're obviously concerned more generally*

[Wikinews] A related question - Will EFF be involved in cases, even as amicus, such as the cases filed by ACLU Detroit and the Center for Constitutional Rights New York, which allege the National Security Agency violated US law prohibiting wiretaps without a warrant?

*[Danny O'Brien] We're currently looking into every possible avenue. One of the difficulties is trying to ascertain exactly what the government program involved.*

*The EFF has a battery of lawyers, with different areas of interest*  
[Wikinews] Is this in the same vein as the recent requests for google to poney up it's search database?

*[Danny O'Brien] No, that's a great question. The two issues are very different, but I think speak to the problems that the Internet is now being seen as a resource for government surveillance and research, which we think that all Net companies have to become aware of. There's a real danger in simply logging everything: you end up risking being a tool for the invasion of your own customer's privacy.*

[Wikinews] Google alone of the largest search engines refused the Justice Department's demands to turn over user data. The EFF is on record as criticizing Google's privacy policy. How does the EFF feel about that privacy policy now? What does EFF feel about the other search engine's behaviour—did they comply with their own privacy policies? Does this incident reflect the strength or weakness of corporate privacy policies online?

*[Danny O'Brien] Privacy policies largely extend at the moment to merely the descriptions of what information is stored. We've long warned against companies collecting large amounts of data about their customers, and doing nothing to anonymise or aggregate it. We think that companies are storing up trouble for themselves this way.*

[Wikinews] Does the EFF have any material or programs that seek to educate employers and companies on the advantages of privacy?

*[Danny O'Brien] We do -- hold on, I should be handing out more URLs <http://www.eff.org/osp/> is our guide to "online service providers" for the best practicies in logging data. I'm also speaking*

*at the MySQL conference later this year on what \*not\* to include in your schema. It's an interesting area, because it's one where coders have a degree of power over what can be done.*

*Personally, I'd like to see a great deal more knowledge about how to aggregate and anonymise data being spread among the community. I'm constantly recommending the book Translucent Databases, which covers this very nicely. Also, the OSS source would do a great service by setting reasonable defaults for software logging behaviours. The trouble is, and I think we all fall into this trap; we assume the more logging the better. How many of us are casually logging this, for instance?*

[Wikinews] I'd like to talk about the Sony BMG case for a bit, if that's okay. First, congratulations to EFF in regard to some of the successes in the Sony BMG case. There are some questions, clarifications about the case, however. The settlement appears to cover the XCP and SunComm software delivered on CDs. What about OpenMG XCP, DRM used by Sony BMG's SonicStage software for Sony Connect?

*[Danny O'Brien] Okay, this is where I have to say that I'm a \*bit\* limited in what I can say. Ah, if only out of blind ignorance in this particular case.*

[Wikinews] Do you know if the OpenMG XCP software is mentioned at all in the agreement?

*[Danny O'Brien] I don't know about OpenMG: we joined the case representing XCP and SunComm users, so I don't think that was covered. But watch me shine the giant neon IANAL sign above me. If you like, I can ask after the interview, and we can add that to the results.*

[ Wikinews] I'd appreciate that.

Can you disclose the terms of the settlement regarding future use of software DRM measures? Have they promised not to alter users machines in the future?

*[Danny O'Brien] Again, it's always dangerous to paraphrase legal documents. Ah, we have an FAQ that covers this. Thank goodness: [http://www.eff.org/IP/DRM/Sony-BMG/settlement\\_faq.php](http://www.eff.org/IP/DRM/Sony-BMG/settlement_faq.php)*

[Wikinews] This case also has some connection to copyright infringement

the XCP software included code taken from the VLC media player software, which is released under the GPL. Is EFF involved in any cases regarding this?

*[Danny O'Brien] No we didn't cover this. We don't have standing to take on the copyright issue - i.e. we would have to represent a copyright holder.*

[Wikinews] Would EFF be involved in such a case if asked?

