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# The Question of the Legality and Ethics of Internet Censorship

*GA6 - Teja Sule and Emilie Buijendijk*



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**Name:** Teja Sule and Emilie Buijtenlijk

**Position:** President and Deputy President

## **Introduction:**

In a world where internet use is becoming increasingly popular, the question of internet censorship and its ethics comes to the forefront of our debate today. When the internet was first introduced in 1983, people saw it as a method of free expression. However, nowadays, governments and other groups of people struggle with the question of how to regulate free speech, privacy and security in the digital age. Internet censorship includes a variety of practices including removal of questionable websites, surveillance of online activities and the regulation of social media posts. Some may say that internet censorship is necessary to protect public order, societal values, and protect children from the real world, however others view it as a violation of free speech. In this research report, we will discuss the legal and ethical implications of internet censorship and the role of governments in protecting fundamental human rights in a more inclusive digital age.

## **Defining Key Terms:**

**Internet Censorship:** The legal control of suppression of things that can be accessed, published, or viewed on the internet.

**Freedom of Expression:** The liberty or right to say one's opinion without censorship or penalty.

**Privacy Rights:** The fundamental right protecting personal information of a human being and the concept that personal information is protected from public survey.

**Censorship Tools:** Tools used to restrict certain information online.

**Digital Rights:** Written rules that allow internet users to create, use, access and publish digital media.

**Content Moderation:** The process of reviewing content on a certain page for anything inappropriate.

**Algorithmic Censorship:** The process of using algorithms or AIs to censor any inappropriate media.

**Digital Divide:** The gap between the people who have access to digital media and those who do not.

## Background Information:

In today's globalized world, the internet is a powerful platform for communication across countries. However, along with its capacity for greatness, the internet is also used as a platform for hate speech and acts that violate the protection of human rights. Internet censorship can take place in many forms including government-imposed restrictions on online content to corporate policies that regulate user-generated content. Before discussing the issues with internet censorship, it is important to understand how organizations and social media platforms are able to transmit data to the public.

In the United States, companies provide the physical infrastructure to internet service providers (ISPs) through long distance cables. Once the data reaches a regional destination, these providers can transmit data through secondary lines to smaller geographical areas. A user wishing to have an online presence can register their own domain with a hosting company. In this case, users retrieve the content via an internet browser such as Google or Safari. Given the trillions of online interactions that occur daily, it is not possible to monitor each and every single of them. Therefore, governments can employ drastic measures to censor internet use. The most common internet censorship technologies are explained below.

- Domain Name Server (DNS) Tampering
  - DNS tampering occurs when a wrong IP address is returned after searching for a website, preventing the user from visiting their requested website. It is a large scale filtering strategy implemented by officials to suppress material that they find questionable. The most famous example of DNS censorship is the Great Firewall of China, a system that uses various techniques to censor China's internet traffic and block access to various foreign websites.
- IP Blocking

- o Government that have control over internet service providers are able to blacklist certain IP addresses of specific websites. A user trying to reach one of these blacklisted sites will have their connection dropped by the internet service provider. If the targeted site is on a shared hosting server, all sites existing on the server will be blocked as well. Many people see this as a violation of freedom of speech as governments are hiding specific information from the public.
- Keyword filtering
  - o As IP blocking only blocks websites that are specifically blacklisted, keyword filtering is able to block all information relating to a specific keyword. This allows governments to block every website as well as any new ones created on specific issues. This can be harmful, especially around election times, for members of the public wishing to gain new information about political candidates.

The issue of internet censorship is mainly backed up by the tension between groups that believe large digital platforms should be held accountable for their actions and groups that believe no content except that which is clearly illegal should be censored. During debate, delegates will examine the reasonings behind censorship practices, the methods used to enforce censorship, and the impact censorship has on different communities.

## Key Events:

**1989 – Emergence of the World Wide Web:** In 1989, Tim Berners-Lee invited the World Wide Web which was supposed to be a source of automated scientific information that could be shared amongst scientist all around the world. It has now grown to be used by more than 2.4 million people with access to over a trillion web pages.

