

Internet Content Self- Regulation: Taking Liberties?

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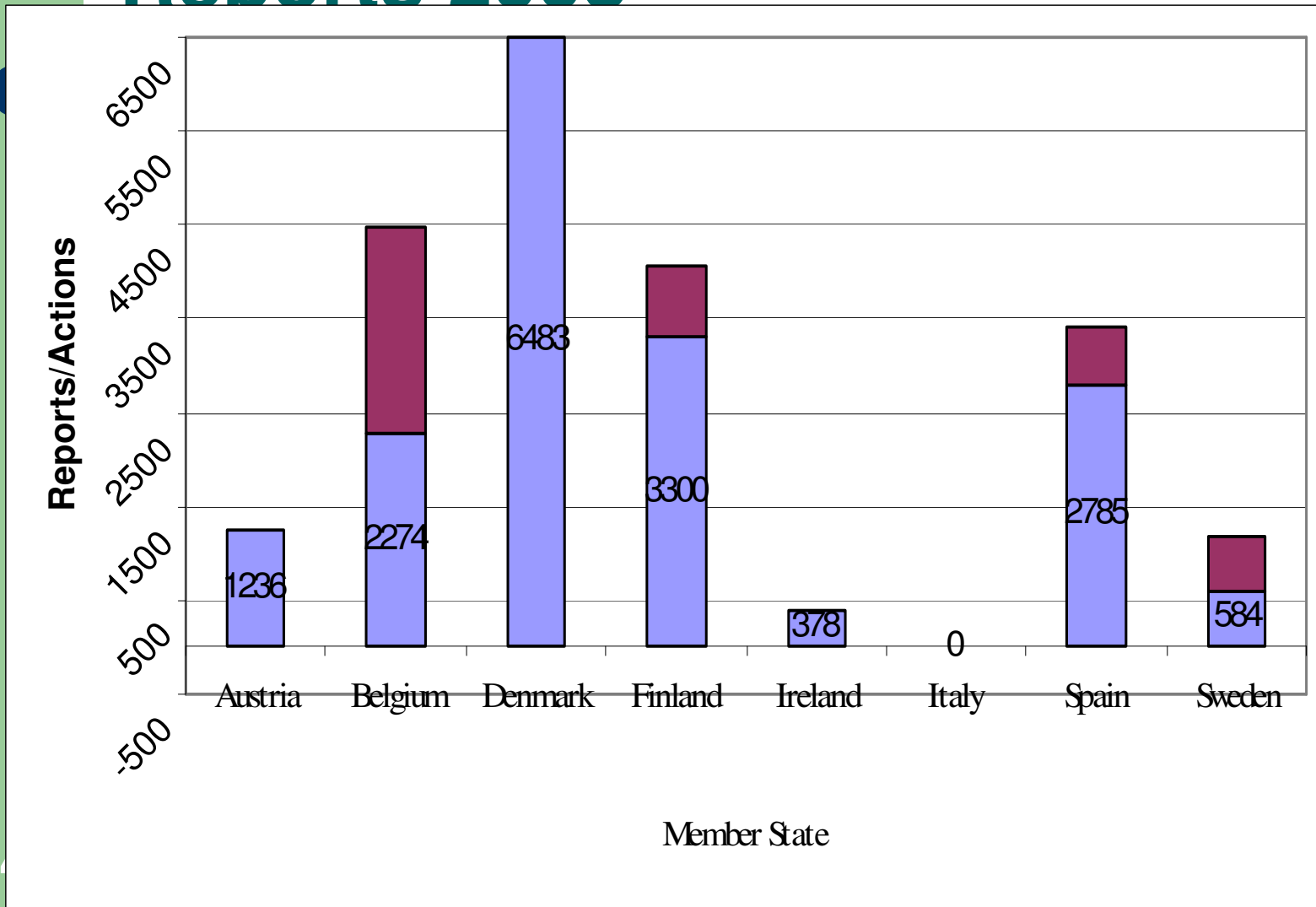
Summary of PCMLP Report

- European Policy on Self Regulation
- Research on Self-Regulatory Developments
- Key Failings/Challenges for Self-Regulation
- Proposals to the EC

