

Report on Policy Development in Korea

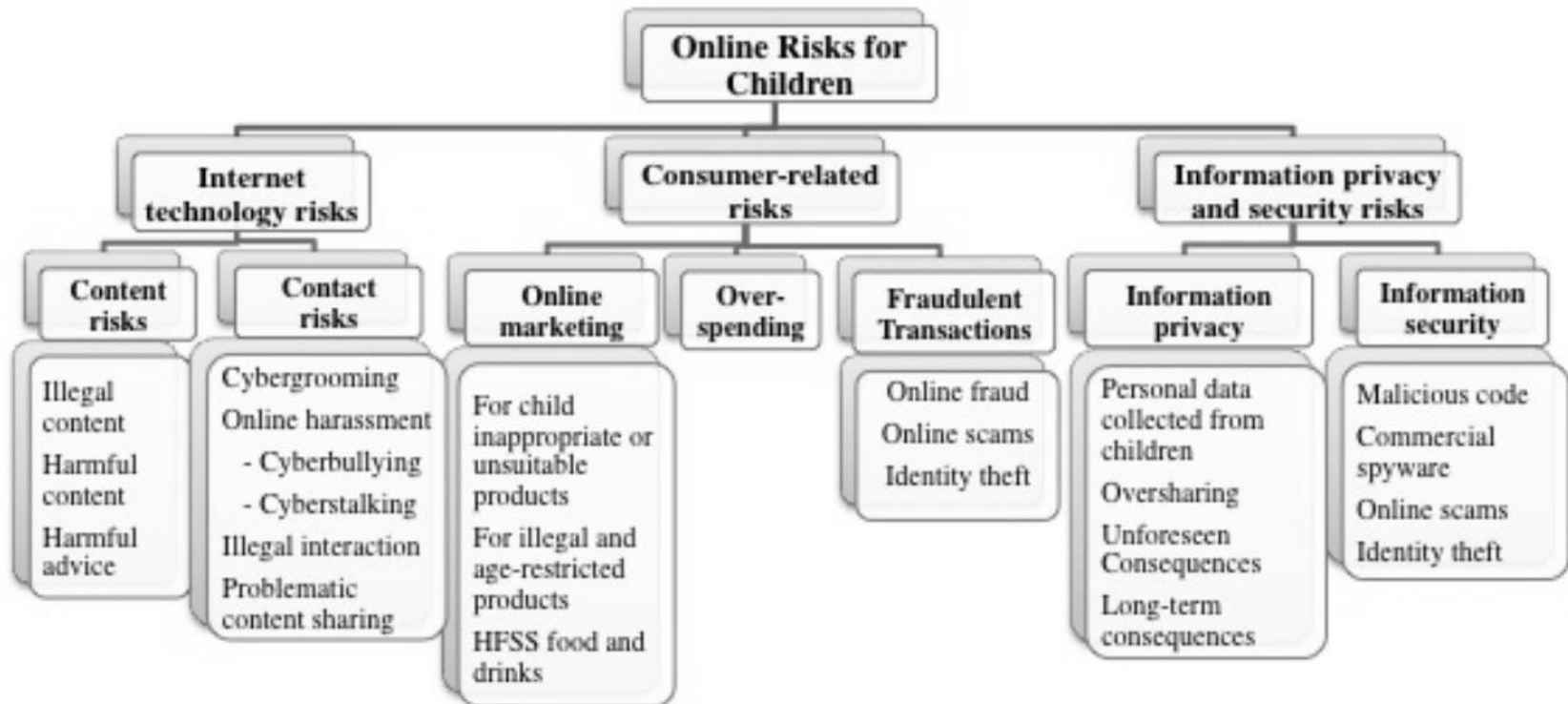
# Legal and policy frameworks for Protection of Children Online in Korea

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# Typology of Online Risks (OECD)