**2000 – The Golden Shield Project:** This can also be known as the Great Firewall of China. It was launched in 2000 to restrict certain content deemed inappropriate, create easy access to every user's personal record, and eventually control the flow of information within China's cyberspace. Over time, the firewall's grip became harsher and citizens of China seemed to have less freedom on the internet.

**2013 - Edward Snowden Revelations:** Edward Snowden was a 29-year-old who ended up leaking largest amount of intelligence within NSA history. He was a former CIA technical assistant. He leaked information with the intention of informing the public about what the US government was doing. He flew to Hong Kong, and leaked information to the world exposing the plans of the United States. In his words: "I'm willing to sacrifice all of that because I can't in good conscience allow the US government to destroy privacy, internet freedom and basic liberties for people around the world with this massive surveillance machine they're secretly building."

**2016 - Facebook-Cambridge Analytica Scandal:** In 2016, Facebook was sued for using the information of over 87 million people for advertising during elections. It was seen as a major breach of international law. While nothing much happened after the scandal, Facebook agreed to update its privacy policy and be more careful with its data security.

**2019 - India's Internet Shutdowns:** In the year 2019, many protested on new laws being added in the Indian government. Due to that, the government decided it was a good idea to shut off the internet in certain parts of the country. In 2019 the internet was shut off 95 times. These shutdowns have happened many times over the past, with the record being 184 times in 2018. This is another type of censorship which is utilized by some governments as instead of censoring specific areas they just shut down the entire internet.

**2020 - COVID-19 Pandemic:** Governments in over 65 countries used the Corona Virus to suppress as much information as they could, not just about the pandemic but about many other things. Governments forced creators and online platforms to censor, delete, or redo certain pages or videos, and blocked certain key words all over the internet. After the pandemic, internet censorship has been more oppressive than ever.

**2020- India Bans Tik Tok:** After a clash of soldiers on the India-China border, leaving many dead, the Indian government decided to ban the Chinese owned social media app named Tik Tok. This meant that nobody in India was able to use Tik Tok on any devices anymore unless using a VPN which was considered illegal. It is still banned to this day.

**2021 - Social Media Bans:** Starting with Trump being banned from Twitter, many social media applications took this as a sign to start banning other controversial users off their apps. Many believed banning people took away the right to freedom of speech, while others believed it was appropriate as it would make platforms a lot safer.

**2022 - European Union's Digital Services Act:** This was created with the main goal of preventing illegal and harmful activities online and preventing the spread of fake news and disinformation online. It aims to ensure a safe and open environment for everybody on the internet.

**2024 – Biden signs law to ban Tik Tok:** Following India, the United States decided to ban Tik Tok on April 24<sup>th</sup>. The bill stated that Tik Tok would be banned within the country unless sold within a year. This intensifies America's already tense tech war with China. The US government believes that as long as Tik Tok is owned by a Chinese company it is under the same authoritarian rule as the country itself.

### **Major Parties Involved:**

**China:** China is known to be one of the most controlling countries when it comes to the internet, censoring a lot of information within its country and storing and using the private information of people using Chinese controlled apps.

**Iran:** Iran largely controls the output of information within its countries. Should something not reflect the social, religious, or political views of the government then it does not get shown to the public.

**North Korea:** North Korea is the most suppressive country, showing the public only North Korean produced content, keeping the public isolated from the rest of the world. The only thing shown to the country's residents is North Korean propaganda, negatively portraying the rest of the world.

**Turkey:** After the failed 2016 coup in Turkey, government officials have passed law after law to restrict what can be seen on the internet. While it is said to be for safety, it is compromising freedom of speech within the country, and anything said against the government can lead to serious consequences.

**United States:** The United States is known for its enforcement of freedom of speech yet recently has been more restrictive on the internet with the tik tok ban and the many website blocks within school environments or for the general public.

**India:** With growing demonstrations against the Indian government, internet censorship in India is at an all-time high especially with the constant internet shutdowns authorized by the government.

