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NOV 27, 2017 @ 12:45 PM   2,270 👁   **2 Free Issues of Forbes**

How A Website About North Korea's Tech Use Battled -- And Beat -- Being Blocked In South Korea

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FULL BIO ⌄

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🐦 "Understanding more about those who threaten you makes you stronger, not weaker," he says.

Elaine Ramirez
Martyn Williams, owner of North Korea Tech.

The line between censorship and protection from disinformation is being brought to the social forum in the West thanks to Russia-backed hackers and the "fake news" debate -- but in many Asian countries, rigorous censorship is the norm.

On the Korean Peninsula, the battle for freedom of information and expression is not fought in the North. In the democratic South, 100,000 sites -- both from in and outside South Korea -- are blocked or deleted a year, according to this year's Korea

Internet Transparency Report. Swearing, distortion of history, hate speech and violation of social order are all deemed harmful by regulators, and it is widely practiced to block obscene or illegal content such as porn, gambling, torrents and content deemed pro-North Korean.

But when national defense is the objective, blocking websites is like using a sledgehammer for the job of a knife. With so many sites blocked, internet freedom activists say many innocent ones may get swept up in the process.

In March 2016, North Korea Tech, a San Francisco-based news website on tech infrastructure in the secretive regime, was blocked in South Korea on grounds of spreading pro-North information.

The site, which was even available among some in the North, argues it was wrongly accused. After over a year of litigation, the site won an appeal this October against regulators, a result that is expected to spur momentum for internet freedom and the right to know on the Internet.

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"Over the last few years, I've learned about censorship in North Korea. I've written a lot about how information can't get into the country, and about the way the government there controls information. I thought it was ironic that in South Korea the government is also censoring information," Martyn Williams, the site's owner, said last week on his first visit to South Korea since the legal victory.

"Hopefully this case and more cases like it will start people questioning if this [censorship] is really necessary."

Censorship in South Korea

Takedown requests by year

201,791

Korea Internet Transparency Report
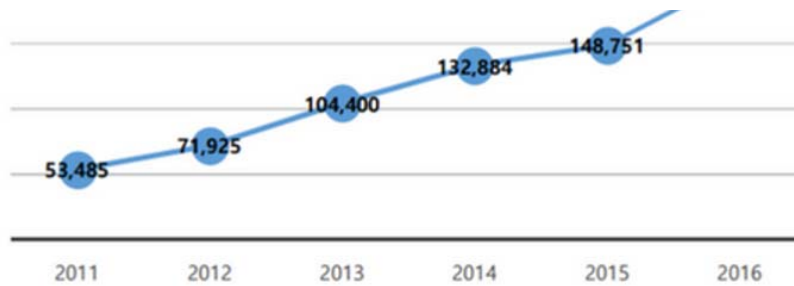
@elainegija   Source: Korea Internet Transparency Report 2017

The number of websites taken down in South Korea is increasing every year.

Curiosity turned necessity

Williams, who worked as a tech journalist for IDG in Tokyo from 1995-2011, developed a natural curiosity of neighboring North Korea. When the North launched its own Internet system in 2010, he obsessed over the country's tech developments, parsing information from North Korean media and talking to reporters or tourists who visited the North.

He launched North Korea Tech that same year to report spillover research he couldn't cover at his day job. Since then, the site has become a staple reference for North Korea researchers and observers. His website tracks content from the Korean Central News Agency, the Naenara web portal and North Korean media websites -- which are blocked in South Korea -- along with lists of North Korean radio frequencies that change every few months.

But in early 2016, Williams learned through a fellow journalist that his site was suddenly inaccessible in the South.

Lost in translation

Williams was never notified by regulators. Only later did he find that the National Intelligence Service claimed the website violated the National Security Act for promoting information on North Korea, and regulators of the Korea Communications Standards Commission agreed to block access to the site in the South.

The English-language website's readership in South Korea was actually quite small -- its main audiences are in the U.S. and U.K. -- but on journalistic principle, Williams chose to fight the ban. "Even though it wasn't costing me any money and it was a very small number of visitors, I thought that was more important than any commercial reason," he says.

