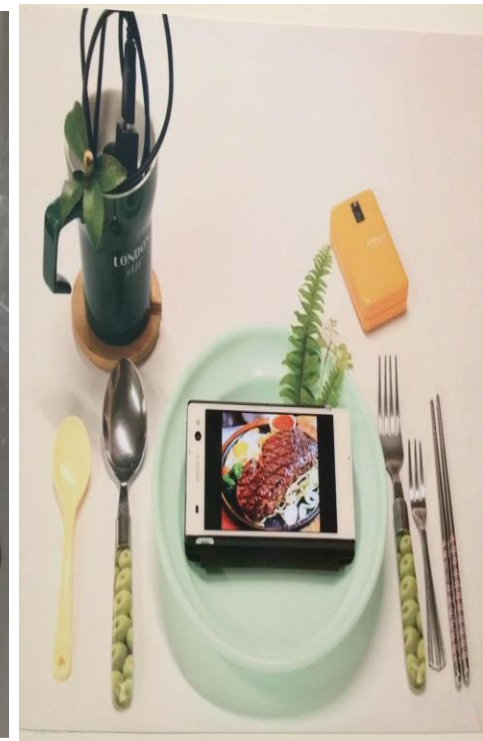
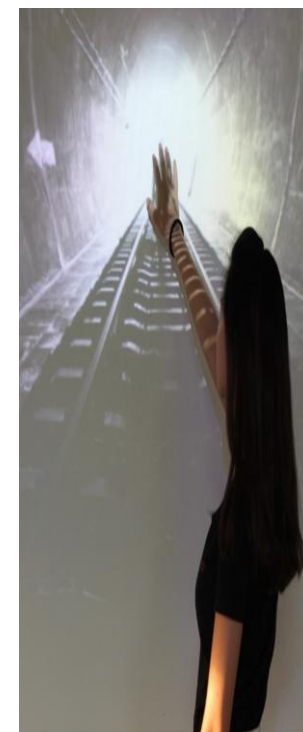


The Governance of Online Safety for Children — A Taiwan Perspective

Jason Ho
Chief Secretary
July 27, 2016



Outline

- ✿ **Background : The Governance of Online Safety for Children in Taiwan**
- ✿ **The Operation of iWIN**
- ✿ **Challenges of Online Safety for Children**
- ✿ **Conclusion**

Background

The Governance of Online Safety for Children in Taiwan



Background

Governance of Online Safety for Children

2003: Article 27 of the Protection of Children and Youths Welfare and Rights Act, stipulating that Internet shall be classified

2004

TICRF established, and **Regulations for the Rating of Internet Content** was published

Apr. 2009: An illegal video game that simulated rape ("Rapely") was sold on the Internet

May. 2009: the WIN website began operations to receive complaints about inappropriate Internet contents

The WIN website started operation

2010

2012: Regulations for the Rating of Internet Content was abolished. 2014, TICRF was dismissed.

2013
WIN website



iWIN網路內容防護機構
Institute of Watch Internet Network
www.win.org.tw

From Keyword, Blacklist to Rating System



Keyword, Filtering software...



2003: Article 27, Paragraph 1 of the Protection of Children and Youths Welfare and Rights Act, stipulating that Internet shall be classified. The Executive Yuan commissioned GIO to be responsible for the rating of Internet content.

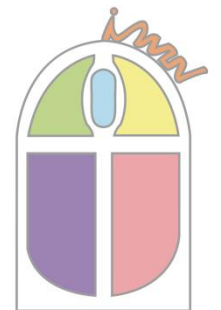


2004:

- ✿ Regulations for the Rating of Internet Content was published. (PICS, Platform for Internet Content Selection)
- ✿ Taiwan Internet Content Rating Promotion Foundation (TICRF), composed of government, industry and NGOs, was established.



Feb. 2006: the task of Internet content rating was moved to NCC.



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NEXT Media Animated News: First to be Fined



2009: Apple Daily's animated news drew strong criticism for its overly descriptive details of crimes without being classified as Restricted and prohibiting minors from access.



