

# Censorship on Internet

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## **Abstract**

As we move on into the 21st century new questions will arise that we could never even have imagined the speed of life has increased dramatically in the past years. Internet is a global market place. The rapid development of the Internet, and especially of Internet-based commerce, has largely taken place outside the standard trade-regulatory frameworks that cover most other forms of cross-border commerce. As the size of the Internet markets has grown, and as their contribution to the overall economy has become more pronounced, more attention has been given to regulatory concerns, such as trade restrictive measures, damaging the climate of trade and investment in the fields of e-commerce, information based services and online transmissions. One such measure is the blockage of access to websites. Censorship on Internet has always wet its hands in the water of controversies, it is said to go in with synonym of "FILTERING THE NET".

This paper suggests that many WTO member states are legally obliged to permit an unrestricted supply of cross border Internet services. And as the option to selectively censor rather than entirely block services is available to at least some of the most developed censorship regimes (most notably China), there is a good chance that a panel might rule that permanent blocks on search engines, photo-sharing applications and other services are inconsistent with the GATS provisions, even given morals and security exceptions. Less resourceful countries, without means of filtering more selectively, and with a censorship based on moral and religious grounds, might be able to defend such bans in the WTO. But the exceptions do not offer a blanket cover for the arbitrary and disproportion at censorship that still occurs despite the availability to the censoring government of selective filtering. Google has reported a whopping number of requests from Governments of U.K, China, Poland, Spain, and Canada to remove videos and search links that led to harassment, sensitive issues or suspicious people. This paper deals with the cons of censorship on internet and to make people aware of the fact that Internet is not a single body owned by an org. but an open sky of information shared equally by all.

## **I. INTRODUCTION**

Internet being an open source of exchanging, sharing and gathering information free of cost and free of expressions, A free flying bird when puts in a cage dies of suffocation so is the Internet, It is the only media that is not ruled by a single individual or a group of people. It serves as the fastest search engine, fastest information gatherer, fastest communicating media and a lot more to mention. Internet Censorship has been trapped in controversial debates for years.

Internet Censorship is an adopted methodology to encapsulate the access of some areas over the net that includes Graphics, Texts, Videos, etc.; this is adopted to secure personal information related to country's confidential work, Anti-terrorism, Pornography, etc. Many countries strategically adapted this method in order to hide a piece of information that is either not needed or too confidential to gain access by public. As the size of the Internet markets has grown, and as their contribution to the overall economy has become more pronounced, more attention has been given to regulatory concerns, such as trade-restrictive measures, damaging the climate of trade and investment in the fields of e-commerce, information-based services and online transmissions

The problem arises from the simple fact that Internet does not respect national boundaries and

Online services provided at one point on the globe can, in principle, be accessed at any other point. Governments, who prefer that particular pieces of information of services should remain inaccessible from the population, are unable to act outside its jurisdiction using traditional means of enforcement: Anyone, with little or no means, to have an instant global reach without traditional market-entry barriers like physical investments, distributors, real estate, and infrastructure – and more importantly all the regulatory instruments (such as permits, licenses and supervision) that are based upon them.

## Objectives of the Paper:

1. To study the role of internet in the daily life.
2. To study the incorporation of internet censorship as an important factor in the strategies of international trade law.
3. To study the ways for internet censorship.

## II. CENSORSHIP

Censorship is an option to slice off a particular piece of information out from internet which would not be enabled to access, upload or published over the web, the current mechanisms of internet censorship in India are draconian and unconstitutional. They need to be replaced with a new set of rules that are fair, transparent and accessible for public scrutiny, says Shivam Vijayan. Censorship could be considered a moral issue. ... Censorship of the internet is viewed in many different perspectives. ... Bill Clinton signed an important Act back in 1996 that created some censorship on the internet. Censorship is a controversial subject, and rightly so. The context of this paper, however, is international trade law, so that its content is at the cooler end of the ideological spectrum. Before arriving at an answer to that question, the introduction of the paper expands on the impact of the Internet and the nature of Internet censorship. It provides an overview of the disciplines of the World Trade Organization (WTO), especially those of the General Agreement on Trade in Services (GATS). This survey suggests that a good legal case can be made against disproportionate censorship: that is, censorship that disrupts commercial activities by more than is necessary to achieve the goals of the censoring government, and finally concluding by discussing possible routes for future action in the light of the preceding analysis.

### CENSORSHIP-WHY NOT?

#### BBC World Service Global Public Opinion Poll

A poll of 27,973 adults in 26 countries, including 14,306 Internet users, was conducted for the BBC World Service by the international polling firm Globe Scan in 2009-2010. The Poll declared that People being aware about the privacy, fraud and etc. over Internet still do not want it to be ruled by government as they have started enjoying it as one of their fundamental rights.