**Brazil:** In recent events, Brazil is experimenting with multiple social media bans and mass censorships to prevent the spread of misinformation all over the internet. Especially within elections as it is believed Brazilian elections are vulnerable to manipulation and outside interference.

**Electronic Frontier Foundation (EFF):** The leading non-profit organization focused on defending digital privacy, freedom of speech, and innovation globally.

**Access Now:** A Global organization that fights for the rights of people on digital platforms who are at risk. Fighting for human rights in the digital age.

**Reporters Without Borders (RSF):** An organization trying to defend the right for every human being to have access to reliable information. In spirit of article 19 in the Universal Declaration of Human Rights, focusing on internet transparency and non-discrimination.

**Global Network Initiative (GNI):** A collaboration focused on the freedom of expression and the right to digital privacy. Works together with some of the biggest online entities such as Google and Meta.

**Internet Society (ISOC):** It is a professional society and nonprofit organization aimed to provide leadership on the development of the internet and to promote the use of the internet for the benefit of everyone in the world.

**Center for Democracy and Technology (CDT):** It's the leading nonprofit and nonpartisan organization fighting to advance civil rights in the digital age, shaping technological policies.

**Index on Censorship:** It is a nonprofit organization that focuses on free expression worldwide. By publishing art, songs, and written works by artists in oppressing countries, the organization tries to raise awareness to the world. (Anderson, 2023)

**Open Observatory of Network Interference (OONI):** It is a global observation network that researches different types of network tampering around. These reports are widely accessible and are written with the hopes of preventing this tampering. (Openobservatory.net, 2024)

## Past Attempts at Resolving the Issue:

**Universal Declaration of Human Rights (UDHR):** A statement adopted by the UN establishing the freedom of all human beings. It was drafted by a variety of people from different backgrounds to make it fair for all affected.

**International Covenant on Civil and Political Rights (ICCPR):** A treaty adopted by the United Nations and was further part of a larger resolution aimed at ensuring and protecting civil and political rights. It ensures the recognition of these rights for every human being.

### UN Resolutions:

[UN General Assembly Resolution on the Right to Privacy in the Digital Age \(2013\)](#)

[UN Human Rights Council Resolution on the Right to Privacy in the Digital Age \(2014\)](#)

[UN Human Rights Council Resolution on the Promotion, Protection, and Enjoyment of Human Rights on the Internet \(2016\):](#)

[UN General Assembly Resolution on the Right to Access to Information \(2019\)](#)

[UN General Assembly Resolution on Combating Cybercrime \(2020\)](#)

**Global Online Freedom Act (GOFA):** Act to make it US policy to allow free flow of all information online, promote freedom on the internet, and deter US owned businesses from working with internet-restricting countries.

**Virtual Private Networks (VPNs):** VPNs are mechanisms that people can use to hide their IP addresses and can access areas of the internet otherwise blocked within their country.

## Possible Solutions:

As the issue of internet censorship is a sensitive one, delegates should propose possible solutions with respect to the varying opinions of other countries. Firstly,



governments can establish clear legal frameworks that outline censorship measures and ensure that they follow international human rights standards. Transparency in these legal processes is of utmost importance to make sure that freedom of expression and speech is not violated. The public should vote and agree on the various legal reforms proposed by the government. Independent courts can be created to serve as defenses against cases of censorship power abuse by governments. Laws that prioritize freedom of expression and access to information should be implemented in national constitutions. This ensures that internet censorship can be exercised, with limits that respect human rights. Governments should also advocate for open internet use and organizations that promote the free flow of information on online platforms. This includes the establishment of peer review systems where impartial committees are able to assess the progress of countries and ensure they are addressing prevalent issues. Finally, governments can invest in public education and campaigns that promote media freedom and investigative journalism. Children should learn about the limits of social media in school, and courses can be taught to adults in the workplace. Empowering human rights defenders and internet activists is the only way to fight any stigmas present about internet censorship. The most crucial part of debate is to strengthen the international community and support activists fighting for rights worldwide.

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