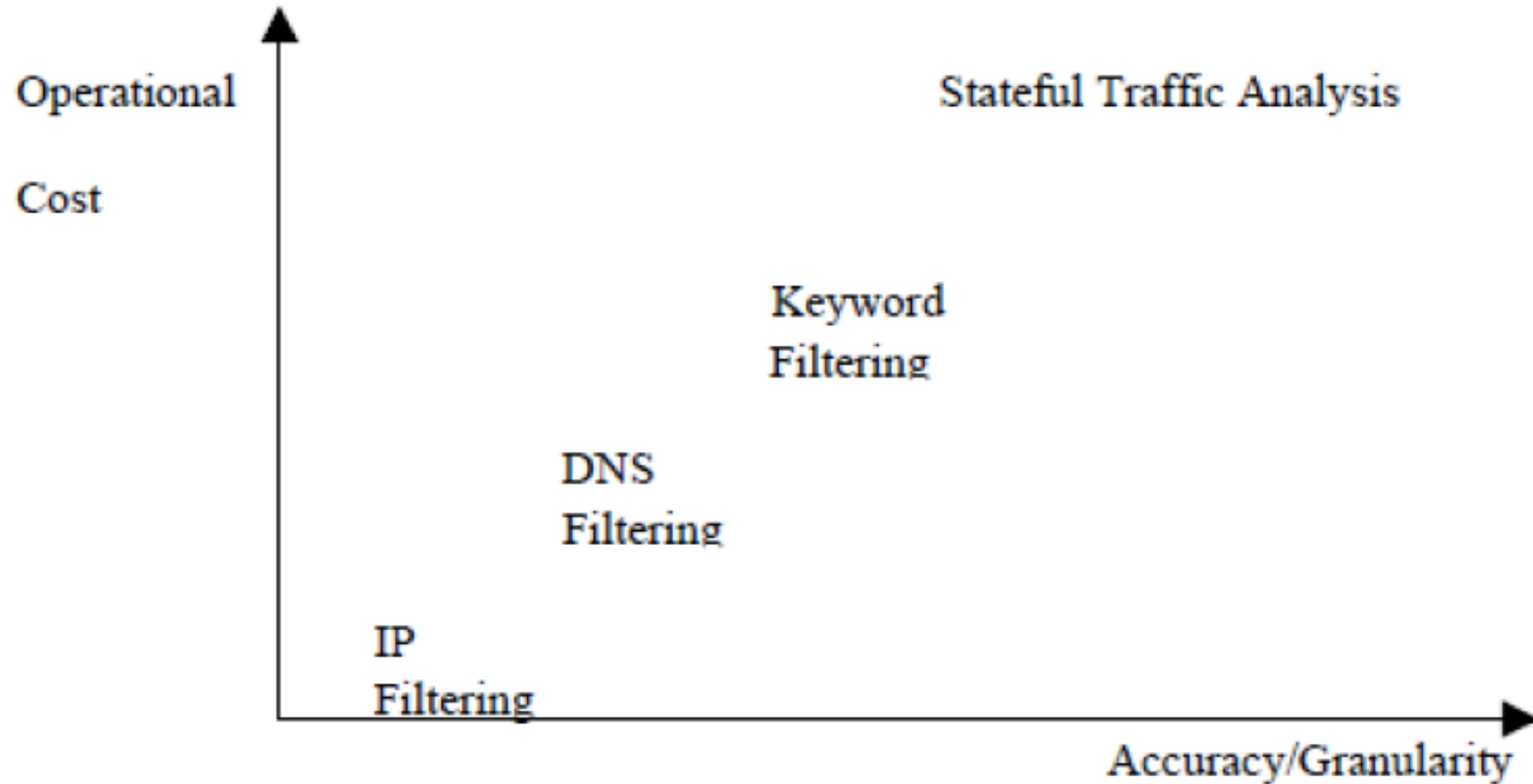# Content Notice and Takedown Practice in Taiwan

Kenny Huang, Ph.D. 黃勝雄博士

Executive Council Member, APNIC

huangksh@gmail.com

Technologies for Internet Filtering

Operational Cost (vertical axis), Accuracy/Granularity (horizontal axis)

Stateful Traffic Analysis

Keyword Filtering

DNS Filtering

IP Filtering

IP Filtering and DNS Filtering

- IP filtering
  - Cost : Low
  - Operators : ISPs, Telecommunication operators
  - Accuracy : Low
  - Impact : High, one IP address may host multiple websites. Blocking IP will cause great impact to other websites that share the same IP address
  - Activation requirement : court orders; services (anti-porn, child protection..)

