

Gareth Grainger, ABA Deputy Chairman attended the second meeting of the International Network on Internet Content Self-Regulation at the headquarters of the Bertelsmann Foundation in Gutersloh, Germany, on 3 July 1999. John Corker, ABA General Counsel, also attended the meeting, as an observer.

Responsibility on the Internet

The second meeting of the International Network on Internet Content Self-Regulation on 3 July 1999 considered the nature and scope of self-regulation of content on the Internet.

The work of this group is focused on endeavouring to identify international consensus on a framework for self-regulation of content on the Internet. The meeting considered papers and draft recommendations from four expert groups in preparation for the International Internet Summit to be held in Munich in September. The subjects considered by the four groups were self-regulation on the Internet, self-rating and filtering, hotlines and law enforcement.

The 3 July meeting considered the nature and scope of self-regulation, which was acknowledged to encompass a broad range of actions. These

range from industry self-regulation with no involvement by government, to co-regulation by enacting legislation to put in place a scheme of industry self-regulation to be overseen by an independent statutory authority. The draft recommendations considered included:


- the need for codes of conduct to be adopted by industry to ensure that Internet content and service providers act in accordance with principles of social responsibility;
- the need for codes of conduct to be the product of and to be enforced by self-regulatory industry associations and/or agencies;
- the need for transnational coordination to take into account the international nature of the Internet;
- the need for comprehensive use of rating and filtering technology and a mobilisation of content producers worldwide to empower guardians and Internet users to make more effective choices about the program content they wish to enter their home;
- community input is needed to these processes and through effective complaints systems, including hotlines;
- the need for supporting processes of law-making and regulation to ensure effective self-regulation is achieved;
- the need for education, training and community awareness of these issues; and
- the need for all solutions and mechanisms to be sufficiently flexible to adapt swiftly to a changing information environment.

Mr Rudiger Schulz of the Allensbach Institute presented the preliminary findings of a three-country research study into public views about Internet issues undertaken in Australia, Germany and the USA in early June 1999 (see p.12).

There was a high level of interest amongst the committee members about the new Australian online legislation. Gareth Grainger and John Corker were kept extremely busy explaining the details of the new Australian scheme to come into full effect on 1 January 2000. It is clear that the Australian legislation fits within the broad framework for self-regulation which the Committee is developing.

The co-regulatory structure, the requirements for industry associations, codes of conduct, complaints mechanisms, hotlines and community consultation and education all meet the proposed standards. There were reservations about the request for Internet service providers to undertake upstream blocking of content. However, to a great extent these were allayed by the requirement for takedown notices, the protection of service providers from liability for content of which they are not aware, the recognition of the demand for technical and commercial feasibility and the overall framework of administrative and judicial review within which the legislation sits.

The generally high regard in which Australia is held for its work in this field in recent years, and the reputation of the ABA itself as a fair and reasonable organisation with an accepted field of expertise in communication co-regulation, have helped in the process of acceptance of the new Australian legislation.

Our representation in this process has been invaluable in allowing a voice for Australia in the development of a broader international framework on Internet content and also in providing accurate information about the Australian government position on Internet content regulation in Australia. 

Participants

Mr Jens Waltermann, Bertelsmann Foundation chaired the second meeting of the International Network on Internet Content Self-Regulation.

Participants included:

Professor Jack Balkin, Yale Law School, USA;

Ms Yvonne Gartner, Microsoft;

Professor Jo Groebel, European Institute for Media;

Mr David Kerr, Internet Watch UK;

Ms Ling Pek Ling, Singapore Broadcasting Authority;

Mr Michael Schneider, President Euro SPA;

Professor Ulrich Sieber, Germany;

Professor Nadine Strössen, President American Civil Liberties Union;

Mr Richard Swetenham, European Commission;

Professor Stefaan Verhulst, Oxford; and

Mr Ted Woodhead, Canadian Radio-television and Telecommunications Commission;

Mr Gareth Grainger, ABA Deputy Chairman.