Self-regulation in European/ National Policy

- Council Recommendation 98/560/EC on promoting national frameworks aimed at achieving a comparable and effective level of protection of minors and human dignity OJ L 270, 7.10.1998.
- Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications OJ L 201, 31.7.2002;
- Directive 2000/31/EC on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market OJ L 178, 17.7.2000;
- Decision No 276/1999/EC adopting a Multiannual Community Action Plan on promoting safer use of the Internet and new online technologies OJ L 33, 6.2.1999
- SEC (2004) 148 Ex ante Evaluation Safer Internet plus at http://europa.eu.int/information_society/programmes/iap/docs/pdf/si_plus/exante.pdf
- Price, M., Verhulst, S. (2004) Self-Regulation and the Internet, Netherlands: Kluwer.
- PCMLP (undated, 1999) Parental Control of Television Broadcasting, A Report for the European Commission DG Culture, PCMLP, Oxford.
- IRIS Special (2003) Co-Regulation of the Media in Europe, Strasbourg, Council of Europe at http://www.obs.coe.int/oea_publ/iris_special/2003.html.en
<http://www.ivir.nl/publications/medialaw.html>
- Communications Decency Act Section 30, 47 U.S.C. § 230(c)(1) (Supp. II 1996).
- Holznagel, B. (2000) Responsibility for Harmful and Illegal Content as Well as Free Speech on the Internet in the United States of America and Germany, in C.Engel and H. Keller (eds) Governance of Global Networks in Light of Differing Local Values, Nomos, Baden Baden.

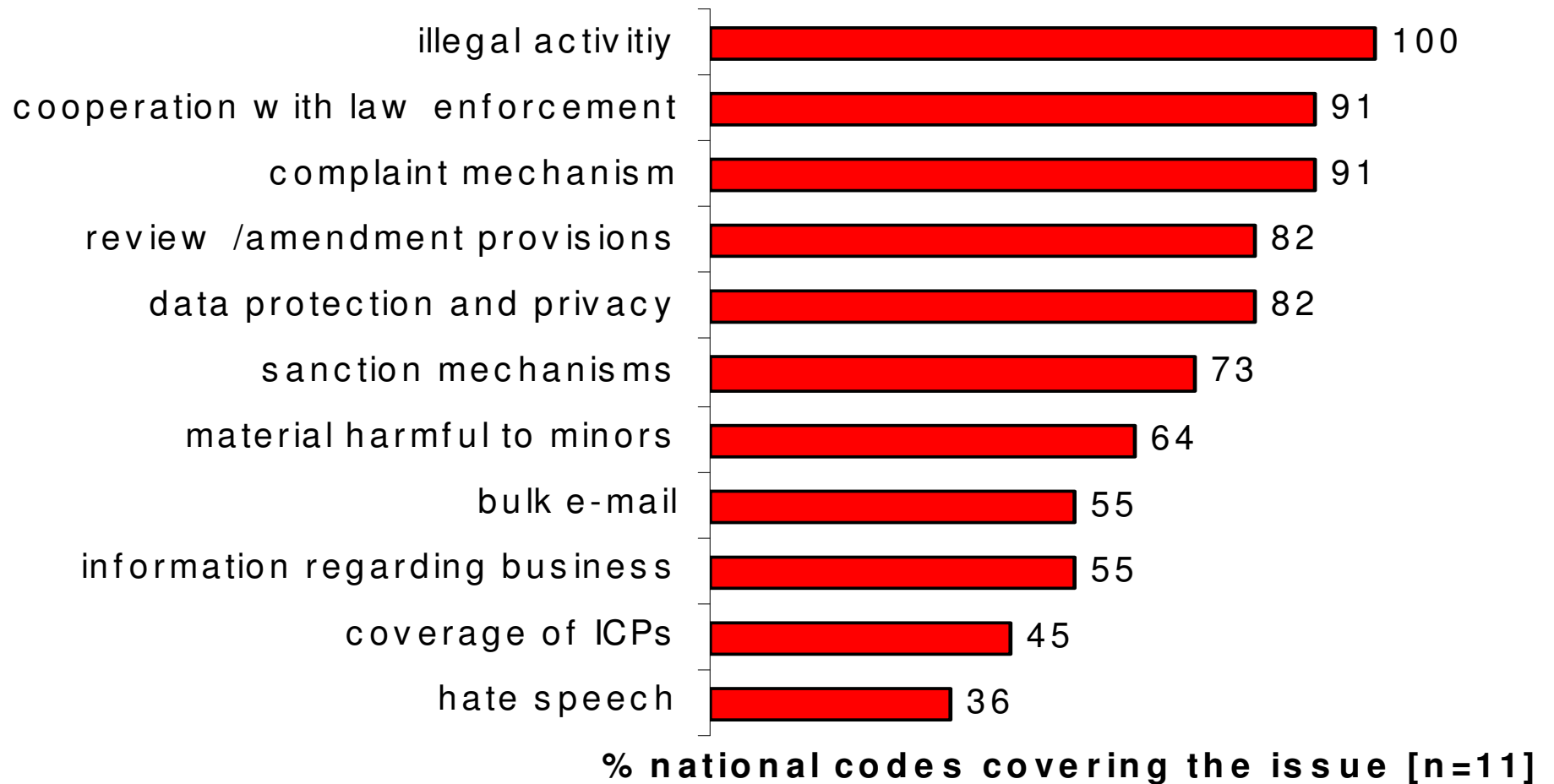
Internet Hotline Users Activity Reports 2003