- DNS filtering
  - Cost: Low
  - Operators : ccTLD/gTLD registry operators
  - Accuracy : Low
  - Impact : High, one domain may have multiple users. Blocking domain will cause great impact to other users who share the same digital platform.
  - Activation requirement: court orders; gTLD takedown policy

Content Filtering

- Cost : Low
- Operators : digital platforms operators
- Accuracy : High
- Impact : Low
- Activation requirement : court order, self-regulation (e.g. iWIN in Taiwan)

Commercial Services for Harmful Content Filtering
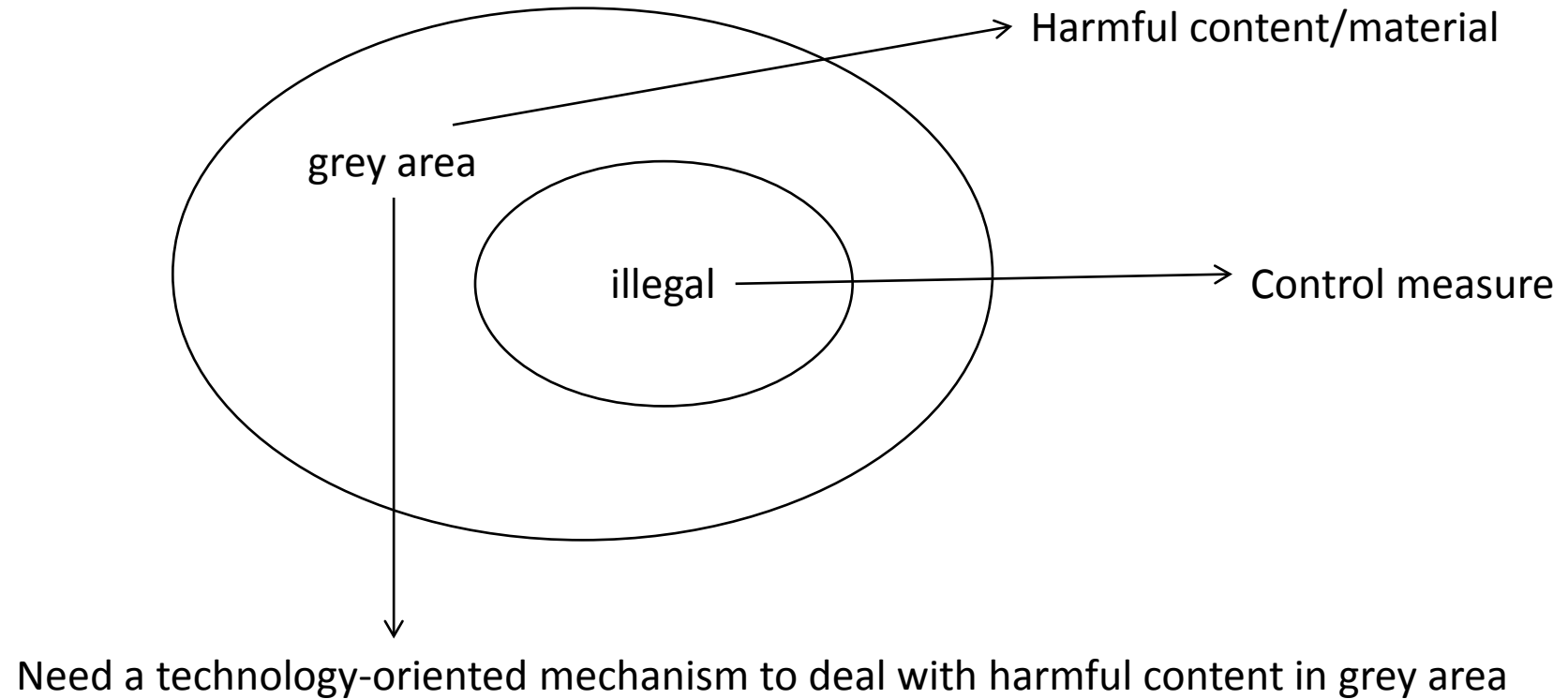
Notice and Takedown Practice in Taiwan
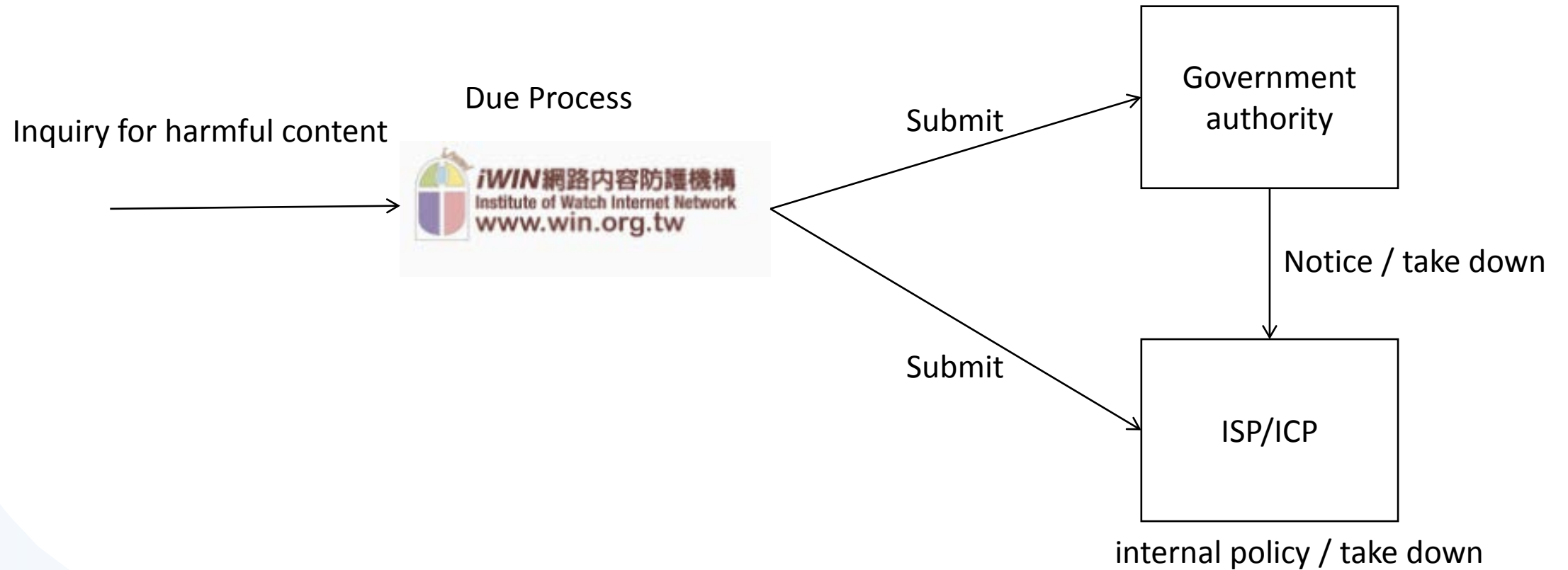
Animal Protection Act

Article 27-1

A jail term or penal servitude under one year, or a fine of under NT$30,000, or both, will be imposed for an action to disseminate, broadcast, or sell text, picture, audio or video recording, electronic record that violates Article 6, Article 10 or Clause 12.1; or to display the above in public, or to allow others to watch and/or listen.

Harmful Material vs. Illegal Material

Harmful content/material

grey area

illegal

Control measure

Need a technology-oriented mechanism to deal with harmful content in grey area

Theoretical Reviews on Free Speech and Low Value Speech

- Free speech theory
  - Truth-seeking theory
  - Theory of marketplace of ideas
  - Democratic process theory
  - Self-expression theory

- Low value speech (US Communications Decency Act)
  - Advocacy of unlawful conduct
  - Fighting words
  - Defamation
  - Obscenity and pornography

- Harmful Material (EC)
  - Offend the values and feelings of other persons (Illegal and Harmful Content on the Internet – European Commission)

Feasible Mechanism

- Technology facet
  - Bad site blocking
  - PICS (platform for Internet content selection)
  - Content filtering
  - Keywords matching from the backend system

- Operational facet
  - Stakeholder coordination: ISPs, government agencies, schools, ..,etc.
  - Encourage self-regulation

Thank You
Question?