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Regulating Inadmissible Internet Content – Georgia in Need of Legal Changes

Institute for Development of Freedom of Information

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Introduction

Parallel to the unprecedented growth of the Internet's importance in contemporary democratic societies, it is all the more pressing to determine the rules of engagement in this medium. The goal of such regulations is, on the one hand, not to restrict or hamper the use of the Internet and, on the other hand, to protect the interests that could in certain cases be undermined by freedom of expression.

Modern democracies share a well-established principle, according to which, actions which are inadmissible and are considered a violation in traditional mediums of information broadcasting, should be deemed so in the Internet as well.[1]

Research of international standards has shown that there is no single approach in European countries towards regulating interaction on the Internet. More specifically, most countries do not have legislations regulating Internet interaction, which is instead governed by general rules that are already in place in other areas. However, there are countries, where Internet specific legislations have been adopted. There is also a third set of countries, where restrictions are based on the principle of self-regulation of the private sector. [2]

Georgia does not have a separate legislation on blocking, filtering or take-down of Internet content. Instead, other legislative acts are used: Criminal Code of Georgia, Law of Georgia on Electronic Communications, Law of Georgia on Personal Data Protection and Law of Georgia on Copyright and Related Rights.

Furthermore, the Georgian National Communications Commission's (GNCC) adopted the Regulation On the Rules of Provision of Services and Protection of Consumer Rights in the area of Electronic Communications (regulation), which defines the concept of "inadmissible content". Importantly, the Regulation covers protection of consumer rights specifically and cannot be invoked in cases of crimes falling under the Criminal Code of Georgia.

According to Freedom House's Internet Freedom Index, Georgia is considered a free country since 2012, where online censorship is rare and online content is not subject to systemic manipulations. Despite this, temporary blocking of Youtube and Wordpress demonstrates how fragile such achievements can be.[3] With these cases, the lack of accountability mechanisms of law

[1] OSCE, Freedom of Expression on the Internet, A study of legal provisions and practices related to freedom of expression, the free flow of information and media pluralism on the Internet. 2012, p.50
[2] Comparative study on blocking filtering and take-down of illegal content (Part 2 Comparative Considerations) Swiss Institute of Comparative Law Lausanne, 20 December 2015 p.774-775
[3] Freedom House; Freedom on the Net 2016 - Georgia

enforcement agencies in such circumstances was revealed. The media and the society have not received answers about the means and grounds for restricting access to international platforms to this day. Apart from this, it was evident that the GNCC, which presumably is the main regulating body of communications in Georgia, was not informed of such decisions in advance. Such circumstances once again show the fragility of legal guarantees for freedom of Internet in Georgia.

For instance, GNCC's Regulation foresees several grounds for restriction of freedom of expression; therefore, in case of abuse and ungrounded use of such rules, the standard of protecting freedom of expression may face severe threats. In order to reduce such risks, it is absolutely necessary that the legislation meets international standards and responds to existing challenges.

The purpose of this study is to elaborate on the concept of "inadmissible content" and ascertain, to what extent the grounds for such principle meet the standards set forth in the Constitution and those acknowledged internationally. The document will propose a set of legislative changes, in order to eradicate the flaws present in the current/active legislation.
According to the practice of the European Court of Human Rights and the Constitutional Court of Georgia, in order to restrict freedom of expression, the restriction must be set out in the legislation, must serve the cause of attaining a legitimate goal and must represent a proportional means to this end.

The requirement of having a restriction be defined by law encompasses the foreseeability criteria as well, according to which, a law must be formulated in a way that allows individuals to foresee the consequences of their actions.[4] In case this criterion is not sufficiently met, the court rules that freedom of expression is automatically violated, even when there is a legitimate interest for restriction.

According to the Constitutional Court of Georgia, when restrictive norms of freedom of expression do not meet the foreseeability criteria, they have a „chilling effect", which means that in reality, such norms have a far greater effect on restricting the freedoms than it is foreseen by the law. This is due to the fact that one does not know when laws are being violated when they fail to be foreseeable, hence, people refrain from activities, which in fact, were not restricted by the law. [5]

Therefore, it is important to discuss the grounds for restricting freedom of expression in this context and ascertain whether they are compatible with local and international human rights standards.