The Taipei City Government fined NEXT media NT\$1million and demanded that the media apply classification systems to its web contents.



Apple Daily filed an administrative appeal against Taipei City Government.



Aug. 2011: the Supreme Administrative Court ruled that Apple Daily was the one who spread inappropriate content, rather than just a Internet platform provider and thus lost the appeal.



台北市長郝龍斌昨晚出示公文表示，市府以動新聞違反《兒少法》媒體分級規定，裁處壹傳媒最重罰鍰50萬元。沈君帆攝

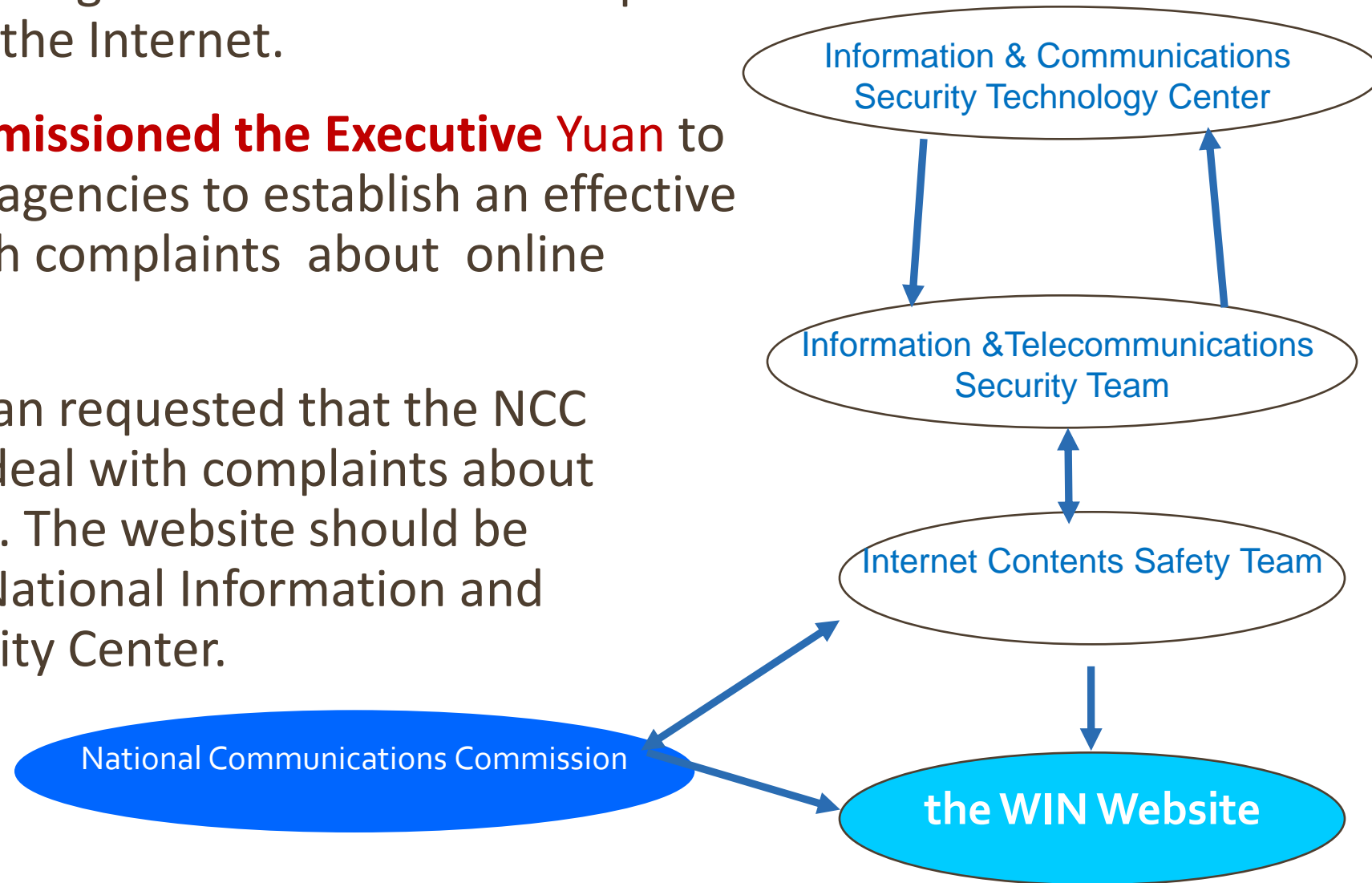


The Establishment of the WIN Website

↑ **Apr. 2009:** an illegal video games that simulated rape ("Rapely") was sold on the Internet.

↑ **The Control Yuan commissioned the Executive Yuan** to coordinate competent agencies to establish an effective mechanism to deal with complaints about online contents.

↑ **2009:** the Executive Yuan requested that the NCC establish a website to deal with complaints about inappropriate contents. The website should be incorporated into the National Information and Communications Security Center.



The Old Systems Go into History...

- **The Removal of Authorization Basis**

2012: Paragraph 1, of Article 27 of the Protection of Children and Youths Welfare and Rights Act was removed.

- **Due to inefficiency, the US ceased promoting PICS**

2010: The Family Online Safety Institute (FOSI) in the US announced it would stop maintaining and operating the system.

- **The Institute of Watch Internet Network (iWIN) was established**

2014: TICRF was dismissed.

The Operation of iWIN



From “WIN” to “iWIN”

- Aug. 2010: the WIN website began operation
- Aug. 2013: iWIN established
 - According to Article 46 of the Protection of Children and Youths Welfare and Rights Act, **NCC** coordinates with each competent authority to **encourage private groups to establish iWIN**.
 - Ministry of Education, Culture, Health and Welfare, the Interior and Economics Affairs



7 Functions of iWIN

Item	Brief Introduction
Study/ Research	Build an online database of research into children and youths' online behaviour and monitor the number of complaints received.
Complaint	Receive complaints regarding inappropriate online content from members of the public. Refer complaints to the appropriate organisations.
Filter/ Rating	Promote the use of filtering software and content rating systems to prevent children and youths from accessing harmful online content.
Education	Provide children and youths with educational materials and information relating to online safety.
Campaign	Organize creative cultural campaigns and promotions in schools to improve children's online safety awareness.
Self-regulation	Promote a government and industry co-regulation model and encourage industrial responsibility.
Worldwide	Strengthen international cooperation on children and youths' online safety.

How iWIN deals with complaints

Sources of complaints

www.win.org.tw

- Email:

