International Telecommunication Union

MetMUNC XLVIII

Topic: Technological/Internet Regulation

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Introduction to Technological/Internet Regulation

Regulation of the Internet can aid in the protection of people, information, and infrastructure. It can contribute to connecting the remaining half of the world that is still offline, while putting all marketers on an equal level. Regulation can encourage sustainable returns on investments as well. Regulation also has social benefits, such as inhibiting cyber-bullying, cyber-racism, cyber-sexism and sexual harassment, and cyber-homophobia.

While regulation is not synonymous to censorship, a part of regulation can involve censorship. As far as censorship goes, there are 4 different rationales: political (sedition, treason, national security), religious (blasphemy, heresy), moral (obscenity, impiety), and social (incivility, irreverence, disorder).[1] Many countries engage in censorship for political reasons like skewing elections in their favor, but put it under the guise of trying to protect the country from terrorist or criminal activities.[2] However, there are ethical issues associated with regulation and by extension, censorship. Many opponents of regulating the Internet feel that censorship challenges intellectual freedom.

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[1] https://web.mit.edu/gtmarx/www/cenandsec.html
[2] https://www.openaccessgovernment.org/countries-censor-the-internet/58366/

Currently Affected Nations

1. <u>Little to none</u>: Canada, Greenland, Iceland, Ireland, Spain, Portugal, Algeria, Poland,

   Finland, Sweden, Norway, Denmark,

   Germany, Italy, France, Romania,

   Bulgaria, Greece, Estonia, Latvia,

   Lithuania, Hungary, Bolivia, Peru,

   Paraguay, Uruguay, Argentina, Chile

Internet censorship and surveillance by country (2018)[8][3][4]

Pervasive — Little or none — Substantial — Not classified / No data — Selective

2. <u>Selective (small & specific)</u>: Brazil,

   Mexico, USA, Ecuador, Columbia,

   India, Philippines, Sri Lanka, Cambodia, Malaysia, Bangladesh, Ukraine, UK, Libya,

   Morocco, Mali, Nigeria, Angola, Zambia, Zimbabwe, Kenya, Uganda

3. <u>Substantial/Pervasive (large & broad)</u>: Venezuela, Russia, Kazakhstan, Turkey, Cuba,

   China, Thailand, Indonesia, Singapore, Vietnam, North Korea, South Korea, Belarus,

   Egypt, Sudan, Ethiopia, UAE[3]
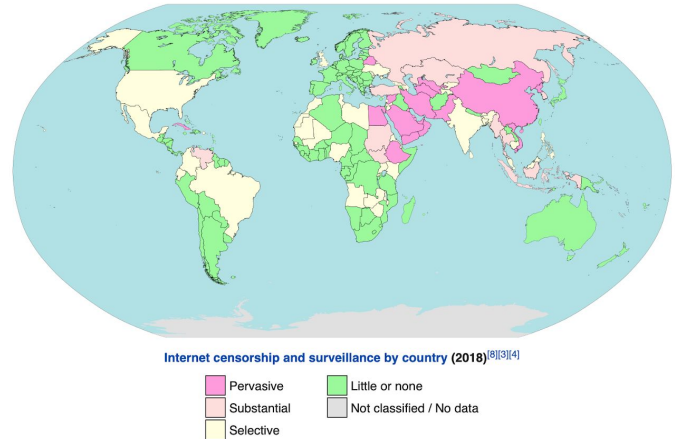
Why Governments Censor Information

In authoritarian states, a ruler will often censor news to prevent a revolution. While the communicative potential of the Internet seems like an

Two representative citizens, A and B, can challenge a ruler by mounting a revolution. A revolution succeeds if and only if both citizens revolt; otherwise, the status quo prevails. The expected value to citizens of the status quo is θ, and their expected payoff from successful revolution is R. If a citizen revolts and revolution fails, she receives the status quo payoff minus an expected punishment cost μ.[2] See Figure 1. We normalize the net value to a ruler of preserving the status quo, i.e., of preventing successful revolution, to 1, and his payoff from a successful revolution to 0.

		citizen $-i$	
		revolt	*no revolt*
citizen i	*revolt*	R, R	$\theta - \mu, \theta$
	no revolt	$\theta, \theta - \mu$	θ, θ

Figure 1: Citizen Payoffs.

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[3] https://en.wikipedia.org/wiki/Censorship_by_country

advantage, it can pose a threat of revolution to certain governments that rule by authority.[4] By allowing open access to the Internet, authoritarian governments lose control. By being the controllers of the Internet, governments are able to skew elections by monitoring Internet activity, shutting down or censoring campaigns, and overall can increase their grasp over how citizens speak, act, and often, how they vote.