When Williams fought alongside internet freedom promotion agency Open Net

Korea for an appeal, they saw that the NIS' evidence was based on translations skewed to imply that stories were putting North Korea in a positive light.

The evidence was poor in quality, using screenshots to capture pages on the site and wrongly translating them, according to Jiwon Sohn, a researcher for the Korea Internet Transparency Report and the attorney who represented North Korea Tech. For example, South Korea claimed one website article reported that North Korea was testing satellites, but in reality the story was about a failed satellite that strayed from its orbit.

Other triggers were Williams' collective list of North Korean websites, which denoted whether or not each was blocked in South Korea, and list of North Korean radio frequencies, which are jammed in the South. One commission member even claimed Williams might have been receiving orders from North Korea, according to Sohn.

Censorship in South Korea

Takedown requests in 2016, by category

Others 0.1%
Deletion 18%
Termination of Use 4%
Access Block 78%
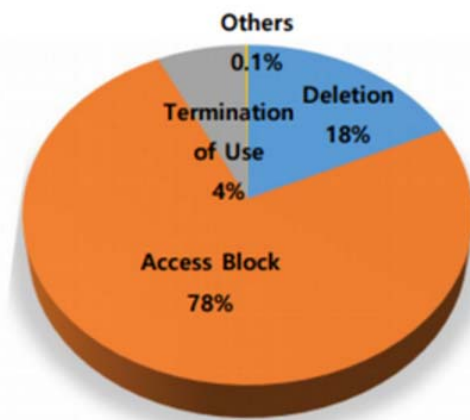
@elainegija
Korea Internet Transparency Report
Source: Korea Internet Transparency Report 2017

Regulators prefer to block access than terminate or delete the site, which would be more permanent and cause   [+]

"I was angry because [the National Intelligence Service] was saying my reporting was supporting North Korea and none of it was," says Williams. "I thought it was clear they hadn't read the site. They probably looked at the site and saw a couple of pictures or a video."

North Korea Tech appealed twice. Regulators did not battle the second time, giving Williams' side the victory.

Williams and Open Net Korea suspect they backed down due to the pending turn of administration, as the government reached a virtual hiatus for six months during

height of a scandal surrounding then-President Park Geun-hye. The incoming commission members, who would likely have the opposite political leaning, would have opposed the ruling, Open Net Korea says. "They don't want to be seen as continuing the trend that they were in under the impeached Park government," says Park Kyung-sin, who was an opposition member of the KCSC before becoming director of Open Net Korea.

The win is also notable as the first instance of a foreign site successfully appealing against censorship in South Korea. 🐦 Regulators argued that non-resident foreigners had no right to freedom of speech, but the appeals court decided that regardless of nationality, the right to disseminate information to Koreans online is guaranteed under the South Korean Constitution and the UN International Covenant on Civil and Political Rights.

"I do hope that it becomes a precedent that other foreigners can use," says Williams. "It speaks to the ability of people to have access to a range of information -- not just information from their own country, but from overseas, from other sources, from wherever they want to go."

Know thy enemy

The case comes at a time when U.S. tech companies are facing an existential crisis over their responsibility to identify harmful content to protect the public good. South Korea is facing the opposite problem, but starts with the same intention. It raises the same debate over the balance of open access to information while protecting the public from potentially harmful content -- or whether it is the responsibility of any party, be it a government or Web platform.

Williams opposes censorship, but sees validity in the argument of regulating sites that offer illegal activities such as gambling, which is banned for South Koreans. On the other hand, censorship of North Korean material severely affects researchers in South Korea, who must use VPNs, he says. Nonetheless, he believes it is up to the people to decide how free they want their internet to be.

"Understanding more about those who threaten you makes you stronger, not weaker," he says. 🐦 "Getting exposed to this information will lead to more people having a greater understanding of countries like North Korea, and I think it will help make countries stronger."