watch@win.org.tw

- Others: transferred from other authorities



Reply

Reply

No illegal content

Case closed

Suspected content

Related Bodies

Competent Authorities

IPPs

ICPs

Offshore websites

Outcome

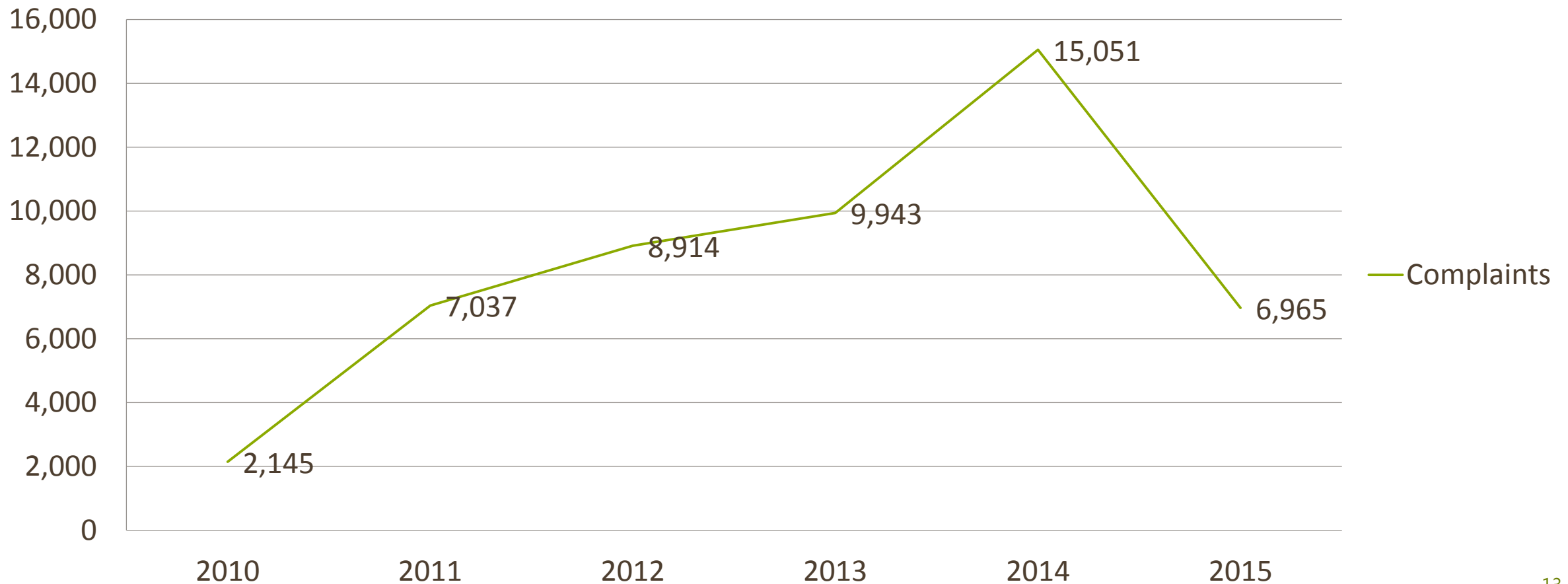
Law

Self-Regulation

Reply

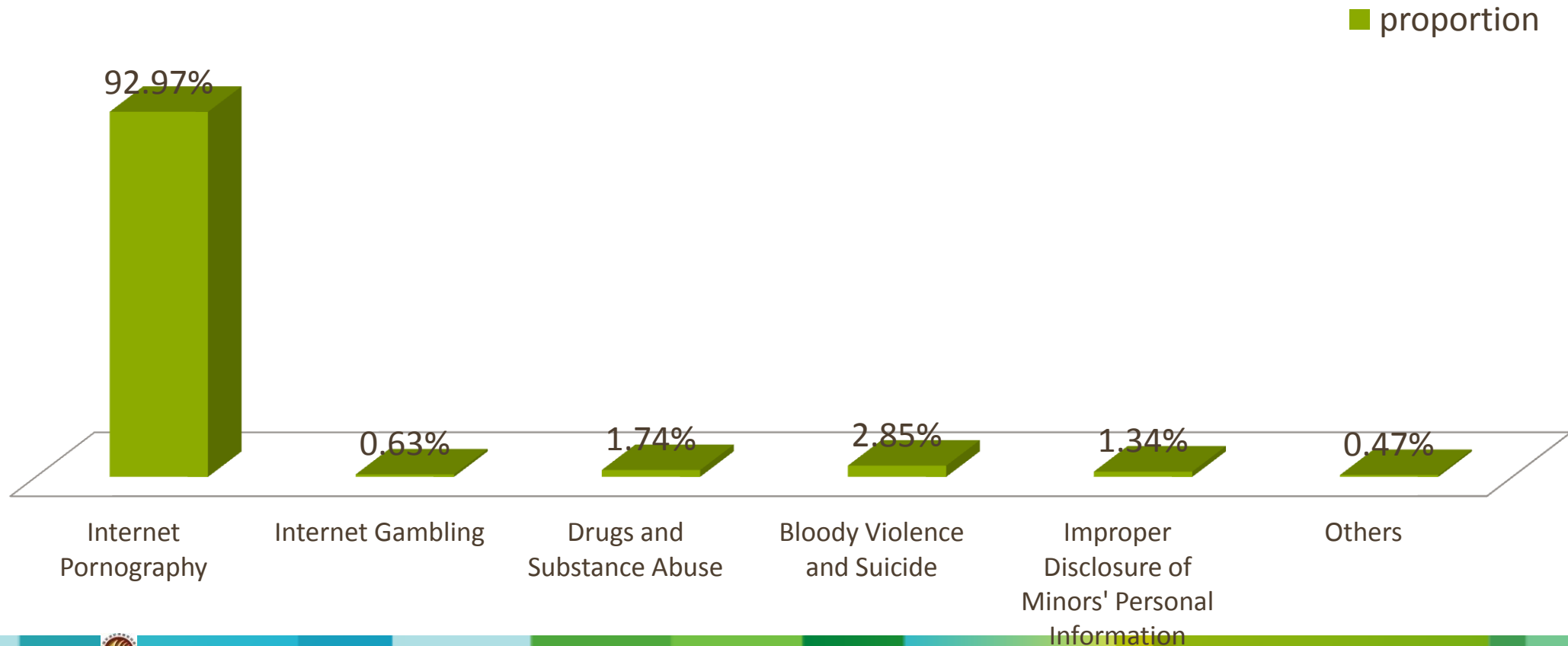
Number of Cases

The WIN website (2010-2013)→iWIN (2013-)



Complaint Types in 2015