Since Internet censorship stems from social, political, and technological aspects, each of these aspects must be addressed when attempting to fight censorship. According to a study by Princeton University, "some authoritarian regimes have discovered that the successful implementation and sustainability of Internet censorship not only requires advanced technologies, but also requires social or self-censorship which can be enforced through harsh punishments and political ideologies which encourage acceptance of the status quo."[5] In order for governments to successfully carry out censorship, their efforts must be deep-rooted into society.

Case Study: European Union Passes Article 13

Concerned about the new digital age, the EU wanted to set new copyright laws and how companies should deal with copyright-protected content. The last copyright laws put into place by the EU were in 2001, and were very lenient and vague around most topics. On March 26, 2019, the European Parliament voted 348-274 to pass the Copyright Directive which includes Articles 11 and 13.

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[4] https://poseidon01.ssrn.com
[5] http://www.princeton.edu/~chiangm/anticensorship.pdf

Article 13 states that content-sharing services must license copyright-protected material from the rights holders. If a company cannot do this, they may be held liable unless they made "best efforts" to get permission from the copyright holder or acted quickly to remove such material. These rules only apply to companies that operate in the EU and make an annual turnover of 10 million euros or more (11.2 million dollars). This may negatively impact streaming services, social media, and even some media companies as they may already regularly use materials without copyrights.

Some websites may choose to temporarily or permanently block EU visitors rather than risk running afoul of the law. The websites could also create new rules for their website that only concern people in the EU or even apply it to all its users, no matter where they are from, potentially impacting the freedom of users all around the world.

Current Efforts

The governing of spectrum use on a global basis is a core responsibility of the ITU and, in particular, its Radiocommunication Sector (ITU-R). It's important to note that the ITU is not a global regulatory authority in the way that each government is within a particular country, because the rules for international regulation and cooperation are written by those governed by the member states of the ITU. These rules are administered by the ITU-R's Radiocommunication Bureau (BR) in Geneva and conformity with the rules is based on goodwill rather than on the kind of regulatory sanctions found at the national level. The mission of the ITU-R sector is to ensure rational, equitable, efficient and economical use of the radio frequency

spectrum by all radiocommunication services, including those using satellite orbits and to carry out studies and adopt recommendations on radio communication matters.[6]

The ITU's Telecommunication Development Sector has well-established programs, which are designed to facilitate telecommunication connectivity and access to information and communication services, encourage ICT policy and technology development, aid in regulatory and network readiness, and form financing and cybersecurity strategies. Some of the programs are also designed to address topics of interest to spectrum regulators.[7]

The European Union recently passed the General Data Protection Regulation (GDPR), which the EU claims "sets guidelines for the collection and processing of personal information of individuals" within the EU.[8] While the EU's technology is far-reaching, the GDPR tends to apply to countries not in the EU which use EU technology. However, the GDPR technically only applies to nations within the EU, so countries which are not in the EU don't tend to benefit as much from the GDPR.

Delegates should work together to come up with a way in which regulation and privacy can be encouraged without crossing over into censorship. It is also important to note that resolutions which impede upon a country's governmental, religious, or cultural beliefs are not likely to be effective. Solutions should balance encouraging privacy, preventing outright censorship, and (when possible) to avoid any interference with the fundamental beliefs of countries.

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[6] http://www.ictregulationtoolkit.org/toolkit/5.8
[7] http://www.ictregulationtoolkit.org/toolkit/5.7
[8] https://reporter.rit.edu/tech/censoring-internet

Questions to Consider

1. To what extent should Technological/Internet Regulation be standardized on an international level?

2. Why do different countries have different standpoints on regulation? How might this pose a challenge in a UN setting?

3. How can your country's history with Technological/Internet Regulation serve as an example for new policies and what does/doesn't work?

4. Can the ITU use the same regulatory policies on nations with different forms of government? For example, should the same policy be used for democratic and socialist countries?

5. How can the ITU ensure that countries comply with any international standards that are put in place?

Helpful Links

- https://www.itu.int/en/ITU-T/stratops/Pages/strategicplan.aspx

- http://www.ictregulationtoolkit.org/index

- https://www.itu.int/en/action/internet/Documents/Res%20101.pdf

- https://www.cloudwards.net/internet-censorship/
  - This webpage covers specific aspects of censorship by country, which can be very helpful in your country research