

2018

Open Net

Annual Report

2018 Highlights

February 12 Open Net co-hosted the seminar “Artificial Intelligence (AI), Threat or Opportunity?” with the Economic Democracy Forum of the National Assembly (Co-Chairperson LEE Jongkul and YOO Seunghee), the Ministry of Science and ICT (MSIT), and the Economist at the National Assembly. Open Net invited Senior Researcher Chris Clague of the Economist Groups’ thinktank ‘Economist Intelligence Unit (EIU),’ and discussed the impact of AI on the Korean economy based on the recently released report of the EIU, “[Risk and rewards: Scenarios around the economic impact of machine learning.](#)”

February 22 Open Net co-hosted “Disclosure of Court Decisions for Transparent Judicial Procedure” with MP MIN Byungdoo and KEUM Taesup. Open Net suggested bills that would enable the disclosure of all civil and criminal decisions to the public to MP Keum, and he proposed amendments to the Civil Procedure Act and the Criminal Procedure Act in March 2017. Open Net Executive Director KS Park gave a presentation on “Court Decision Disclosures in Other Countries and Data Protection Concerns.”

February 23 Open Net was appointed as a member of the “Internet Win-Win Council” of the Korea Communications Commission (KCC). The Council was established to discuss issues related to the Internet ecosystem and competition such as the social responsibility of Internet companies, the “reverse discrimination” between local and global companies, etc. 48 members of the council consisted of Internet and Telecommunications companies, scholars, experts, civil society organizations and the government, and was active until December 31, 2018.

February 27 Open Net submitted a report on the major policy agenda of the KCC, namely the temporary takedown reform, the political expression regulation reform, fake news prevention, the action on obscenity and violence on the Internet broadcasting, blocking of illegal and harmful information, adolescent smartphone user environment improvement, promotion of anonymous measures, etc.

March 2 Open Net submitted an opinion to the Special Committee for Constitution Reform of the National Assembly on the introduction of an Article on the fundamental digital rights. Open Net commented on the freedom of privacy and communications, freedom of expression, right to information and access to information, right to self-determination of information, cultural rights, and the due process.

March 5 Open Net co-hosted a seminar on “[Copyright Act Reform for the Protection of Creative Labour](#)” with MP NOH Woongrae and JO Baesook.

March 15 The government and the civil society held [the Kick-off Forum to Establish the Fourth National Action Plan](#). Open Net has been participating as a private sector member of the “OGP Forum of Korea” of the Open Government Partnership (OGP) since 2016. Open Net works together with the Ministry of Interior and Safety to establish the National Action Plan.

March 22 Open Net co-hosted the parliamentary conference “Fundamental Digital Rights and the Constitution Reform” with MP LEE Jongkul, JO Baesook, LEE Jungmi, PARK Joomin, CHEON Jungbae, MINBYUN, Jinbo Network, PSPD, and other civil society organizations. Open Net gave a presentation on the right to science and culture.

April 4 Open Net submitted an opinion on the Third National Action Plans for the Promotion and Protection of Human Rights (NAP) to the Ministry of Justice and the National Human Rights Commission. Open Net requested to introduce the Human Rights Impact Assessment for the [intellectual property rights policy](#) and the [trade policy and FTA](#).

April 5 Open Net held a press conference for “[the Declaration of 330 Lawyers for the Abolition of Truth Defamation](#).” The lawyers condemned Article 307 ① and 309 ① of the Criminal Act and Article 70 ① of the Information and Communications Network Act as unconstitutional and demanded the politicians to enact the amendments abolishing truth defamation as soon as possible.

May 15 Open Net co-hosted a talk with two Internet Hall of Fame winners, Vice President for Google Vint Cerf, one of the fathers of the Internet, and Dr. Kilnam Chon, the father of the Korean Internet. The Title was “[the Present and the Future of the Internet](#)” and discussed issues such as blockchain, net neutrality, 5G, privacy, fake news, and AI.

May 16-18 Open Net attended the largest international digital rights conference [RightsCon](#) 2018 held in Toronto, Canada. KS Park spoke at multiple sessions including “Is Multistakeholder Internet

Governance Advancing, Dying, or Evolving?" and "Online Anonymity: Key Lessons & Emerging Threats." Kelly Kim was on the panel about access rights, "Access My Info: Exposing disconnects between data protection in theory and in practice" organized by the Citizen Lab at Toronto University.

June 1 Open Net's Attorney Jiwon Son was appointed as a member of the Special Advisory Committee to the Korea Communications Standard Commission (KCSC), in which she will advise KCSC on important content takedown/blocking actions taken by the internet censorship body.

June 4 Open Net hosted "[the Future of the Internet ecosystem](#)" conference to commemorate its 5th anniversary. The program had a panel discussion on the regulations on Internet portals including 'fake news' and 'comment manipulation' issues, a speech on 'digital capitalism and basic income,' and a presentation on Open Net's significant achievements in the last 5 years.

July 5 Open Net co-hosts and is on the Program Committee of the 'Korea Internet Governance Forum (KrIGF),' which has been held every year since 2012 to discuss major Internet policy issues between various stakeholder communities. This year, the theme of KrIGF 2018 was "Reliable Internet Governance." At this event, Open Net hosted a workshop on net neutrality and Internet interconnection and participated in the "Freedom of Expression and Hate Speech" session.

July 8-12 Open Net supports the operation of 'Asia Pacific School on Internet Governance (APSIG)' held annually to train Internet governance experts in the Asia-Pacific region, led by the father of Korean Internet Dr. Kilnam Chon. Kelly Kim led a lecture on 'Law & Regulation case study.'