1 The Concept of Inadmissible Content and Responsibilities of Persons to Take It Down

According to the Regulation of the GNCC, inadmissible content implies any content transmitted by means of electronic communication, such as pornography, items featuring especially grave forms of hatred, violence, slander and insults, invade on a person's privacy, violate the principle of presumption of innocence, are inaccurate and other content transmitted in violation of intellectual property rights and the Georgian legislation.[6]

The same Regulation also defines individual obligations vis-à-vis inadmissible content. Specifically, the service provider[7] is obligated to create mechanisms allowing it to disconnect or terminate service provision

to a consumer/client when the client produces and disseminates inadmissible content. The Regulation also foresees obligations for the domain issuer to periodically examine the

[4] ECtHR, Cengiz and Others v. Turkey, December 1, 2015, para. 59-67
[5] Ruling of the Constitutional Court of Georgia on the case of citizen Aleksandre Baramidze, Lasha Tughushi, Vakhtang Khmaladze and Vakhtang Maisaia v. Parliament of Georgia, May 14, 2013, Para. 26
[6] Regulation №3 On the Rules of Provision of Services and Protection of Consumer Rights in the area of Electronic Communications, March 17, 2006
[7] Internet Service Provider – Operator of an electronic communications network or an entity authorized to access relevant elements or resources of such a network, which has defined or supplies electronic communications services using these elements or resources of the network. Regulation No. 3 of the Georgian National Communications Commission, March 17, 2006, Article 3, Paragraph 1, Subparagraph h)

contents of the websites registered by it in order to prevent the placement of inadmissible content on such websites.

In case such content is placed, the domain issuer must immediately take appropriate measures to eliminate it.[8] Similar obligations apply to the owner of the website.

Such general obligations represent an unfair burden for private companies. It is in most cases impossible to check and objectively assess content placed on Internet domains, due to the sheer size of the information. Of course, it is clear that this does not rule out the possibility of private companies to respond to specific complaints on placement of inadmissible content.

Similar approach is applied in the European justice system. Member countries are not allowed to obligate service providers to monitor Internet content. However, they can respond to notices of inadmissible content and take it down.[9]

Apart from the obligations of private companies, the GNCC Regulation states that in cases of inadmissible content, consumers have the right to file a complaint to a relevant service provider, Consumer Rights Public Defender under the GNCC or the court.

This Regulation only covers cases that affect consumer rights, therefore, it does not explicitly regulate matters related to state security, when taking Internet content down is requested not by a person, but state institutions.

Importantly, certain grounds for deeming content inadmissible are vague and leave room for interpretation. This is even more significant as the GNCC does not have a well-established practice on certain criteria. [10]

Therefore, there is a risk of restricting freedom of expression more than what is necessary in democratic societies. Considering this, every ground or basis for restriction should be considered case-by-case, in order to determine whether they are compatible with the standards of restricting freedom of expression.

2.1 Pornography

In modern democracies, there is a wide consensus on restricting child pornography on the Internet. Numerous international documents are in place to fight against child pornography on the EU, as well as Council of Europe (CoE) levels. [11] According to the practice of the Supreme Court of the United States (US), child pornography does not fall within the remits of the right to freedom of expression, ensured by the first amendment of the US constitution.[12] Unlike child pornography, pornography created with the participation of adults only partially falls under the sphere of protection of freedom of expression.

US Supreme Court practice establishes the "Obscenity Test" (Miller Test) or determining whether speech or expression can be labeled obscene, in which case it can be prohibited. According to the Supreme Court, in order to deem content obscene, the following conditions should be met cumulatively:

a) Whether "the average person, applying contemporary community standards", would find that the work, taken as a whole, appeals to the prurient interest,

b) Whether the work depicts or describes, in a patently offensive way, sexual conduct or excretory functions specifically defined by applicable state law,

[8] Article 10[3]
[9] Study on the Liability of Internet Intermediaries, Markt/2006/09/E (Service Contract ETD/2006/IM/E2/69), November 2007
[10] According to the requested public information, the GNCC has ruled 6 times on "inadmissible content", 5 of which were related to intellectual property rights issues and only one dealt with introducing age restriction on internet content.
[11] Council Framework Decision 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children and child pornography; Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, CETS No.: 201
[12] SCOTUS New York v. Ferber, 458 U.S. 747 (1982)

c) Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.[13]

Not every form of pornography fits these conditions and, therefore, their automatic prohibition does not meet the constitutional standard of freedom of expression. This of course, does not preclude regulations related to age and reducing access to pornography to the underage.

