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
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