Content Concerns in EU Codes of Conduct: ISPs, Games, Films

	Film							Video Games							ISPs						
	V vi ol en ce	N ud ity	Se x	La ng ua ge	Dr ug s	H at e	Ot he r	Vi ol en ce	B ad la ng ua ge	Fe ar	Se x	D ru gs	Di sc ri mi na tion	IC P co ve ra ge	B us . in fo r m ati on	Ill eg al ac tiv ity	ha r m to mi no rs	H at e sp ee ch	B ul k e m ail	D at a pr ot ec tion	
Austria	✓	✓	✓				✗							✓	✗	✓	✓	✗	✗	✓	
Belgium	✓	✓	✓				✗							✗	✓	✓	✗	✗	✗	✓	
Denmark	✓	✓	✓			✗	✗														
Finland	✓					✓	✓														
France	✓	✓	✓	✓	✓	✓	✓							✗	✗	✓	✓	✗	✓	✓	
Greece	✓	✓	✓			✗	✗														
Ireland	✓	✓	✓	✓	✓	✗	✓							✓	✓	✓	✓	✓	✓	✓	
Italy	✓	✓	✓	✓	✓	✗	✗							✓	✓	✓	✓	✗	✗	✓	
Luxembourg	✓	✓	✓			✗	✗														
Netherlands	✓	✓	✓	✓	✓	✗	✓							✗	✓	✓	✗	✗	✓	✓	
Norway	✓	✓	✓			✗	✗							✓	✗	✓	✗	✗	✗	✓	
Portugal	✓	✓	✓			✗	✗														
Spain	✓	✓	✓	✓	✓	✗	✓														
Sweden	✓	✗	✓	✗	✗	✗	✓														
UK	✓	✓	✓	✓	✓	✗	✗							✗	✓	✓	✗	✓	✓	✓	
Germany	✓	✓	✓	✓	✓	✓	✓	✓				✓	✓	✓	✗	✓	✓	✓	✗	✗	