# Social Concern of Online Risks for Korean Children

Addiction	Internet addiction, game addiction, smartphone addiction
Game use	Game addiction, cyberbullying, stimulating impulsivity and aggression
Content risks	Traditional harmful content : obscene and violent content New emerging risks : Internet personal broadcasting, Hate speech, Fake news
Cyberbullying	Cyberbullying through KaKaotalk and game cyber-extortion of game items, cyber-tailing on Facebook
Random chat	Sexting, prostitution
Information privacy	Personal information

# Internet Addiction & Overdependence

- *Framework Act of National Informatization*
  - regards Internet addiction as one of adverse effects of national informatization.
  - Specifies to formulate a comprehensive plan for the prevention and elimination of Internet addiction.
- The goal of the comprehensive plan has changed:

1 <sup>st</sup> (2010-2012)	A reduction of internet addiction rate to less than 5%
2 <sup>nd</sup> (2013-2015)	Improvement of the ability to control internet use and facilitation of recovery
3 <sup>rd</sup> (2016-2018)	Diffusion of opportunities for smartphones and internet use based on balance and control
4 <sup>th</sup> (2019-2021)	Improvement of online opportunities for reinforcing digital citizenship competency

# Internet Addiction & Overdependence

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- The third comprehensive plan (2016-2018)

- Prevention

- Prevention program: lecture -> experience learning

- Lecture-based prevention program was not effective

- Expanding programs for young children (pre-schoolers)

- The average age for using a smartphone among young children (0 to 5) was 2.27 years

- Counseling and healing

- Systematizing counseling services

- Healing camp for high risk groups

- Consultation for creating counseling programs and training specialists

# Internet Addiction & Overdependence

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- The third comprehensive plan (2016-2018)
  - Promoting best practices of smartphone and internet use
    - Collecting cases of best practices
    - Campaigning for smart rest practices
  - Creating cooperation system
    - Cooperation among administrative bodies
    - Promotion of global cooperation
    - Evaluation system to monitor the effectiveness
    - Surveys and R&D for policy support

# Internet Addiction & Overdependence

- National survey of overdependence (2015 ->2017)

	Overdependence rate	High-risk group	Potential risk group
Children (3-9)	12.4% -> 19.1%	1.7% -> 1.2%	10.7% -> 17.9%
Adolescents (10-19)	31.6% -> 30.3%	4.0% -> 3.6%	27.6% -> 26.7%

- Measurement issue

- 10 items (salience, lack of control, negative outcomes)
- Four-point scales (strongly disagree - disagree - agree - strongly agree)
- A total score ranging 10 to 40
- Respondents with over 30 points in total : high risk group
- Respondents with 23 to 30 points in total : potential risk group

# Internet Addiction & Overdependence

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- Focus of the fourth comprehensive plan (2019-2021)
  - Online opportunities for digital citizenship competency
    - Digital media literacy, data literacy, collaboration online, content creation
  - Counseling for resilience and growth
  - The role of parents, teachers, and schools
    - preventing -> supporting
- Monitoring and evaluation
  - Lack of the data to evaluate the effectiveness of measures
  - Exaggerated reporting of overdependence
  - More comprehensive and systemic surveys of risks and opportunities are needed



# Game addiction

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- *Juvenile Protection Act*

- consent of person with parental authority over users of Internet games for juveniles under the age of 16
- Not providing internet games to juveniles under the age of 16 between 12 and 6 a.m. (called shutdown law).
  - It is not applied to mobile game
  - According to the log file from panel data of Nielson Korea Click, children of ages 9-18, 3 hours 27 minutes on a smartphone and only 8.3 minutes on a desktop computer
  - Research has demonstrated it is not effective in reducing children's game use
- Providing service for prevention, counseling, medical treatment, rehabilitation, etc.
  - to juveniles afflicted physically, mentally, or socially as a consequence of misuse or abuse of a media product, including addiction to an Internet gam

# Content related risks

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- *Juvenile Protection Act*

- Harmful content to Juveniles

- Obscene

- Urge to commit an atrocity or crime

- Provoking violent acts including sexual violence and the abuse of drugs

- Inducing gambling and speculation

- Anti-social or unethical

- Obviously likely to harm the mental or physical health

- Self-regulation of rating and labeling

- *Broadcasting Act* -> television broadcasting programs (classification)