*[Danny O'Brien] It'd be an interesting case, but we try to distribute these cases to where the expertise lies. During the Sony BMG case, we spoke to groups like the FSF and the Software Freedom Law Center. Generally speaking, they're the people who would be best placed to investigate cases like this.*

*It's worth saying that we're really pleased that there's now a whole constellation of great organisations that we work with. FSF, the Berkman Center, Public Knowledge in D.C., the list goes on.*

[Wikinews] The Sony BMG case is a content producer attempting to enforce DRM on their clients. The US FCC is trying to do the same thing on the hardware of US citizens with the Broadcast Flag. I know the EFF is involved in the lobbying on this, but I have questions which lead into this. This is a hardware issue. Does it matter on the internet?

*[Danny O'Brien] Yes, for a number of reasons.*

*The point about the broadcast and audio flags is that they set up a kind of ghetto for content. The whole point of both is to \*prevent\* distribution onto the Internet. But in order to do that, you need to create a hardware world which is fenced off from not just the Net, but from user modification, and open source development.*

*This ghetto has to be created in every audio-visual device, by government mandate. So that affects the Net a couple of ways. Firstly, you essentially curtail the Net's use. But secondly, these flags are easily (though illegally) circumventable, so they generally prompt even more draconian laws (which are just as easily circumventable.)*

*One of our biggest problems with the flags is they cross a Rubicon. They create a government technological mandate in user tech. Once you start down that path—especially when you discover your initial mandate doesn't actually work—you just ask for more and more control.*

[Wikinews] Isn't this already the case, considering the HDTV standard and others? Isn't standards an element of the FCCs mandate?

*[Danny O'Brien] Standards for broadcast and reception, but not standards for what you do \*after\* you receive something. Remember the FCC's primary job is to prevent interference, and to manage the commons of the public airwaves. It's a huge overreach for it to take over what you do with what comes from over those airwaves.*

[Wikinews] Because this is a rule, not a law, how does the EFF plan to approach it in the US Congress?

*[Danny O'Brien] Well, the initial regulation was thrown out by the*

*courts, who agreed with us that this was agency overreach. So what we've seen now is groups like the MPAA and RIAA attempt to extend the FCC's powers by law. For all of last year, they attempted to do that by -- well, for want of a better word, sneakily attaching the necessary language to other bills. As you say, it can potentially be a very small amendment, so I suppose they felt that they could do this. Everyone fought an incredibly effective campaign to prevent this. And a lot of that had to do with the Net—we'd hear from the Hill of a lobbyist attempt to include the regulation, and we'd be able to organise calls and letters from constituents very quickly.*

*Most politicians, strangely enough, don't like it when something is sneaked past them. And we managed to alert a lot of them to arguments they weren't hearing from broadcasting lobbyists. Now, we're seeing a second stage. Which is Hollywood coming out into the open, and presenting the flags openly. That stage begins tomorrow, with Senate hearings on the topic.*

[Wikinews] The Senate will begin hearings on this rule tomorrow. What does EFF expect to happen during this legislative process? How might this affect online communities? to get specific and personal, what does it mean to Wikinews readers and contributors?

*[Danny O'Brien] If the law passes, it'll have dramatic effects.*

*Particularly to wikinew's future, actually: I think we can all foresee a time when Wikinews would take fair use samples of the news and public affairs, both audio and visual. With a broadcast or audio flag in place, that usage - while legal - would effectively disappear or at least be much much harder. More generally, you'll see*

*advancement in tech frozen in a lot of areas, the pulling away of open source development in anything that was connected to HD TV or digital radio. The biggest problem here is that technology like the flag gives the entertainment industry a stick to hit the technology industry. Before the broadcast flag was even introduced, hollywood was lining up objections to technology like Tivo-To-Go.*

[Wikinews] I understand that would be the case in the USA, but could you explain how this might affect people in the EU? or anywhere outside the USA?