These standards of the US Supreme Court are important, as Georgian freedom of expression legislation is based exactly on the practice of the US Supreme Court. This is the reason the "Law of Georgia on Freedom of Speech and Expression" prohibits not all pornographic content, but dissemination of obscenity.[14]

Obscenity, on the other hand, is defined as a statement devoid of political, cultural, educational or scientific value, which seriously violates ethical norms established in the society. [15]

Considering the above, it is important that the GNCC Regulation clearly defines pornography and that it includes child pornography, as well as other obscene content. However, it should not automatically cover all types of pornography, where adults participate.

2.2 Especially Severe Forms of Hatred and Violence

According to the GNCC Regulation, information on especially severe acts of hatred and violence constitutes inadmissible content. However, there is no comprehensive definition of the concept. More specifically, it needs to be defined whether the concept encompasses hate speech.

It should be highlighted that by the decision of March 23, 2017, the GNCC did not consider the video titled 'Santa vs Papa' disseminated on the Internet as a content depicting particularly severe forms of hatred and violence. In the video, the Georgian Santa Clause - Papa kills Santa, places the corpse in a bathtub and pours acid on it to get rid of the corpse and hide crime evidence.[16] Even though the appeal was not granted, the decision did not give the definition of the concept. In addition, the decision is not well substantiated as it fails to give arguments as to why the video does not constitute such content.

It should be emphasized that there is no uniform definition of hate speech. According to CoE Committee of Minister recommendation of 1997, hate speech covers all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin.[17]

Based on the case law of ECtHR, states can restrict hate speech. The court stresses that hate speech does not always entail a call for an act of violence, nor does it pose imminent threat of violence. Nevertheless, the mere fact of hate speech can serve as a ground for restriction.[18]

In contrast with ECtHR the US Supreme Court does not deem acceptable restricting freedom of expression in cases of hate-speech. The court elucidates that restriction is admissible only when there is imminent threat of violence which includes:

1) the purpose of a person for his/her statement to incite violence;

[13] SCOTUS Miller v. California, 413 U.S. 15 (1973)
[14] Law of Georgia on Freedom of Speech and Expression, Parliament of Georgia, June, 24, 2004, Article 9, Paragraph b)
[15] Ibid., Article 1, Subparagraph f)
[16] GNCC Decision on the Appeal on the appeal of LEPL Partnership for Human Rights, citizens A.Arganashvili and N. Gochiashvili.
[17] Recommendation No. R (97) 20 of the Committee of Ministers to member states on "hate speech" adopted on October 30, 1997
[18] ECtHR, Vejdeland v. Sweden, February 9, 2012, para. 50-60; Féret c. Belgique 16 juillet 2009

2) Imminent and real threat of violence. [19]

The law of Georgia on Freedom of Speech and Expression does not foresee hate speech as a ground for restricting freedom of expression. The law shares the rationale of the USA Supreme Court case law and only restricts incitement causing imminent violence. In particular, an incitement shall cause liability envisaged by law only when a person commits an intentional action that creates direct and substantial danger of it resulting in an illegal outcome.[20]

In addition, according to the decision of the Constitutional Court of Georgia, "generally, the state cannot restrict freedom of expression with the ground that certain information or opinion might turn out to be emotionally irritating or might encourage unacceptable behavior".[21] The court further reiterated that the mere fact of calling for violence cannot be sufficient ground for an individual responsibility of a natural person, rather the presence of violence and/or the fact of committing illegal action, or a substantial threat of the above-mentioned should be present. Calling for violence can only result in a legal responsibility when it creates clear, direct and substantial threat of illegal action.[22]

Considering the above, it can be concluded that unlike a number of European states, hate speech does not by default serve as a justifiable ground for restricting freedom of expression in Georgia. Hence, it is important for this topic to be more clearly reflected in the GNCC Regulation. In addition, the possibility of restricting freedom of expression based on imminent threat of violence can be defined.