Relating to the Protection of Children and Youths Welfare and Rights Act



Self-Regulation & Sanctions

Those fined for inappropriate Internet content violating the Protection of Children and Youths Welfare and Rights Act in 2015



Self-Regulation: about 40% took down inappropriate content after been noticed (domestic)



Sanctions: 5 cases, NT\$ 1.02 millions



Violators were mostly online newsletter media.



The reason for sanctions were harm to the physical and mental health of children and youths **without taking clear and workable protective measures.**



The freedom of speech of adults and children online safety should be paid equal attention

Challenges of Online Safety for Children



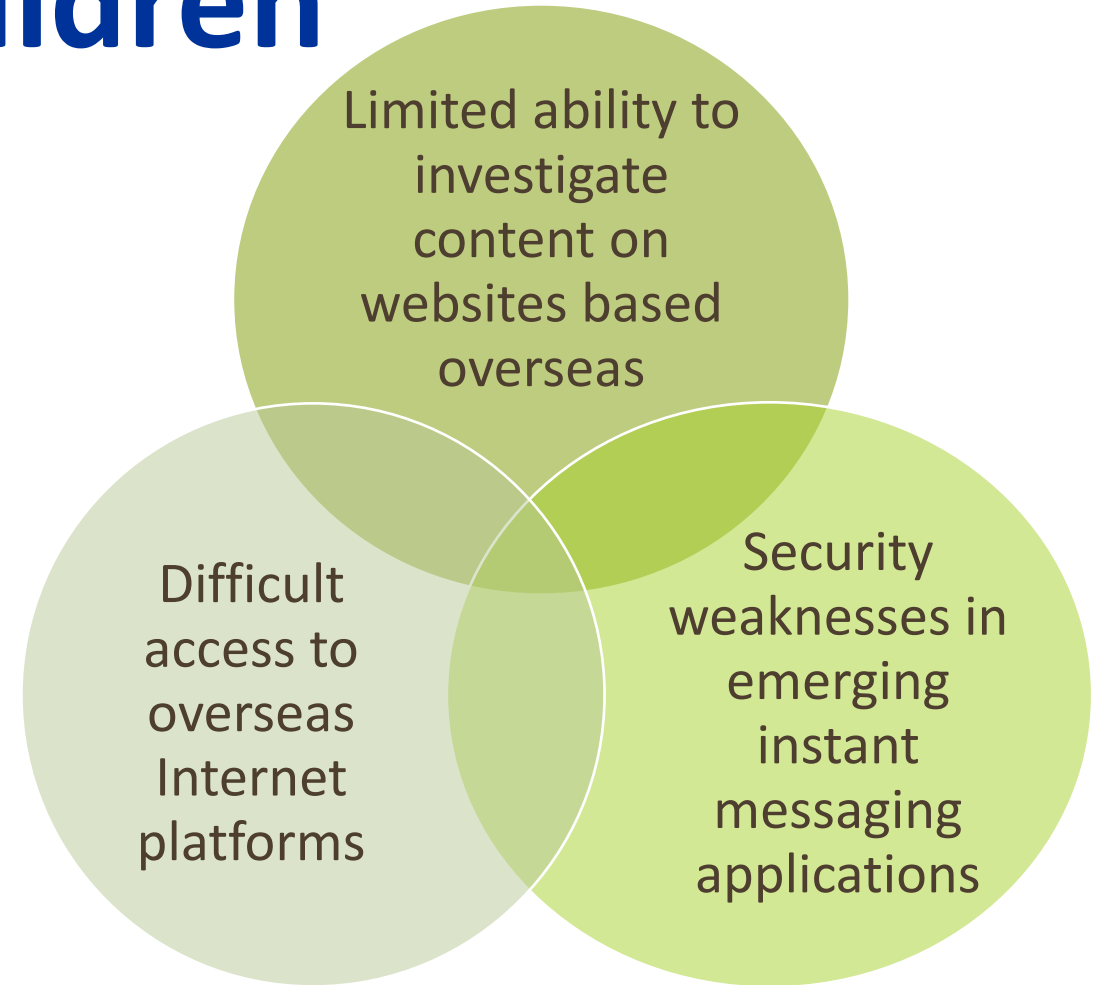
Challenges of Online Safety for Children