August 21 Open Net submitted [an opinion](#) to the Public Administration and Security Committee of the National Assembly on 15 proposed amendments to the Public Official Election Act. Open Net largely commented on 7 issues related to the abolition of the Internet real name law and the crime of publication of falsehood and candidate slander, online censorship of the Election Commission, and fake news and the internet portal regulation from the freedom of expression and privacy perspective.

September 7 Open Net co-hosted a seminar on net neutrality "[Where is Net Neutrality Going in the 5G era](#)" with MP Jongkul Lee at the National Assembly, where Legislative Counsel Ernesto Falcon of the Electronic Frontier Foundation (EFF) was invited to give a presentation on the recent trend in the net neutrality debate in the US.

September 10 Open Net was appointed as a member of the '5G Communication Policy Council' under the Ministry of Science and ICT. The Council purports to discuss and set policies on issues such as net neutrality, zero-rating, and telecommunication costs that are becoming more important

with the advent of 5G technology. In the Council, Open Net will advocate for defending and strengthening network neutrality against the telcos' proposal for 'network slicing' and enforcing the norm on the ongoing, vertically integrated zero rating deals. The Council comprises of 28 members, 10 representatives from the ICT industry, 13 experts from academia and research institutions, 3 representatives from the civil society, and 2 representatives from the government. The Council is scheduled to be active until March 2019.

September 14 Open Net has been carrying out the Open Payment campaign from its establishment in 2013 in which we tried to abolish the requirement of government-issued electronic certificates for online payments. As a result, the Electronic Financial Transaction Act was amended in September 2014 while the requirement remained in the Electronic Signatures Act which still required government-issued certificates for online dealings with government agencies. Under the current administration, the government recently proposed a bill to entirely change the Electronic Signature Act to undo that requirement. Open Net participated in the Hackerton hosted by the Fourth Industrial Revolution Committee, organized the 'User Alliance to Solve Public Key Certificate Problem,' signed an MOU with three MPs and so on to reform the public key certification system.

October 8 Open Net has been actively advocating for open data including court decisions. In February 2017, [MP KEUM Taesup](#), with the support of Open Net, proposed an amendment to the Civil Procedure Act and an amendment to the Criminal Procedure Act that would enable full disclosure of court decisions. [The Supreme Court](#) recently announced that it would start building a comprehensive judgment search system (Oct. 8), now including criminal judgments. Open Net is campaigning for MP Keum's bills for more transparent and fair judiciary and the people's right to access information.

November 1 Article 19, an international human rights group that advocates and promotes the freedom of expression and digital rights, published a [statement](#) that condemns and demands the abolition of criminal defamation including truth defamation of Korea in support of Open Net's advocacy. Open Net has been campaigning for the bills abolishing truth defamation currently pending at the National Assembly.

November 5 Open Net co-hosted "[Fake News and False Information, Threats to the Freedom of Expression](#)" seminar with MP Hyesun Choo and a progressive news media, Media Onul at the National Assembly. Open Net advocate for the importance of people's right to information albeit inaccurate and a public sphere of discourse where people can exchange ideas and beliefs without risking criminal prosecution and suggested alternatives to maintaining the health of that public sphere.

November 5-6 Open Net organized a couple of workshops at [the 2018 OGP Asia-Pacific Regional Meeting](#) held in Seoul. At "Creative Responses to Shrinking Civic Spaces" workshop, Open Net discussed fake news regulation, defamation law, and intermediary liability law. At "Spotlight on Innovations: New Frontiers of Open Government" Workshop, Open Net talked about how artificial intelligence and disclosure of judgments can contribute to judicial oversight. (Open Net is a private member of the Korea OGP Forum. Past two years, in conjunction with the Ministry of Public Administration and Security, Open Net has been carrying out activities to draw an efficient and innovative national action plan, including encouraging citizen participation in the open government and proposing a judgment disclosure commitment.

November 9 In order to promote the freedom of expression and the freedom of anonymous expression regarding the Internet real name system, Open Net submitted [an opinion](#) to the National Human Rights Commission that suggests ways to improve the identity verification systems under the Information and Communications Network Act and the Public Official Elections Act.

November 28 Open Net co-hosted seminar "[Borderless Internet and Digital Sovereignty](#)" with the U.S. Embassy in Korea to discuss the problems with the server localization bill proposed by MP Jaeil Byun that requires IT companies to locate a server in Korea. Open Net considers this bill causes a great threat to the freedom of expression and privacy. Also, Open Net also discussed another current regulation threatening network neutrality, namely Sending Party Network Pays, which forces the otherwise peering networks to pay for the traffic they send to other networks and thereby incentivizes them to recoup those expenses from their client content providers by either charging usage-based pricing or higher transit fees. The scheme threatens network neutrality whereby the users could reach (by responding to the information requests of) all other users around the world without having to worry about how to pay for the traffic created thereby.

November 29 Open Net provided legal support to Ga-hye Hong, who was accused of "defamation of the maritime police" by saying, "the maritime police is blocking civilian divers and doesn't offer any help." at an interview with a broadcasting company during the time of Sewol ferry disaster in 2014. Open Net won at the Trial Court and the Appeals Court and ultimately prevailed at [the Supreme Court](#).

November 30 Open Net co-hosted a seminar "Financial Cloud Regulation Mitigation and Digital Policy Outlook" with the Korea Internet Business Association.

December 4 [Open Net General Counsel Kelly Kim won the lawsuit for the disclosure of her personal information against KT](#). The lawsuit was filed because KT denied full access to a user's

personal information they have collected. The trial court decided that telecoms should disclose all personal information to users including incoming call logs.

Donations

Period: January 1 – December 31, 2018

Donation from companies (4)	KRW 200,000,000
Donation from organizations (5)	KRW 59,570,166
Donation from individuals (50)	KRW 10,273,260
Total amount (59)	KRW 269,843,426