- Deprive of Free speech
- Restricted Flow of Ideas
- Society Ignorance
- Past Records indicate the misuse
- Creativity is suppressed
- Hiding something adds to curiosity
- None has a right to control hands that access
- People have a right to know everything

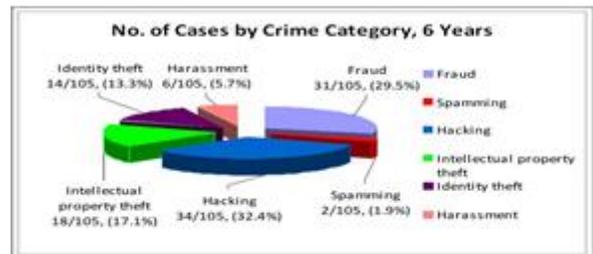


Fig.1 Number of Case by Crime Category (2003-2008)

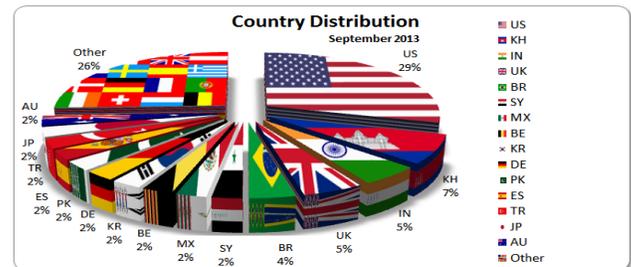


Fig.2 Country Distribution

### The Reasons for Internet Censorship

Ever since the internet first came into existence there have been attempts to censor it. A lot of people believe that the internet should be a place where all information is allowed to flow freely. Clearly the governments of most countries do not share this belief. These days the internet is censored to some extent pretty much everywhere. There are several different reasons that the internet might be censored in a particular country.

There are a lot of specific reasons that websites get censored but really they fall into one of three categories. The most controversial of these categories is for political reasons. This is almost always in countries that do not have free and fair elections and where rulers are trying to hold on to power. The censorship is usually to limit access to the sites of minority groups or that contradict what the government has told people. In some cases this can also include censorship of sites that are religious in nature. For the most part this type of censorship is about making sure that information that could be a threat to the ruling powers does not get seen by the people.

The next reason that the internet may be censored is to protect social norms. In some cases this type of censorship gets widespread support like laws against child pornography or hate speech. However this type of censorship can also be extended to areas where there is far less agreement. For example in some countries sites that are seen to promote homosexuality are often censored. There are also some countries where certain religious sites are not allowed because they differ from the predominant religion. Censorship to protect societal norms is often engaged in even in countries that normally allow for free speech.

The third reason that the internet may be censored is for security reasons. This is generally done to block sites that belong to terrorist groups and other extremists.. People may

well support some forms of censorship but the danger is that it will be too easy to extend it beyond the original intention. For example in the United States the rules that were intended to prevent sites that belonged to terrorist sites have been used to shut down gambling sites. If this can happen in a country that takes great pride in the freedom that it provides to its citizens then it can certainly happen almost anywhere.

### III. INTERNET CENSORSHIP

**Motivations for censorship:** As censorship as a phenomenon is as old as civilization itself, it is hardly surprising that the motivations and targets of online censorship are not markedly different from those that affect other media. The political motivation, to curb critical ideas, opposition groups and regime criticism, is common. Internet traffic is rigorously monitored and critical sites based overseas blocked in many countries, including, among others, China, Iran, Maldives, Myanmar, North Korea, Syria, Tunisia, Turkey, Uzbekistan, Vietnam to mention a few

Second motivation for censorship is for moral reasons, based on what societies perceive as immoral or illegal. A third motive, albeit more rare, is for commercial purposes. The most prominent example is Mexico, where the former state-owned operator, Telmex, blocked Internet-based carriers such as Skype and Vonage, providing an inexpensive voice-over IP (VoIP) services.