- *Act on the Promotion of Information and Communication Network Utilization and Information Protection* -> labeling harmful content to juveniles

- *Game Industry Promotion Act* -> online and mobile game (classification)

# Content related risks

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- *Act on the Promotion of Information and Communication Network Utilization and Information Protection*
  - Development and dissemination of content-screening software and technology for protection of juveniles
    - The developed app turned out to be vulnerable to hacking and raised the issue of children's privacy
  - Installation of the filtering and blocking app on children's smartphone
    - Parental main concern is to control the time and track the location
    - The function of filtering does not work very well
    - Children know the way to paralyze the functions of the apps

# Content related risks

## ● New emerging risk

### ➤ Internet Personal Broadcasting (YouTube, Afreeca TV, etc)

➤ Typical adolescent: Viewing YouTube channels on their own smartphones

### ➤ Existing Acts

➤ *Juvenile Protection Act*

➤ *Act on the Promotion of Information and Communication Network Utilization and Information Protection*

➤ *Act on the protection of children and juveniles against sexual abuse*

➤ a mark indicating that is harmful to juveniles **19**

➤ Blocking content harmful to juveniles

➤ Blocking illegal content

➤ Prohibiting child and juvenile pornography

➤ Request of deleting and blocking

➤ *Broadcasting Act* is not applied

# Content related risks

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- New emerging risk

- Hate speech

- Online news, Online community, Internet personal broadcasting
    - Regulation vs. Freedom of speech
      - Hate crime: criminal act
    - Try to identify websites including hateful content as 'media products harmful to juveniles', under the *Juvenile Protection Act*

- Fake news

- News literacy, information literacy

# Cyberbullying

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- *Act on the Prevention of and Countermeasures against Violence in Schools*
  - Focus on the protection of victim students, the guidance and education of aggressor students, and mediation between victim students and aggressor students
    - Cyber-bullying: any form of constant or repeated actions whereby students inflict emotional harm on other students by using the Internet, cell phones or other information and communication devices to reveal personal information about a specific student or to spread lies or rumors about specific student, and then inflict pain thereon. (Article 2)
  - Cyber-bullying is limited in the context of school

# Cyberbullying

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- Cyberbullying covers diverse forms:

- defamation, insult, identity theft, cyber-stalking, cyber-tailing
- KCC & NIA conduct the annual survey of cyber-violence. In the survey, cyber-bullying is considered as one of forms of cyber-violence, which refers to leaving someone out.
  - Cyber-violence (16.6%), including cyber-verbal violence (14.6%) and cyberbullying (1.5%)
- Lee & Shin (2014)
  - 27.7% of children(13-18) reported they have experienced to be cyberbullied
  - 19.4% of children(13-18) reported they have experience of cyberbullying

# Cyberbullying

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- Online platforms

- that cyber-violence occurs (KCC & Nia, 2017):
- Chatting/messenger (45.6%), online game (38.8%), SNS (35.3%)
- Kakaotalk – a free mobile instant messaging application
  - One to one chats and group chats
  - Group chat room for school class

- Multiple approaches are needed

- Awareness of seriousness
- Sensitivity to violence
- Technical measures to report, block and filter
- Peer mediation program in school



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# Use of random chatting apps

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- Chat with strangers

- Sexting
- Prostitution, pornography, sexual exploitation of children
- 24% of adolescents reported that they have used random chatting apps (Lee & Kim, 2013)
- 18.2% of adolescents reported they have received sexual messages on random chatting apps (Sung, 2014)

- *Act on the Protection of Children and Juveniles against sexual abuse*

- Not regarding children involved in prostitution as a victim

# Information privacy

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- *Act on the Promotion of Information and Communication Network Utilization and Information Protection*
  - Consent from the legal representative for a child of less than 14 years on collection of personal information
- Relatively less attention

