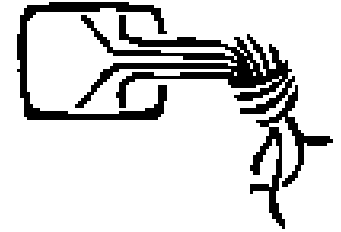# The big picture

Experiences with national and transnational mind-sets;
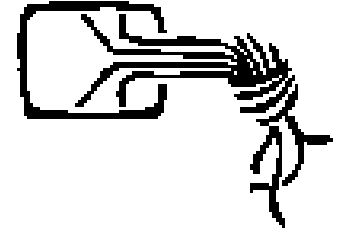
the dangers of 'self regulation'

vs.

the governmental handling of issue-related content

Andy Müller-Maguhn, andy@ccc.de

Issues around the freedom of speech

- (national) governmental based / jurisdiction limited policies

    vs. trans-national agreed policies

- declaration of 'intellectual property'

    vs. missing declaration of public (information) domain

- protection of information retrieval for public domain

    vs. private personal rights ('privacy')

Possible hidden agendas

Political abuse / driven definition of regulatory approach

- hiding 'private' data of persons involved in public PMPs

Private / Commercial abuse of '(self-)regulatory' approach

- hiding business cases behind 'service' & 'protection' of users

(National) Governmental Policies

German hate speech ban law´s and enforcement side

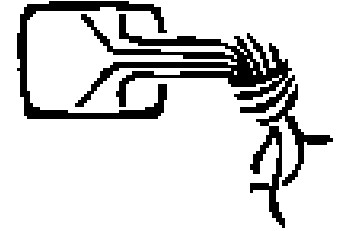(limited on the origin site in germany: limited danger)

Censorship through DNS-blocking approach of NRW

(neither working not helpful; government advertises sites)

CN vs. UAE/SAE model

(intransparent showcase vs. 'transparent self-regulation')
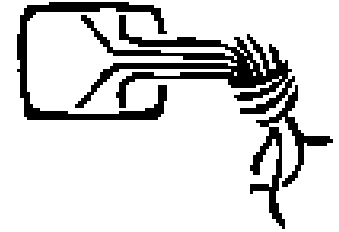
Hiding Agendas of national policies

Political censorship declared as protection of 'religious feelings'

- CN approach in the IDN

- Context of 'religious leaders' and political functions

Censorship of public-records through declaration of 'personal rights'

- Missing definition of public interest overriding personal rights

Transnational Policies

- Political Level: Limition of (agreed) inter-national issues:

Abuse of children / Child-Porn

(virtual vs. real-world approach)

- Economic Level: Intellectual Property as a backdoor

Trademarks in the DNS (WIPO driven UDRP)

(freedom of speech vs. use of protected terms & names)

Intellectual Property
vs. public domain / property

Public impact of IP-enforcement underestimated

- 'Ownership' of public history largely overseen

-> Governmental role to be declared

(Transparency, open data format, usability)

-> Public Archive to be supported by legal framework

(Exception rules in the IP framework 2b defined and declared)

Information retrieval issues

Network surveillance related limitations of research

Encryption measures vs. availability & gov. policy

TEL national: Journalists often talking to the government /
trans-national: Journalists always talking to 2 governments

GSM/SAT: location based data collected for direct actions

-> Enforcement of technical means to enshure journalist
research freedom to be supported

Summary / Key points for the Internet Cookbock

1. - national policies to be avoided
   (watching hidden agendas, possible abuse in delta times)

2. - commercial 'self-regulation' to be avoided
   (intransparency, hidden business cases)

3. Balance between personal 'privacy' rights and public
   interest to be defined

4. Definition of public property of information 2b worked out

5. Encryption measures and research freedom 2b supported
   (technology and handling: internet/phone encryption)