

Freedom of Expression and the Magna Carta for Philippine Internet Freedom

Engr. Pierre Tito Galla, PECE
Democracy.Net.PH

27 July 2013





The Magna Carta for Philippine Internet Freedom

- What is the Magna Carta for Philippine Internet Freedom (#MCPIF)?
 - It is a **policy framework for rights, governance, development, and security, specifically in the Internet and information and communications technology (ICT) space.**



The State's Duty Under the #MCPIF

- Under the #MCPIF, the State is **duty-bound** to protect and promote:
 - Freedom of speech online
 - Right of people to petition online for redress of grievances
 - Right of person to publish material online
 - Not promote censorship of any content in the Internet.



Freedom of Expression is Upheld by the #MCPIF

The #MCPIF upholds freedom of expression in two ways:

- Protect and promote the content of speech
- Protect and promote the method of expression



Protecting the content of speech

- Freedom to innovate and create without permission
 - Right to develop
 - Right to access
 - Not to be penalized for how others use his product



Protecting the content of speech

- Protection of intellectual property
 - Any content published online is presumed under copyright.
 - No ISP, telco, or person providing Internet or data services shall have intellectual property rights over derivative content.



Protecting the content of speech

- Privacy of data
 - Right to use encryption to protect data
- Security of data
 - Right to employ means to secure data or networks



Protecting the method of expression

- Universal access to the Internet
 - No discrimination based on gender, sexual orientation, religious belief or affiliation, ethnic or regional affiliation, citizenship or nationality.
- Privileged access and control of devices
 - A seller may restrict the operation of a device to ensure privacy/security of the interconnection.
 - A buyer may request removal of the restriction.



Protecting the method of expression

- The Internet as an open network
 - Right to interconnection/interoperability of device, equipment, or network capable of interconnection/interoperability.
- Network neutrality
 - No restriction on flow of data on the basis of content.
 - No favoring one class of data over another.



Protecting the method of expression

- ICT and the Internet for transparency in governance and freedom of information
 - Allow the public to view and download public info on the government.
 - Allow the public to give feedback, lodge complaints, make reports.



Protecting the method of expression

- Quality of service and network fair use
 - Reasonable and non-discriminatory terms and conditions of service
 - Disclosure in plain language of accurate info on the service
 - Equal quality of service to same data or protocol



Limitations to Freedom of Expression

- 1 Infringement of intellectual property rights
 - Copyright infringement
 - Piracy
 - Cybersquatting
 - Unreasonable restriction of device privileges



Limitations to Freedom of Expression

- 2 Internet libel, hate speech, child pornography, and other expressions inimical to the public interest
 - *The #MCPIF provides only civil penalties for libel.*



Stay updated on the
Magna Carta for Philippine Internet Freedom!

Facebook: [facebook.com/groups/Democracy.Net.PH](https://www.facebook.com/groups/Democracy.Net.PH)

Twitter: [@PHNetDems](https://twitter.com/phnetdems) #MCPIF

Visit <http://democracy.net.ph>

END.