# Relevant Acts

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- Juvenile Protection Act
- Act on the Promotion of Information and Communications Network Utilization and Information Protection
- Framework Act on National Informatization
- Act on the Consumer Protection in Electronic Commerce, etc.
- Act on the Prevention of and Countermeasures against Violence in Schools
- Telecommunications Business Act

# Juvenile Protection Act

- The purpose of this Act is to ensure juveniles grow up into persons of sound character by regulating the distribution of media products, drugs, etc. harmful to juvenile and juveniles' access to harmful business establishments and by protecting and relieving juveniles from harmful environments. (Article 1)
- Determination of media products harmful to juveniles and regulation on distribution of such products
  - Examination of media products harmful to juveniles (Article 7)
  - Self-regulation on media products (Article 11)
  - A mark indicating harmfulness to juveniles (Article 13)
- Prevention of Juveniles' addiction of Internet games
  - Consent of person with parental authority over users of Internet games (Article 24)
  - Notifying basic information of characteristics and the rating of the game (Article 25)
  - Not providing Internet games to juveniles under the age of 16 between 12 midnight and 6 A.M. (Article 26)
  - Providing service for prevention, counseling, medical treatment, rehabilitation etc. to juveniles afflicted physically, mentally, or socially as a consequences of misuse or abuse of a media product, including addiction to an Internet game. (Article 27)

# Act on the Promotion of Information and Communications Network Utilization and Information Protection

- The purpose of this Act is to contribute to improving citizens' lives and enhancing public welfare by facilitating utilization of information and communication networks, protecting personal information of people using information and communication services, and developing an environment in which people can utilize information and communication networks in a healthier and safer way. (Article 1)
- Obtaining consent from the legal representative for a child of less than 14 years on collection of personal information (Article 31)
- Preparation of policy to protect juvenile from unwholesome information for juvenile, such as information of obscenities and violence, circulated through information and communication networks (Article 41)
  - Development and dissemination of content-screening software
  - Development and dissemination of technology for protection of juvenile
  - Education and public relations activities for protection of juvenile
- Labeling of media unwholesome for juvenile (Article 42)

# Framework Act on National Informatization

- The purpose of this Act is to contribute to the realization of a sustainable knowledge and information based society, and to improve the quality of life for the nation by prescribing matters necessary for the establishment and promotion of the basic direction of national informatization and policies relevant thereto. (Article 1)
- Prevention of adverse effects of national information
  - Advancement of information culture (Article 29)
  - Formulation, etc. of plans for prevention and elimination of Internet addiction (Article 30)
  - Cooperation for formulation of plans relating to Internet addicting (Article 30-2)
  - Green Internet certification (Article 30-3): Granting internet certification for information and communication services for which necessary measures to prevent and treat internet addiction have been taken.
- Guaranteeing safety and reliability in the use of information
  - Establishment of sound information communication ethics (Article 40)
  - Protection, etc. of rights and interests of users (Article 41)
  - Protection of intellectual property and intellectual property rights (Article 42)

# Act on the Consumer Protection in Electronic Commerce, etc.

- The purpose of this Act is to protect the rights and interests of consumers and enhance market confidence by prescribing matters relating to the fair trade of goods or services by means of electronic commerce transactions, mail orders, etc., thereby contributing to the sound development of the national economy (Article 1)
- Informing the minor (a child of less than 19 years) of the fact that the minor or the legal guardian can cancel the contract if his/her legal guardian does not agree to the contract. (Article 13-11(3))



# Act on the Prevention of and Countermeasures against Violence in Schools

- The purpose of this Act is to protect the human rights of students and raise students as healthy members of society through the protection of victim students, the guidance and education of aggressor students, and mediation between victim students and aggressor students (Article 1)
- School violence includes cyber-bullying
- Cyber-bullying : any form of constant or repeated actions whereby students inflict emotional harm on other students by using the Internet, cell phones or other information and communication devices to reveal personal information about a specific student or to spread lies or rumors about specific student, and then inflict pain thereon. (Article 2)

# Telecommunications Business Act

- Telecommunications business operators shall provide means to block media products harmful to juveniles (Article 32-7)