#### Ways for internet censorship

**1. Censorship through blocking:** The universal and most common method of limiting the access to the Internet is by blocking certain web pages originating from overseas. This can be implemented by either centralising all exit points of Internet communications or subjecting them to official supervision and/or by forbidding ISPs (Internet services providers) in the country from allowing access to any site appearing on a list of officially-banned sites. The Ministry of Industry and Information Technology (MIIT), State Information Office and Ministry of Public Security (MPS) are lead government agencies that maintain control over all cross-border Internet communication through a firewall, popularly known as “the Great Firewall. It blocks access to at least 18,000 foreign websites. MPS does not only monitor the Internet (including VoIP and various instant messaging protocols like MSN, Twitter and Yahoo) but also SMS/MMS traffic going in or out of the country. Domestic sites, on the other hand, are not blocked but are subject to local laws and enforcement: they can be shut down at source rather than blocked. Online services with little

or no control of their content bears many similarities to sites with user generated content like streaming video (YouTube and some minor actors), photo-sharing (Flickr, Picasa) and social networking sites or forums, all of whom have experienced various degree of disruption to their services, often following incidents when critical content has been uploaded by a user.

- 2. Selective censorship and filtering:** Developing economies aspiring to ascend the industrial value chain are aware of the importance of the Internet for all aspects of research and knowledge transfer. To selectively filter web sites based on their content, rather than ban the site entirely, is a means to accommodate both public interests with censorship – for instance. Selective filtering can also occur based on keywords input from the user. Today, selective filtering can be applied in such way that only individual pages or sections of web sites are censored, if deemed necessary, even without the collaboration of service providers themselves. Also, China and many other countries are particularly cautious about blogs: there are estimates that more than 70 million blogs exist in China today. Therefore, blocking of foreign web sites is still commonplace, even though selective filtering is available. The “Public Pledge on Self Discipline” are instructed through lists of forbidden themes and topics besides individual web sites, which has given rise to significant differences on what is censored or accepted depending on web site and ISP.
- 3. Trade-restrictive measures:** Most countries shy away from applying their laws abroad, but some do not. All previous measures have concerned restrictions for cross-border supply, i.e. transmission of goods or services from abroad. However, censorship can be applied through prohibiting or restricting foreign equity ownership in businesses. It could also severely limit distribution of foreign-owned services by not granting necessary trading rights, or by not letting distribution partners handle its products or services – especially if such distributors are state-owned enterprises. Such rights are crucial if a commercial presence in the country is required for technical reasons, e.g. access to mobile networks or geographically determined IP rights, such as copyright. This was the matter for dispute in a recent panel decision at the WTO over trading rights and distribution for publications and audio-

visual services, which included electronic publications and distribution forms. The considerations discussed above suggest that many WTO member states are legally obliged to permit an unrestricted supply of cross-border Internet services. And as the option to selectively censor rather than entirely block services is available to at least some of the most developed censorship regimes (most notably China), there is a good chance that a panel might rule that permanent blocks on search engines, photo-sharing applications and other services are inconsistent with the GATS provisions, even given morals and security exceptions. Less resourceful countries, without means of filtering more selectively, and with a censorship based on moral and religious grounds, might be able to defend such bans in the WTO.

4. **Advertising or end-user web sites:** An alternate view of categorizing services, rather by end-user perception, is by how they generate revenues. Practically none of the online services discussed above incur fees from users (except retailers who are vendors of music and physical copy of books). Many of the services discussed, for example, search engines, blogs, photo-sharing applications, are integral parts and subsidiaries of search engine companies. Yahoo owns the immensely popular photo-sharing site Flickr. Google owns the video-streaming giant YouTube, Picasa (a competitor to Flickr), Blogger (the most popular blog-publishing tool today, formerly known as Blogspot) and also a portfolio of services under its own name, including the controversial Google Books that contains a fully digitized and searchable archive of more than 7 million books. Earnings made on these sites arise more or less exclusively from advertising that is sold and administered jointly for all sites through web-based ad-placement structures (called Yahoo Advertising and Google Ad words/Ad Sense respectively) where advertisers can selectively buy media space for people who enter certain search terms or view any pages containing same words.

#### IV. CONCLUSION

To conclude, it would be difficult to argue that public moral/order requisite is made and interpreted to fit most motivation for online censorship. Internet Censorship is not a solution to protect minors from getting corrupted by illegal and age alarming information which is not suitable for them to

come through at this point of time. However, Rather than putting a ban on access on them by all. **1.** Suspicious sites, videos and pictures shall have a secret code which shall be texted or mailed to one's mobile and e-mail address in order to make sure that the access is done by an adult or a Sensible person. **2.** A Pop-up window shall be generated with a fake message (Security Threat, virus) that develops some kind of fear in minors so that they don't enter the site. **3.** Most Importantly, Parents shall keep an eye on their children, and a healthy relation with them so that they don't hide anything from them. Children, who are very small in age do not know how to delete Internet Browsing History or cookies, Parents shall check them in their absence. They shall be frank enough to discuss sensitive topics with their children that resist them from watching it over internet. **"Covering the whole earth with carpet so that your feet doesn't get hurt or individually wearing a pair of sleepers"**

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