*[Danny O'Brien] Sure, one of the areas that we spend a lot of time with these days—we have two staff working full time on international issues—is what's called policy laundering. So for instance, the worst provisions of the DMCA have generally been introduced into law in countries like Australia by their inclusion in bilateral Free Trade Agreements. Already, Hollywood representatives have been working in Europe and elsewhere to introduce the equivalent of the broadcast flag there. The rule is that if you can introduce it in one country, that makes it a lot easier to export it elsewhere.*

*[Danny O'Brien] Copyright extension is a great example of this. In that, the last US copyright extension was introduced to track Europe, and now Europe is being encouraged to match its copyright with the US. We're already seeing that with copy control mandates like the flag.*

[Wikinews] The Broadcast flag is a form of Digital Rights Management, in this case implemented by the US FCC. There are other DRM issues to talk about. In the French Parliament the DADVSI law, which relates to the implementation of the 2001

European Directive on Copyright in France, is under active consideration. Has the EFF had the opportunity to consider this law, and what is the opinion if so?

*[Danny O'Brien] Actually, I was just talking to Submarine about this before the interview started. We're keeping as close an eye on this as we can. It's a good example of the ratchet problem as it's an implementation of the EUCD.*

[Wikinews] Canada and Belgium apply heavy taxes on copying medium, and the revenues from these taxes are used to support creative artists and developers, as an alternative to supporting DRM. What does EFF feel about such a method to control fair use/fair dealing?

*[Danny O'Brien] Actually, we prefer a system of voluntary licensing schemes over either of these approaches.*  
*[http://www.eff.org/share/collective/lic\\_wp.php](http://www.eff.org/share/collective/lic_wp.php)*

[Wikinews] There are efforts under way to develop an open standard DRM, such as a project by Sun Microsystems which is relatively fair to users. Would EFF support an open standard/open source DRM, or is the entire concept of DRM considered unacceptable in any form?

*[Danny O'Brien] Our take on Sun's DRM:*  
*[http://www.eff.org/news/archives/2005\\_08.php#003929](http://www.eff.org/news/archives/2005_08.php#003929)*  
*Essentially, our disagreement isn't with DRm per se: it's DRM backed up by the DMCA's anti-circumvention laws. If users had the right to circumvent DRm to exercise their fair use rights, we think the market would quickly sort out what controls on media use were acceptable and what were not.*

[Wikinews] A follow-on question from the French one does eff plan to set up some

chapters in Europe ?

*[Danny O'Brien] France like many countries, has a great core of activists and advocates already. We'd be delighted to help them in any way we can.*

[Wikinews] A follow-on question regarding the Sony BMG case Does EFF have a response to the Register article [http://www.theregister.co.uk/2005/12/06/eff\\_needs\\_to\\_die/](http://www.theregister.co.uk/2005/12/06/eff_needs_to_die/)

*[Danny O'Brien] Sigh. I wondered if this would turn up. It's a really odd article, given that it includes a bunch of cases that aren't ours, ones that we didn't lose, and other oddities. I think we'd rather let the facts speak for themselves. Here's a list of our*

*[ <http://www.eff.org/legal/victories/victories>]. There's a longer list at the wikipedia entry.*

[Wikinews] Are there any questions I should have asked you, which I did not?

*[Danny O'Brien] Hahah! No, but I'm happy to take additional questions. I'm actually trying to think of some of the harder questions.*

[Wikinews] Well, I think I'll ask MrM to unmoderate now, and let everyone mob you.

[MrMiscellaniuous] :) Alright, here we go...

*MrMiscellaniuous made this room no longer moderated for normal users.*

*[Danny O'Brien] I guess the question we often get asked is "Why aren't you doing something about X?" where X is a matter that really is important—the simple answer to that is that we have limited resources. Which is why I'm really happy to see lots of other organisations spring up.*

[Question] Does EFF support TOR, financially or otherwise, anymore?

