

Administrative Online Censorship In South Korea

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Korean Online Censorship System - KCSC's "Correction Request"

- ▶ 9 members, appointed by President
 - ▶ 6 are nominated by the ruling party, 3 by the opposition
- ▶ The compliance rate of almost 100%
- ▶ Reviews approx. 1,500 cases per meeting
- ▶ Approx. 150,000 takedown decisions in 2015

Standard of Takedown Decision

- "Nurturing Sound Communications Ethics"

- ▶ Not only the 'illegal' contents, but also allegedly 'harmful' contents
- ▶ "Using excessive swearing or vulgar language"
- ▶ "Violent, cruel, or disgusting content"
- ▶ "Incitement of social unrest"
- ▶ "Impeding social integration by slandering or ridiculing particular class"
- ▶ "Distorting the history against the constitution"
- ▶ "Harming the international peace and order or friendly relationship between countries"
- ▶ "Glamorizing criminals or crimes"
- ▶ "Promoting or justifying superstition or other unscientific way of life"

Risk of Abuse by the Government

- ▶ Blocking the twitter account
 - ▶ which sounds like an epithet against the then president Lee,
 - ▶ for the reason of "using excessive swearing"
- ▶ Deletion of posting that blames the government's incompetence
 - ▶ Contained some swearing to the president and high ranking officials
- ▶ "Incitement of social unrest"
 - ▶ Posts claiming NIS was involved in and responsible for the national tragedy
 - ▶ Posts claiming that South Korean government has fabricated incidents of North Korean aggression
 - ▶ Posts claiming that the MERS (Middle East Respiratory Syndrome) was staged by the NIS or the Blue House to turn the media attention away from controversies

Article 7 of the National Security Act - 'Praising and Inciting North Korea'

- ▶ 'Praising and Inciting North Korea' ?
 - ▶ Blocking the websites which deliver or quote North Korean statements or reporting of North Korean news service.
- ▶ Blocking Access to 'Northkoreatech.org'
 - ▶ Media blog covering the North Korean ICT issues
 - ▶ Cited by various media including Wall Street Journal, Reuter, BBC, South Korean press.

Legal Challenges Against the Online Censorship

- ▶ Filing the lawsuit against the KCSC's inappropriate website blocking
 - ▶ File sharing site '4shared.com'
 - ▶ Recent Korean court's ruling that the decision is unlawful
 - ▶ It's disproportionate to block the entire website because some illegal contents were distributed therein.
- ▶ FOIA request to the National Election Commission's Online Censorship
 - ▶ Discovered that over 17,000 online posts were deleted in April National Assembly Election only
 - ▶ Disclosing the original order documents and whole content of posts subject to deletion order

➤ *Korea Internet Transparency Report*

<http://transparency.kr>