2.3 Defamatory Content

Defamatory information is another form of inadmissible content. The Law of Georgia on Freedom of Speech and Expression defines defamation as one of the grounds for restricting freedom of expression as well.

Defamation has ceased to be a criminal violation in Georgia since 2004. Rather, one can only be held liable for disseminating defamatory information under civil legislation.

Georgian legislation on defamation takes into consideration the case law of the US Supreme Court. More specifically, one can be held responsible for defamation against a public person if the claimant proves in court that the statement of the respondent contains essentially wrong facts related directly to the claimant, this statement caused damage to the latter, and which was made with the knowledge of it being false, or the respondent acted with reckless disregard that caused dissemination of false information.[23]

The same approach is reflected in Article 14 of the Law of Georgia on Freedom of Speech and Expression which regulates the topic of defamation against a public figure. Therefore, in order for a claimant public figure to successfully litigate a dispute on defamation before a court, he/she must prove that:

1) Disseminated information contains essentially wrong facts;

2) He/she suffered damages as a result of false information being disseminated;

3) When defaming, the respondent was acting with advance knowledge of falsity, or he/she acted with reckless disregard (malicious intent).

In case of defamation against a private person, the existence of the third component is not necessary.[24]

It can be concluded from the above that defamation is a complex subject, during which a number of circumstances should be taken into consideration. Hence, it should be determined whether relevant authorized private persons are

[19] SCOTUS, Brandenburg v. Ohio, 395 U.S. 444 (1969)
[20] Law of Georgia on Freedom of Speech and Expression, Parliament of Georgia, June 24, 2004, Article 4, point 2
[21] Decision of the Constitutional Court of Georgia on the case of citizens of Georgia – Giorgi Khipiani and Avtandil Unigadze against the Parliament of Georgia, November 10, 2009, II.O.7;
[22] Decision of the Constitutional Court of Georgia on the case of Political Party United National Movement, Political Party Conservative Party of Georgia against the Parliament of Georgia, April 18, 2011, II.O.104;
[23] SCOTUS, New York Times Co. v. Sullivan, 376 U.S. 254 (1964);
[24] Law of Georgia on Freedom of Speech and Expression, Parliament of Georgia, June 24, 2004, Article 14

entitled and competent to determine defamatory character of information by themselves, and hence set certain limitation without a court decision being present.

It is crucial to avoid unnecessary restriction of freedom of expression in practice based on this argument. Therefore, it is important to clearly specify that defamatory information can only be restricted when it has been determined to be as such based on the procedure foreseen by legislation, by a court decision that has entered into legal force.

2.4 Insulting and Inaccurate Content

The GNCC Regulation also determines insulting and inaccurate information as inadmissible content. It should be stressed that these grounds are overly broad and vague and therefore do not meet the requirement of transparency. At the same time, vague grounds of this character entail tangible threat of restricting freedom of expression.

ECtHR as well as the Constitutional Court of Georgia emphasize in their decisions that freedom of expression encompasses not only information or ideas that are favorably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population.[25]
The Constitutional Court of Georgia also indicates that generally the state cannot restrict freedom of information based on the ground that certain information or ideas can be emotionally disturbing or incite unacceptable behavior. Everyone has the right to receive and disseminate ideas and determine by themselves, what is acceptable and inacceptable to them. [26]

Considering the above, based on international as well as domestic standards, it is unacceptable to purpose of avoiding the dissemination of restrict freedom of expression only with the purpose of avoiding the dissemination of defamatory information in the Internet.

Regulation indicates other, more precise grounds, based on which freedom of expression can be restricted with the purpose of protecting reputation of an individual (e.g. defamation). Nevertheless, such general and vague concepts as 'defamatory' and 'inaccurate' content should not be used as grounds for restricting freedom of expression.
In addition, our research of international standards demonstrates that the CoE member states do not restrict freedom of expression in the Internet based on such general grounds.[27]

2.5 Presumption of Innocence

Presumption of innocence is guaranteed by the Constitution of Georgia[28] as well as by various international agreements on human rights.[29]
Presumption of innocence is a crucial component of a fair trial. It stimulates that everyone is presumed innocent until proven guilty according to law based on judgement of conviction.

