

To Ensure the Openness and Fairness of the Internet

By Kyoungmi (Kimmy) Oh, researcher at Open Net Korea

Our mission at Open Net Korea is to create social principles and norms that are not swayed by changes in administration or political ideology.



평화롭고 공정한
자유와 기회와 자원의 평등을 강화하는,
그리고 정권의 변화와
정치적 이념에 흔들리지 않는
사회적 원칙과 규범을 만들어 나갑니다.



인터넷 공간을 보호해
사회적 원칙과 규범 구축을 위한
사회운동과 사회적 발언의 규모화를
가능하게 하겠습니다.

To achieve this mission, Open Net aims to protect the internet space, enabling social movements and amplifying social voices for the establishment of these principles and norms.



GOAL

- Uphold and protect the philosophy of a free and open internet.
 - Preserve a public sphere where citizens, government, and corporations can collaborate.
 - Prevent government authority from infringing on human rights.
 - Increase government transparency.
 - Protect the principle of net neutrality
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STRATEGY

- Public interest litigation or Strategic litigation
 - Legislative activities or Blocking legislation
 - Lobbying politicians
 - Public campaigns
 - Research
 - Educating citizens
 - Forming solidarities with CSOs both domestically and internationally
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Freedom of Expression

- Under these frameworks, Open Net Korea mainly focuses on freedom of expression as the principle of digital human rights.





Public Interest Litigation

- Open Net is a civil society organization that started with public interest litigation.
 - South Korea is one of the few countries that made internet popularization possible in the shortest period globally.
 - By the early 2000s, internet shopping had already become the new norm, and from the early 2000s, the way news was consumed began transitioning from paper newspapers to electronic newspapers.
 - Internet portals also provided a public sphere for knowledge sharing and criticizing government policies.
 - In 2006, the Internet real-name law was passed with the agreement of the then-ruling Uri Party and the Grand National Party through amendments to the ACT ON PROMOTION OF INFORMATION AND COMMUNICATIONS NETWORK UTILIZATION AND INFORMATION PROTECTION.
 - Open Net was founded in 2013 by civil society, academics, and internet-related companies who believed that the internet real-name law infringed on citizen's freedom of expression and supported the constitutional challenge that led to the Constitutional Court's decision of unconstitutionality.
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Public Interest Litigation

- Public interest litigation remains one of our crucial strategies to protect freedom of expression.
 - South Korea is one of the few countries with a government censorship agency.
 - The Korea Communications Standards Commission (KCSC) regulates not only clearly illegal information but also information that is likely to significantly harm good morals or social order.
 - Consequently, government regulation of internet content is a routine occurrence in South Korea.
 - While the government claims that the purpose of this regulation is to protect society, it often makes socially vulnerable groups even more vulnerable.
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** The KCSC is:

- Established under the Article 18 of the ACT ON THE ESTABLISHMENT AND OPERATION OF KOREA COMMUNICATIONS COMMISSION.
- Taking down the internet contents under the Article 44 provision 7 of the ENFORCEMENT DECREE OF THE ACT ON PROMOTION OF INFORMATION AND COMMUNICATIONS NETWORK UTILIZATION AND INFORMATION PROTECTION and the Article 21 provision 4 of the ACT ON THE ESTABLISHMENT AND OPERATION OF KOREA COMMUNICATIONS COMMISSION.
- Taking content removal request from not only individual internet users but also government institutions.
- Also taking down the contents itself.

This is why we call the KCSC is the government censorship body and keep filing a strategic litigation against it.



Public Interest Litigation

- The latest public interest litigation supports Women on Web, an international civil society organization distributing abortion medication, site blocking by KCSC.

South Korea:
We will keep supporting you despite our website being blocked

Women on Web remains committed to providing safe and reliable abortion information and services, censorship or not.

Swipe →

Women on Web opennet 1/7

Since 2019,
Women on Web's website has been blocked due to government censorship.

We are fighting this censorship in court

🏛️ With Open Net Korea and the women and pregnant people of South Korea

📅 The verdict is expected on May 17th

2/7

Here's what you need to know:

In April 2019, South Korea's Constitutional Court decriminalized abortion. However, according to a 2023 report, "The healthcare system has not changed since the decriminalization, as safe and acceptable abortions are still unavailable to those who need them".

Source: Joint Action for Reproductive Justice and the Network to Assure Rights for Safe Abortion to Everyone.

3/7



Public Interest Litigation

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- In April 2019, South Korea's Constitutional Court decriminalized abortion.
- Although abortion has been completely decriminalized in the country since 2021, the government has failed to approve the medicine for medical abortion.
- Women in need of abortion have been caught in a legal vacuum.
- We filed a lawsuit but failed both first and second trial.
- The court justified the KCSC's decision to shut down the website to block distribution of the medical abortion pills is supposedly because such distribution is threatening women's safety.
- However, its ruling is making women more vulnerable because they are now forced to pay high costs for these essential medicines and to obtain them elsewhere.