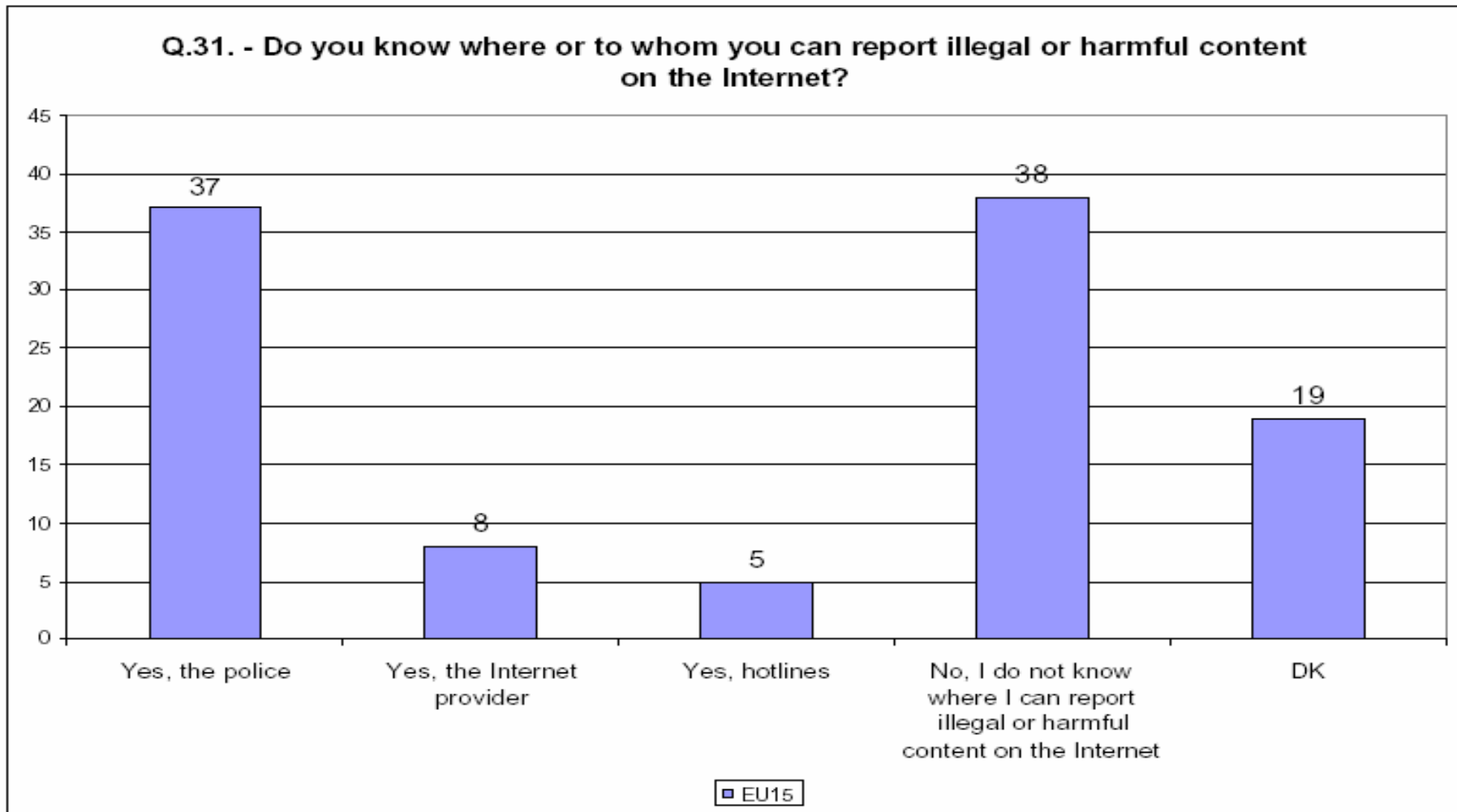
Main Issues Covered by ISP Codes of Conduct



Some Key Challenges

- Lack of resources, sustainability
- Lack of awareness
- Lack of due process, appeal

Eurobarometer 2003 from Sample of 17,000 Citizens



Notice and Take Liberty

- “Shoot first, don’t even bother to ask questions later” Steve Bellovin INET 2004
- PCMLP Research: Chris Marsden and Christian Ahlert.
 - JS Mill Heritage Foundation Copyright
- Should ‘put back’ be part of the E-commerce directive?
- What standards of transparency and accountability can we expect of ISPs?

Freeing the Internet Commons

- PCMLP are the UK hosts for Creative Commons. We are committed to developing the information commons.
- <http://pcmlp.socleg.ox.ac.uk>

Audit of Co-Regulation by NRAs

Interests and Motivations. Market structure assessment

Fundamental rights impact assessment

Operational Criteria Scheme Details

Approval (with Kitemark)

(Throughout) pragmatic, contextual strategic