According to the interpretation of ECtHR, presumption of innocence forbids judges and other high-ranking officials from making references on the conviction of an accused before the final judgement is rendered by court. Statements of public officials, which convince society that an accused is guilty of a crime and which might in the future infringe on the ability of the court to objectively evaluate circumstances

[25] ECtHR, Handyside v United Kingdom (5493/72) 1976, Para. 49; Decision of the Constitutional Court of Georgia on the case of Political Party United National Movement, Political Party Conservative Party of Georgia, citizens of Georgia Zviad Dzidziguri and others against the Parliament of Georgia, April 18, 2011, II.O.106;
[26] Decision of the Constitutional Court of Georgia on the case of citizens of Georgia – Giorgi Khipiani and Avtandil Unigadze against the Parliament of Georgia, November 10, 2009, II.O.7;
[27] Comparative study on blocking filtering and take-down of illegal content (Part 2 Comparative Considerations) Swiss Institute of Comparative Law Lausanne, December 20, 2015
[28] The Constitution of Georgia, August 24, 1995, Article 40, point 1
[29] European Convention on the Protection of Human Rights and Basic Freedoms, November 4, 1950, Article 6, point 2.

of the case, violate presumption of innocence.[30] Hence, presumption of innocence can only be violated by public officials or judges hearing the case. It is the competence of the court to decide whether presumption of innocence is violated in each case.

Therefore, it is important for the GNCC Regulation to determine whether relevant authorized private persons are authorized and competent, in the absence of a judicial decision, to determine whether a specific piece of information violates the presumption of innocence and limit information on the Internet based on this ground. In cases when the court has not found a violation of the presumption of innocence, the relevant authorized private persons may face significant difficulties in correctly defining this concept, since this requires special competence. Therefore, in order to avoid unnecessary restriction of the freedom of expression in practice, the GNCC Regulation must specify that content violating the presumption of innocence may be restricted only if the violation has been determined by the court in accordance with the law.

2.6 Invasion of Privacy

The concept of privacy is defined and regulated differently among Council of Europe member states. Generally, it includes protection of reputation, personal data and other personal secrets. Member states also have different legal mechanisms for the protection of these rights.[31]

GNCC's Regulation defines the protection of one's reputation as a separate basis; therefore, other types of personal data should be included in this general basis for the protection of privacy.

In many cases, the right to privacy of one person comes into conflict with the freedom of expression of another person. The European Court of Human Rights has had to repeatedly find a fair balance between these opposing interests. Together, these rights, protected by the Convention, create a system that protects the interests of both the individual and the public. That is why it is unacceptable for any one right to be limited excessively and automatically on the basis of protecting any other right guaranteed by the Convention. Therefore, the European Court assesses the essence of opposing interests in each case separately and establishes a fair balance between rights.

Considering the above, the GNCC Regulation must introduce a "public interest test", which allows for the dissemination of private information when a strong enough public interest exists.
Freedom of expression applies more strongly to areas related to public interest and political expression. In such cases, state discretion is especially limited, with restriction being subject to strict examination by court.[32]

This means that dissemination of personal information cannot always serve as the basis for restricting freedom of expression. The interest that may be restricted on the basis of personal data protection must be evaluated separately in each case.

2.7 Copyright

There is a broad consensus among the Council of Europe member states regarding the restriction of the freedom of expression on the Internet on the grounds of copyright infringement. Copyright is protected by several international agreements that are ratified by Georgia.[33]

[30] ECtHR, Allenet de Ribemont v. France, February 10, 1999
[31] Comparative study on blocking filtering and take-down of illegal content (Part 2 Comparative Considerations) Swiss Institute of Comparative Law Lausanne, December 20, 2015, p.779
[32] ECtHR, Roland Dumas v. France § 43, July 15, 2010
[33] The Berne Convention on the Protection of Literature and Artistic Works (ratified by Resolution No. 609 of the Parliament of Georgia on November 24, 1994); The December 20, 1996 Copyright Treaty of the World Intellectual Property Organization (ratified by Resolution No. 879 of the Parliament of Georgia on May 23, 2001); The 1961 Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (ratified by the Resolution No. 3344 of the Parliament of Georgia on February 17, 2004).