*[Danny O'Brien] We host Tor's website, but direct funding was for last year. Actually, the Tor*

questions really are so frequently asked that they're best answered on Tor's FAQ (including the legal FAQ we wrote for them.)  
<http://tor.eff.org/faq.html.en>  
 [Question] en.Wikipedia prevents TOR endpoints from editing on the site; does EFF consider such class-blocking an acceptable response to behavior, or is it generally inappropriate?  
 [Danny O'Brien] We're disappointed. We hope there's a way of providing a technical solution that would work to support Tor's aims, and would be practical for Wikipedia. If we can work as an intermediary in that discussion, we'd be happy to.  
 [Question] European Organisations which have similar goals like the EFF were not succesful in preventing Telecommunications data retention. What conclusions does the EFF draw for their own campaigns?  
 [Danny O'Brien] I have a long answer to that, with my EFF hat off.  
 Okay, so the reason I'll take my EFF hat off to answer your question, is because I'm also involved in ORG which is one of those organisations in Europe. The conclusion is that advocacy needs resources. One of the strengths of EFF and other US advocacy groups is they are permanent, with a paid staff. <http://openrightsgroup.org> I think that now there are sites like <http://www.pledgebank.com> around, and facts like the wikipedia funding drive show that we're getting to the point where we can turn volunteer organisations into groups that have that flexibility, plus financial resources. Which means you get to the situation where the group of volunteers who formed ORG can now work on projects like submitting to UK parliamentary inquiries:

[http://www.openrightsgroup.org/rgwiki/index.php/APIG\\_DRM\\_Public\\_Inquiry](http://www.openrightsgroup.org/rgwiki/index.php/APIG_DRM_Public_Inquiry)  
 There are fantastic groups in Europe, like EDRI and FFII and I think the time is now right for those groups to be given more resources by everyone. And I speak as someone who traditionally comes out in hives when money is mentioned. It's a big leap, but I think it's one we all have to work at getting right. Give to them, at exactly the same time as you join the EFF:  
<http://www.eff.org/support/>

Danny O'Brien puts EFF hat back on.  
 [Question] "Danny O'Brien "once successfully lobbied a cockney London pub to join Richard M. Stallman in a spontaneous demonstration of Bulgarian folk dance." Can you give details?"  
 [Danny O'Brien] RMS is a great fan of folk-dancing, and was teaching me and some friends the dance moves to the Free Software Song in a pub in Shoreditch. Maybe it was the alcohol, all the alledgedly viral nature of the GPL, but by the end, we had most of the pub doing them. He loves it, although recently I believe he's hurt his leg and can't do it so much any more

[Question] Wikipedia was earlier attacked by a group, which has launched a website, claiming that Wikipedia should be upheld by law to have 100% factuality in their website (relating to an earlier case where a bogus biography was posted to Wikipedia). What is the EFF's stance on the issue?  
 [Danny O'Brien] I'm not sure of the site that you refer to, but obviously we'd support Wikipedia on this matter. We don't see any problem with Wikipedia's process.

[Question] There is an article on de.wikipedia (German) about the

hacker "Tron". His full offline name is included in the article. A German court has issued an injunction preventing the Wikipedia.de website (the website of the German Wikimedia Foundation) from linking to the de.wikipedia site, which is outside the jurisdiction of that court. What does EFF think about such extranational effects of local laws? Does a person's name, especially a figure as well known as Tron, deserve special privacy? The order was obtained based on a proposal by the deceased hacker's family. And it should be pointed out that the hacker's real name was known for a long time.

[Danny O'Brien] It's a good question: honestly, it depends on the law, and the practicality of the law. I can't speak to the case, particularly as the last i heard, the facts weren't clear. In this case, it's not the territoriality of the law that's of concern, it's whether anyone should be forbidden from linking to a resource.

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**Today in History**

1521 - The Diet of Worms was convened to discuss Martin Luther and the Protestant Reformation in the Holy Roman Empire.

1820 - A Russian expedition led by Fabian Gottlieb von Bellingshausen approached the coast of Antarctica.

1855 - A locomotive on the Panama Railway made the world's first transcontinental crossing.

1921 - A symbolic Tomb of the Unknown Soldier was installed beneath the Arc de Triomphe in Paris.

1986 - NASA Space Shuttle Challenger exploded 73 seconds into its tenth mission.

**Quote of the Day**

"Sit down and put down everything that comes into your head and then you're a writer. But an author is one who can judge his own stuff's worth, without pity, and destroy most of it." ~ Colette

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