According to IWIN, the total number of complaints concerning inappropriate Internet contents in 2015 was 5,580; **74.23%** of which (4,142) was regarding inappropriate content originating **from other lands**.



In practice, when addressing harmful contents, We encounter three issues (right)



Limited Ability to Investigate Illegal Content on Websites Based Overseas



Those who publish child pornography usually use foreign Internet Protocol Addresses.



They post messages in bulletin boards to promote the site. These practices are not really in our scope of jurisdiction.



Even though site managers may receive notifications to remove inappropriate messages, the user can post similar ones almost immediately.

Security Weaknesses in Emerging Instant Messaging Applications



Data from National Police Agency, Ministry of the Interior showed that more than 18,000 criminal cases were committed throughout LINE in 2014: an increase of 55.90% year on year.



Because of the huge popularity of instant messaging and smart phones, messages are often encrypted to protect privacy, but this allows a blind spot for criminal activity.

Difficult Access to Overseas Internet Platforms



Example 1: according to Google policy, only judicial authorities have the power to issue a warrant to gain data to assist an investigation, meaning even the police have no authority to do so.



Example 2: Similar policy of Facebook states that only judicial authorities are permitted to issue a warrant in six categories: murder, kidnapping for ransom, drugs, interference of computer use, violating Organized Crime Prevention Act, and violating Child and Youth Sexual Prevention Act.

Solutions—Taiwan's Perspective

 Blocking Injunctions? (X), Internet Real-Name System? (X)

 Notice & Take Down?

 Who to notice? Should iWIN have public authority?

 International Cooperation

 Establish hotline? Regional agreement?

 Problems caused by technology should also be solved by technology

 Parental control? Photo DNA? Filtering software?

Conclusion



Conclusion



In 2016, NCC proposed Electronic Communications Act



Align with the Manila Principles



The 3 principles of Internet policy making: bottom-up, co-regulation and empowerment



We have been in line with the three principles.



Protecting children and youths' mental and physical development and maintaining freedom of speech



The balance between these two fundamental human rights is the obligation for each country in the Asia-Pacific Region.



國家通訊傳播委員會

National Communications Commission

創造健康多元的傳播內容環境

Thank you for your attention!

