Peter Webb, ABA Chairman, addressed the 6th AMIC Annual Conference, 'Skyways, Highways & Corridors: Asia's Communication Challenges', 19–21 June in Kuala Lumpur, Malaysia. Following is an extract from Peter Webb's speech.

Media regulations for new times

Around the world there is an acknowledgment that the old media order is changing. It is national policy about borderless issues that is the real challenge for these new times.

First and foremost is the phenomenon of the Internet and its capacity to avoiding national classification or censorship policies.

Most countries of the Asia-Pacific region have systems which censor and classify the traditional forms of media — books and magazines, films, videos, and television programs. In Australia even one of the newer forms of media, computer games, has been judged worthy of classification and censorship.

Censorship of the media for adults is not a feature of all such systems, as many countries take the view that it should not be the function of the state to prevent adult citizens reading and viewing what they like.

What most of these systems have in common is the policy objective of protecting children from unsupervised exposure to material which is unsuitable for them.

And this policy feature is based upon our acknowledgment of two things. Firstly, we know that the cognitive skills of children develop through several stages of sophistication, influenced to some extent by the environment in which this growth takes place. Until fully developed, many features of that environment need explanation so children can understand and assimilate them.

Secondly, although it is the proper role of parents, guardians and teachers to play a part in the process of supplying children with an explanatory context for material that is frightening or disturbing, the state will assume the power to classify certain influential media materials. This classification assists both parents and the purveyors of these materials and ensures that proper supervisory steps are taken.

But the Internet undermines all this good work.

While valid reasons remain for trying to classify on-line content in the same way we classify other media forms, the opportunity is simply not available to do that in the same way.

According to the Ministry of Posts and Telecommunications, Japan (MPT), by January 1996 more than 10 million host computers were linked to the Internet, and there were more than one hundred million active users.

Non-criminal, but classifiable, content

The most relevant issue to broadcasting regulators is that of non-criminal, but classifiable, content on the Internet.

The Organisation for Economic Cooperation and Development (OECD) is the latest organisation of nations to be compelled by public concern to come to grips with the on-line world of paedophilia and crime.

It has 29 members in all, and members of the OECD from the Asia-Pacific region include Japan, South Korea, Australia, New Zealand and the USA.

The OECD has issued a consultation paper on international cooperation concerning content and conduct on the Internet. The OECD study will be examining the desirability of instituting a process for international cooperation by national authorities. So the OECD has set out to examine the nature and extent of the common values.

The United Nations Educational, Scientific and Cultural Organisation (UNESCO) has been considering how to help its member nations cope with the same challenging issues.

The European Commission has also been quite actively considering these issues.

The Commission is under pressure from the European Parliament which has urged the development of common laws for member countries of the European Union defining illegal content in an effort to prosecute offenders across national borders.

Significantly, the European Parliament has called for a global accord.

The European Commission's working party has recently proposed the development of a code of conduct for Internet service providers (including access providers, host service providers and anonymous retailers) and the establishment of an independent self-regulatory body which includes representatives of industry and users.

The European Commission has also been examining the issue of content labelling, and the working party has recommended that content providers should be encouraged to rate or label their documents.

The European Commission, along with various industry and community groups met in Brussels in March in order to discuss the INCORE initiative.

INCORE, Internet Content Rating in

Europe, is part of a program of action by the Internet industry in Europe which aims to progress some of the key aspects of the European Commission working party's report.

The objectives of INCORE are:
• to encourage and support the development of self-regulation measures in European union countries;
• to develop rating systems for classifiable material which will meet the requirements of individual users and communities and recognise the implications for member states of the European Union, both within Europe and world-wide; and
• to improve and extend the operation of hotline reporting systems for illegal (i.e. unclassifiable) material.

The European Commission has also established a Web site on illegal and harmful content. This site contains links to a number of e-mail hotline sites, along with sites set up by organisations which aim to combat child pornography and which will act on reports about such material.

