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Dear Sir/Madam,

**Responses to the Second Round of Consultation of  
the Control of Obscene and Indecent Articles**

The Internet Society Hong Kong is a chapter of the Internet Society. Our vision is that an open and accessible network, in technology and policy, contributes to and provides a platform for sustainable development of the information society, which enriches the human experiences.

We like to express our opinions to the second consultation of the Control of Obscene and Indecent Articles.

**Foundation of Opinions**

Internet Society chapters around the world are keen to express our concerns to the freedom of information. This is well reflected in the statement made to the Human Rights Council of the United Nation in March 2012. The Internet Society stated that “the unique characteristics of the Internet have empowered individuals to seek, receive, and impart information and opinion in unexpected ways and scale. This success is based on an open and collaborative approach to technology development. The core values of the Internet pioneers were deeply rooted in the belief that the human condition can be enhanced by removing barriers to communication and information.” In fact, the Article 19 of the Universal Declaration on Human Rights (UDHR), which includes the right “to seek, receive, and impart information and ideas through any media and regardless of frontiers” almost reads like a definition of the



Internet.

The Internet Society expressed concern over increased attempts by some governments to control their citizen's access and use of the global network. While governments have the responsibility to enforce the laws that are in place, they also have the obligation to guarantee fundamental rights. There are many examples of technological measures used to restrict access to content deemed undesirable, without due regard to the potential impact on an individual's capacity to exercise their fundamental rights.

It is Internet Society's firm conviction that technological shortcuts should not be used to solve societal problems. We would like to re-emphasize that the same rights apply to all individuals, whether online and offline, and that there should not be differentiated treatment depending on the medium used to exercise these rights.

### **Response to the Second Round of Consultation**

The society we are living is a pluralistic one and that is something we value. There is a spectrum of views on obscene and indecent articles, as reflected in the consultation of the COIAO. There is no good way to draw a line that fits all people. Operator level filtering is a "one size fit all" solution that is sure to fail. It will ban some citizens from freely access the information they like to seek.

Internet Society Hong Kong maintains that citizens should have the right to seek, receive, and impart any information. Any filtering should be a choice of the citizen and not any authority or its agents. Any content filtering, if implemented, should provide the transparency and full control to the citizens. So filtering is best implemented in the citizens' local level, rather than at the operator level. If a citizen subscribe to a service provider to provide the filtering service for him, the service provider must provide the transparency and control equivalent to a local level filtering.

In a digital society, the new generation has to deal with different kinds of information. There are threats such as cyber bullying, fraud, identity theft, privacy invasion, and obscene contents. Such information is interwoven with other information reaching the



children. There is no good way to screen all these attacks without side effects of over filtering good information. A good assumption is that children might eventually reach unwanted or malicious information at some stage. Therefore, the solution should include educating the next generation to make judgment on what is good information and what is not, and how to respond to unwanted information.

We are happy to see the current proposal has dropped the idea of “Operator level content filtering”.

We emphasize the importance of awareness education to parents and children with an objective to empower them to make decision on the content they like to reach. The first is to solve the digital divide problem of some parents who do not understand the Internet. Then we need to educate parents to coach their children on web surfing, rather than relying on filters to block unwanted information.

Finally, we need to build up a culture that parents and children can openly discuss sex education and children would be willing to seek advice from parents and teachers when they have frustrations.

Internet Society Hong Kong maintained the importance of an open and collaborative approach to policy development of the Internet. Any change in this policy should consult the general public with sufficient and unbiased information provided.

We are open to discuss this with you face to face should you found it necessary. If you need to contact us, please email to \_\_\_\_\_ or phone \_\_\_\_\_

Regards,  
S. C. Leung  
Chairperson  
Internet Society Hong Kong