Global Policy Weekly - March 4, 2013

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CDT's Global Policy Weekly highlights the latest Internet policy developments and proposals from around the world, compiled by CDT's Global Internet Freedom Project. [2]

FREE EXPRESSION

Chile is prosecuting [3] blogger Rodrigo Ferrari for identity theft citing satirical tweets that parody billionaire businessman Andronico Luksic. Luksic's attorney filed a complaint with the Chilean government, which requested that the US State Department retrieve information about the account holder from Twitter. Chilean prosecutors sought US assistance through the Mutual Legal Assistance Treaty, but groups like PEN [4] and Access [5] question whether the US responded appropriately, because the Treaty allows nations to refuse inquiries intended to suppress free speech. Critics argue that Ferrari's tweets were clearly satire and not a case of identity theft.

A Brazilian court ruled [6] that a satirical blog should remain shut down on grounds of copyright infringement. Creators launched the blog "Falha de São Paulo" 2010 to mock "Folha de São Paulo," a popular Brazilian news source. As part of the parody, the bloggers used a text font and logo, as well as content, that closely resembled that of the newspaper. In its complaint, the newspaper said that the bloggers were profiting from the infringement and confusing readers. Critics [7] say that the ruling sets a troubling precedent for free speech because the site was obviously a work of satire.

A UK court granted [8] a default judgment of £180,000 in a libel case against Ethiopian dissident and journalist Elias Kifle. Ethiopian-born billionaire Sheikh Mohamed Al-Amoudi took Kifle to court in the UK in what critics are calling a case of "libel tourism." While Kifle's blog operates out of the United States and speaks to an Ethiopian audience, the UK court agreed to hear the case because Mr Al Amoudi has business and social ties, travels frequently, and educates his children in England. The UK Parliament is considering a bill [9] that would reform the UK's "plaintiff-friendly" libel laws, but the future of the bill is uncertain after the introduction of a series of amendments.

INTERNET OPENNESS

North Korea announced [10] that it will soon allow foreign visitors to use mobile Internet inside the country. The government will not permit access for North Korean citizens. Services will be available through a joint venture between Korea Post & Telecommunications Corporation and Egypt's Orascom Telecom Media and Technology Holding SAE. North Korean state media recently reported [11] that foreign tourism is "booming" in North Korea but did not provide specific data on the topic.

French President Francois Hollande announced [12] the French Digital Ambition (Ambition Numerique) plan to invest in broadband connection across France. The plan includes a 20 billion euro investment of public and private money over the next decade. Hollande promises to connect half the country to high speed broadband in the next five years and the entire French population in 10 years.

SECURITY AND SURVEILLANCE

The Ontario Court of Appeal ruled [13] that police do not need a warrant to search a suspect's cell phone during an arrest, as long as the phone is not password-protected. A convicted armed robber was appealing his case based on claims of unreasonable search. While arresting the man, police found incriminating text messages and photos on his phone. The court dismissed his appeal. Critics

[14] argue that the ruling erodes personal privacy and makes an arbitrary distinction between phones that are password-protected and those that are not.

An Indian government panel has recommended [15] that India ask BlackBerry for PIN data on all users worldwide. The information would be used to track communications between subscribers in India and those in other countries. The recommendation follows a December agreement [16] between major telecom companies and the Indian government to provide real-time interception of Blackberry services.

PRIVACY

The European Parliament's Industry, Research and Energy Committee voted in support [17] of proposed data protection laws in the EU. The Civil Liberties, Justice and Home Affairs Committee will consider proposed rules next, consolidating amendments and voting by the end of April. Proponents say that Europe is due for comprehensive reform of existing rules. Opponents argue that the new data protection rules, as written, would erode [18] existing privacy protections currently afforded by European law and favor [19] the interests of companies over citizens.

COPYRIGHT

The Pirate Bay has relocated [20] after facing legal pressures in Sweden over copyright infringement. The Swedish Pirate Party had been hosting the peer-to-peer file sharing site for the last three years but stopped after facing a lawsuit from an anti-piracy group. The cloud-based service regularly migrates when it faces law enforcement pressure in a local jurisdiction. The site is now hosted by servers in Norway and Spain.

The Japanese government is investing [21] in a new database that will centralize the country's information about cybersecurity threats. The "advanced persistent threat" (APT) system will allow the government to more easily share information with domestic agencies and other countries. Japanese government agencies have faced a growing number of targeted cyber attacks, including the theft [22] of 3,000 classified documents in January.

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