Under these agreements, states have committed to protecting copyright and neighboring rights and to take necessary measures to this end. However, specific procedures and protection mechanisms vary by country.[34] In a number of states, the removal and blocking of Internet content on the grounds of copyright protection is only permissible based on a court decision. According to other approaches, the decision to restrict content lies with special administrative authorities or Internet providers.[35]

Approaches to preventing copyright violations on the Internet also vary. For example, one approach relies on the "three warnings" mechanism, using which users are denied Internet access if they violate copyright three times (illegally download copyrighted material). However, this mechanism is often the subject of criticism from those actors who consider access to the Internet to be a fundamental human right.[36] The Constitutional Council of France has also deemed this mechanism to be unconstitutional due to lack of appropriate procedural guarantees in the legislation.[37]

Copyright is recognized and protected under Georgian law. Therefore, it is justified to restrict freedom of expression, including on the Internet, on the grounds of copyright protection. However, at the same time, there must an obligation to notify the decision on restricting information, and, in the event of a dispute, the person must be able to defend their freedom of expression through court.

[34] Comparative study on blocking filtering and take-down of illegal content (Part 2 Comparative Considerations) Swiss Institute of Comparative Law Lausanne, December 20, 2015, p.778
[35] Ibid. p.780
[36] OSCE, Freedom of Expression on the Internet, A study of legal provisions and practices related to freedom of expression, the free flow of information and media pluralism on the Internet, 2012, p.153
[37] Forbes, France Scraps 'Three Strikes' Anti-Piracy Measure, July 10, 2013

3 Legislative Proposal

The components of the concept of inadmissible content defined by the Regulation of the Georgian National Communications Commission do not meet the local and international standards of restricting freedom of expression. Therefore, this problem must be solved through legislative amendments, in order to prevent excessive restriction of the freedom of expression.

For this purpose, IDFI proposes a draft amendment to the GNCC Resolution aimed at correcting the shortcomings described in this document and increasing the standard for protecting freedom of expression.

Draft Amendments to the March 17, 2006 Regulation N3 of the Georgian National Communications Commission on the Provision of Services and Protection of Consumer Rights in the Sphere of Electronic Communications

Article 1

Wording of Article 3, Paragraph 1, Subparagraph 33)^2 of the March 17, 2006 Regulation N3 of the Georgian National Communications Commission on the Provision of Services and Protection of Consumer Rights in the Sphere of Electronic Communications should be changed to:

33)^2 Inadmissible Content - content transmitted by means of electronic communication that depicts especially grave forms of violence, child pornography and other obscenity, and that violates intellectual property rights; as well as content that is slanderous, invading on a person's privacy, violating the presumption of innocence, and transmitted in violation of Georgian Legislation that has been declared as such by the court in accordance with the law.

Wording of Article 10^2, Paragraph c) should be changed to:

c) If it becomes known to the Website Owner that a link posted on their Internet website contains inadmissible content, it shall take appropriate measures to eliminate it.

Article 10^3, Paragraph 2 should be removed.

Paragraphs 3 and 4 should be added to Article 29 with the following wording:

3. The Service Provider is obligated to inform interested persons about the decision made on the complaint and explain the procedure and rules of appealing the decision.

4. In case of blocking or deleting information on the grounds of it constituting inadmissible content, the Service Provider is obligated to publish the decision on its official website within three days.

Article 2

This Regulation shall come into force upon promulgation.

The existing wording of all the norms of the Regulation that are being amended

Article 3, Paragraph 1, Subparagraph 33)^2

Inadmissible content - content transmitted by means of electronic communications, such as pornography, items featuring especially grave forms of hatred and violence, invading on a person's privacy, as well as slanderous, defaming, violating the principle of presumption of innocence, inaccurate, and other content transmitted in violation of intellectual property rights and the Georgian Legislation.

Article 10^2, Paragraph c)

The Website Owner examines a link on their Internet website in order to ensure that the linked page does not contain defaming or other inadmissible content. Upon finding such content, the Website Owner takes appropriate measures to eliminate it.

Article 10^3, Paragraph 2

2. The Issuer of an Internet Domain periodically checks the contents of websites registered by it in order to prevent the publication of inadmissible content on a website. Upon discovering such content, the Issuer of an Internet Domain must

immediately take appropriate measures to eliminate it:

a) Warn the domain owner and give them a deadline for removing inadmissible content;

b) Block the website if the warning is ignored.

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