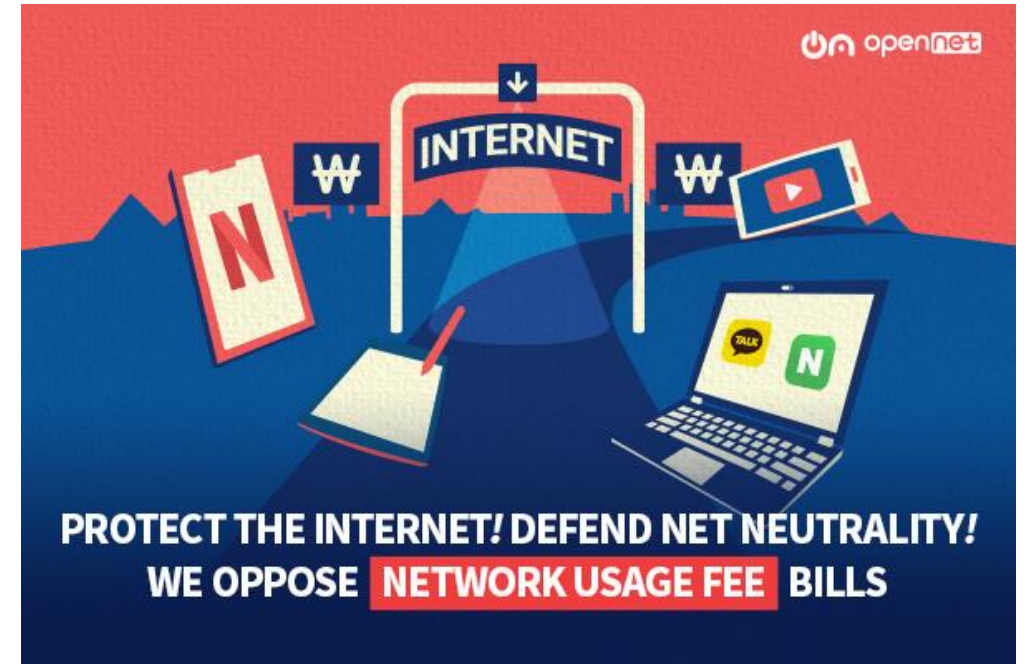


Legislative Activities or Blocking Legislation

- Notably, Open Net has prevented the passage of the network usage fee bill, which would have legally mandated charges for internet network usage.
 - Since 2016, South Korea has the “sender-pay rule,” which changes the direct interconnection relationship between major network operators (KT, SKT, LGU) from a no-settlement arrangement to a mutual settlement arrangement based on **the volume of outgoing traffic**.
 - As a result, since 2016, internet access fees (IP Transit Fees) in Seoul have skyrocketed, becoming 5–6 times more expensive than in the US, 8 times more than in London and Paris, and 10 times more than in Frankfurt (according to Telegeography data).
 - Consequently, many startups and content providers have already left South Korea. More recently, Twitch withdrew from the Korean market.
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Legislative Activities or Blocking Legislation

- In 2022, the National Assembly proposed a network usage fee bill that would extend the toll, previously applicable only between network operators, directly to content providers.
- The network usage fee bill clearly violated the principle of net neutrality, which states that everyone should have equal access to the internet.
- Open Net was the only civic organization in the country that strongly opposed the passage of the bill in 2022, advocating for the protection of net neutrality principles.
- We published several announcements to criticize the bill, to educate the public, and to form public opinion.
- Through the petition, in nearly 300,000 people participated (In South Korea, a civic petition usually considered successful with about 300 participants).





Forming solidarities with CSOs

- The Southeast Asia Collaborative Policy Network is a network of CSOs in Southeast Asia that aims to promote internet freedom by developing the capacity of SCOs to engage and have a dialogue with ICT companies, governments and ASEAN.
- While the internet have been beneficial to many in SEA, rights violations have also been observed and reported.
- As big tech is doing platformization and increased datafication, governments try to limit the big tech and to suppress the internet users through regulatory frameworks.
- SEA CPN have called on tech companies to report rights violations on platforms and for these companies to be more transparent.
- Since the establishment of the network, there have been some engagements and dialogues between and among CSOs and ICT companies.

SEA CPN

SOUTHEAST ASIA COLLABORATIVE POLICY NETWORK

Promoting internet freedom in Southeast Asia

ABOUT US

The South East Asia Collaborative Policy Network (SEA CPN) is a network of civil society organizations in Southeast Asia that aims to **promote internet freedom by developing the capacity of CSOs to engage and have a dialogue with ICT companies** (tech companies, ISPs, and telcos), **governments and ASEAN**. This network was established on March 14, 2023, and it held its first in-person meeting in Bali, Indonesia, on May 19-20, 2023.

This network was established in response to the commonality of internet freedom issues and problems in South East Asia countries that have been identified. These include **online censorship, mass surveillance, disinformation and Influence Operations (IO), attacks on human rights defenders, spyware, red-tagging, online gender-based violence (OCBV)**, and others.

To achieve its goal, the network is **committed to developing the capacity of the network members to engage with the targeted actors**, ensure well representation of South East Asia's CSOs in the network, form a unified framework and agenda, and **establish a meaningful engagement and dialogue with the targeted actors**.

MEMBERS

JOIN US

We call on other CSOs in South East Asia to join. If you are a human rights and digital rights CSO, media members, tech persons or communities, journalists, academics, researchers, lawyers, artists, please don't hesitate to join this network.

Send your interest and give us time to process the registration. For more info on joining, please email the **SEA CPN Secretariat: sea_cpn@protonmail.com** or **Nenden nenden@safenet.or.id**.



We are Expanding Our Activities!

- Additionally, this year, we are planning a new project in collaboration with data activists.
 - First, we are considering participation in making the Asia Parliamentary transparency survey with over 10 Asian countries.
 - Second, Data Digging and an Analysis on Elderly Women's Lives in Korean Rural Area with data activists including software engineers and developers to disclose the lives of unmarried or widowed elderly women in South Korean rural areas that have been rarely focused on even in feminism.
 - If you find Open Net's activities interesting and see the potential for meaningful collaboration in our work, please feel free to reach out to us first.
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