



# International Internet Filtering Frameworks



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versus



## **SOURCES:**

- ONI (OpenNet Initiative)

<http://opennet.net>

- Media Reporting, Legal Documents, Experts
- Confidential Sources



Legislating mandatory filtering at ISP level:

No

Yes

Voluntary / Industry filtering at ISP level:

Yes

No

Opt-out Provision:

No

Yes & No

Project Name:

Project Cleanfeed

Cleanfeed

Blacklist Filtering of blocked URLs:

Yes

Yes

Type of Material Blocked:

Child Pornography

Child Pornography,  
R-rated, Other  
'Illegal Content' ?

Blacklist Maintained By:

Cybertip.ca

ACMA

IP Address Blocking:

No

?

Deep Packet Inspection:

Yes

?

Purpose:

Traffic shaping

?

Other Heuristic Methods:

Not yet

Yes

P2P:

Soon

No

Instant Messaging:

Soon

No

Scope Creep:

Yes

Likely

Offense to Circumvent Filters:

No

Yes

Legislative Safeguards:

No

No

Market Safeguard:

Yes

No

Technical Safeguard:

Yes

No



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No

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No

Yes & No

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Purpose:

Traffic shaping &  
content infringement

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Other Heuristic Methods:

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Instant Messaging:

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Scope Creep:

Yes

Likely

Offense to Circumvent Filters:

No

Yes

Legislative Safeguards:

No

No

Market Safeguard:

Yes

No

Technical Safeguard:

Yes

No



# Salient Points



- Voluntary ISP Initiative (walking the plank)
- **Non-state filtering not subject to restraints of Charter of Human Rights and Freedoms**
- Scope Creep (hate, pro-terrorism, suicide)
- **Smaller ISPs are not part of scheme**
- Content Filtering (copyright) – in negotiation and may include some form of Deep Packet Inspection, heuristic method, blocking IP addressed, warning systems)
- **Little to no media coverage / not a politically sensitive topic for child pornography**
- Content Filtering is contentious



# Salient Points



- Covert state-sponsored censorship (child pornography)
- Scope Creep (hate, obscenity, pro-terrorism, Suicide)
- Minimal media coverage & mostly uncontroversial (child pornography)
- State sponsored filtering subject to European Court of Human Rights
- Conflicting duties in European Context
- Filesharing filters separate regime
- 3 strikes you're out (copying France)

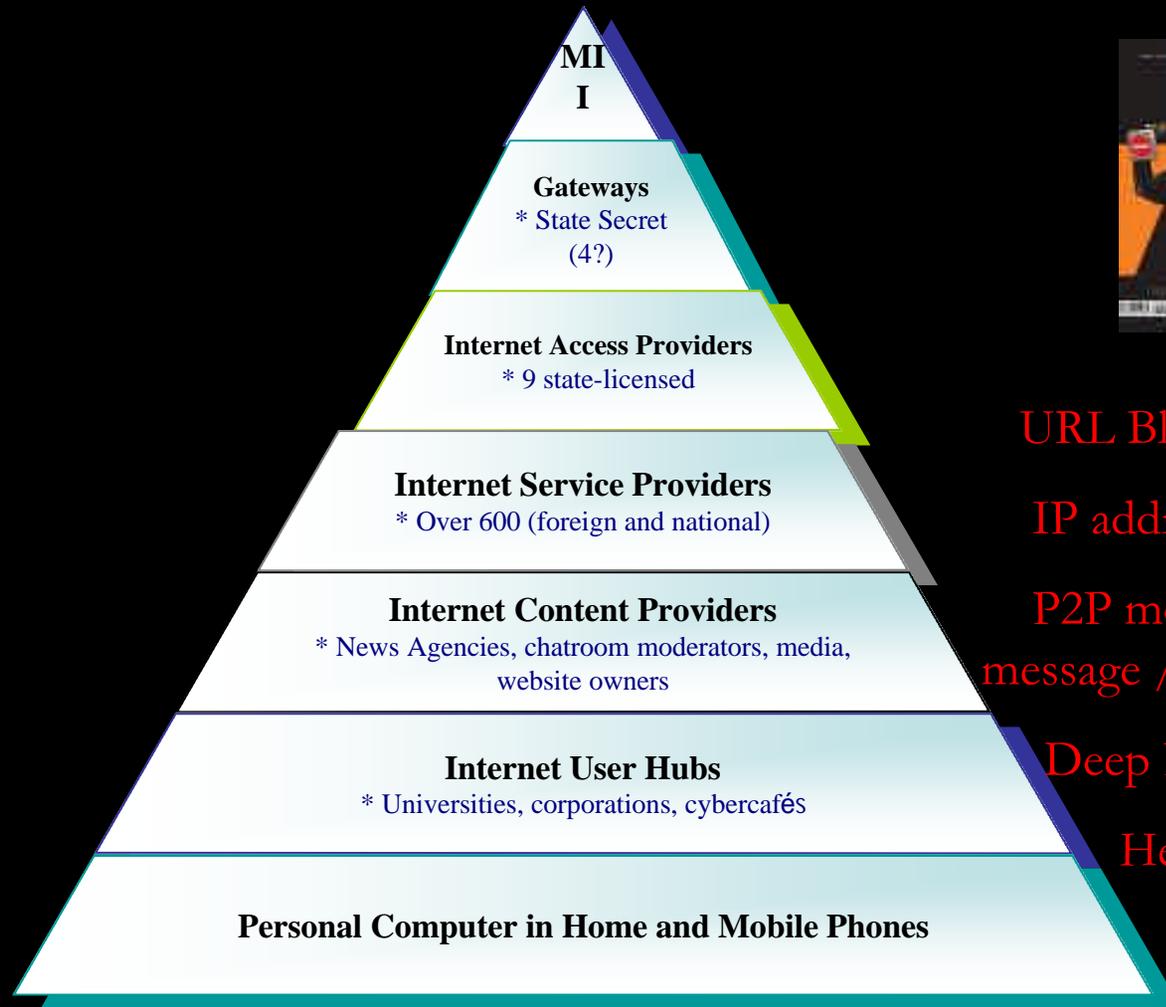
# FILESHARING



- Belgium, France, Germany – court mandated blocking
- Copyright Directive (cannot authorise infringement) vs. E-Commerce Directive (ISPs mere conduits & no obligation to monitor)

## Contrast With Australia

- iiNet lawsuit in Australia
- Scope of 'illegal content' in Senator Conroy's proposal is unknown



URL Blocking

IP address Blocking

P2P monitoring / instant message / blog / Skype

Deep Packet Inspection

Heuristic Filtering



# Netherlands

## CHILD PORNOGRAPHY

- Currently Dutch Police manage blacklist of child pornography which they ask ISPs to block
- New Dutch proposal will have an **independent foundation** managing a blacklist in cooperation with ISPs who are currently working on a self-regulatory proposal
- ISPs have indicated that they have a responsibility to combat child pornography but that filtering is ineffective
- **Expert study commissioned:**
  - goal should be to restrict volume of child pornography
  - more effective takedown schemes, better police & digital forensics training, amend laws to facilitate EXPEDIENT removal & prosecution, Netherlands to lead the way to forging more international agreement and cooperation