What is clear is that there is a developing political imperative about finding solutions to both criminal and non-criminal content on the Internet.

The ABA's role

As a content regulator, the ABA is concerned not with material that is unclassifiable because it is illegal, whether on-line or offline, but rather with that other material which, in the offline world, is classified because of its capacity to offend, or because of its unsuitability for children.

The ABA encourages and supports any international drive against the use of on-line services for criminal purposes, and developments in the form of e-mail hotlines and international police cooperation have the ABA's complete support. The ABA wants to be actively involved in worthwhile measures for Internet regulation that represent practical and proportionate responses to the main matter of community concern, while otherwise protecting freedom of speech for adults in respect of classifiable material.

Self-regulation

Public policy formulation has begun in this part of the world. In April this year,

the first association of Asia-Pacific Internet service providers was formed, the Asia-Pacific Internet Association (APIA). Among the first tasks APIA has set itself is work on creating a common 'code of conduct' regulating on-line content.

The Asia-Pacific Internet service providers are not alone in expressing concerns about on-line regulatory issues.

European Internet service providers are similarly agitated about the lack of clarity in European arrangements — they are quickening efforts to forge self-regulatory bodies, and, as a unified industry force, are demanding legal clarity from governments.

I believe that Internet service providers around the world will be successful in their efforts to clarify their legal position in relation to both criminal and classifiable content on-line.

Organisations of Internet service providers are destined to be the instrument through which much government regulatory policy will be brought into play.

After all, the present situation is highly unsatisfactory, as events in Amsterdam last April readily demonstrate. All 6000 Web sites hosted by an Amsterdam Internet service provider were blocked by Germany's main academic network because one site contained the left-wing publication *Radikal*, banned in Germany for espousing terrorism.

The information in the server was illegal in Germany but not in Holland. The German prosecutor relented only after heavy criticism, admitting that mirror sites around the world made the block irrelevant.

On-line regulatory policy

At this stage of the international debate, can we derive any useful principles upon which the further development of on-line regulatory policy for the Asia-Pacific region can proceed?

Well, for non-criminal but classifiable material, I believe we can.

The platform for Internet content selection, PICS, specifies how to create rating labels for Internet content. These labels can indicate specific aspects of content, such as offensiveness of language, explicitness of sex, and degree of violence.

PICS is the best technological solution to the challenge of protecting young

people on the Internet. It is neutral in that it only provides the technical framework for the implementation of rating systems. It enables parents to make judgments about content and to decide for themselves what their children may access.

PICS is available to anyone who owns a personal computer that is capable of accessing the Internet.

RSACi

RSACi is the Internet-rating system developed by the Recreational Software Advisory Council, or RSAC.

RSACi rates Internet content on a scale of five from 0 to 4. A rating of 0 would block access to a site. It is up to Internet users to establish their own benchmarks for the levels of violence, sex, nudity and language they would find acceptable or unacceptable on the Net.

RSACi can be used by the Internet users of many cultures. But to ensure that the vast amount of highly acceptable Internet content out there can get through to your home, the combination of PICS and RSACi needs to become ubiquitous on the Internet.

The RSACi rating categories of sex, nudity, language and violence are based, unlike all of our national classification schemes for the cinema and television, upon objective, descriptive definitions of what the Internet content in question contains.

Currently, more than 30 000 sites have been rated with RSACi, and this number is growing at around 300 per day.

After all, these measures do not represent censorship — they are merely tools which any government would, in any other context, regard as entitlements for the people.

All governments try to empower parents, teachers and guardians with information about other forms of media, that is all, and no more, that the combination of PICS and RSACi purports to do.

I think that Asia-Pacific policy-makers should be encouraged to engage with these issues, and as soon as possible.

After all, a regional failure to do so could well leave the Internet world with a de facto global Internet rating scheme that has had very little input from the extraordinarily diverse cultures of the Asia-Pacific.　　　　　　⬛