

Narrative Report

APC Grants for research and campaign support

Organization: Korean Progressive Network Jinboent

Date Submitted: 1 December 2022.

Name and email of person who completed the report: Byoung-il Oh, antiropy@gmail.com

- Please answer the following questions briefly and submit the report no later than 30 days after the end of your project implementation. Please limit your report to a maximum of 8-10 pages. If you want to send any additional information attach it as appendices.

A. Administrative information

Project title: Response to Big Tech's monopoly and infringement of personal data

Name of project leader: Byoung-il Oh

Project period: 1 August 2022 - 30 Nov 2022

Country: Republic of Korea

B. Project report

1. Objectives

Please write down the objectives of your project (as described in your grant application) and explain briefly how you think the project contributed to achieving your objective. Provide any evidence that you have that your objective was (partly or wholly) achieved.

Objective: Big Tech has become the power to provide the Internet environment for most users. Big Tech controls the way people access information, communicate with each other, and enjoy culture through the Internet. So we need to analyze and publicize what the problem is with Big Tech, what illegal activities it is doing, and how it affects people's rights. These research and campaigns will lead to various lawsuits against Big Tech and legislative campaigns for bills to regulate Big Tech in the future.

Project contribution:

Although awareness of the problem of big tech is expanding in the U.S. and Europe and legislation is being proposed to regulate big tech, awareness of big tech issues is still weak in the Republic of Korea. Since 2021, Jinbonet has been conducting research to study big tech issues with the Institute for Digital Rights and lawyers of a law firm 'Jihyang'. We also hold eleven online public forums on major Big Tech issues (although those activities are not included in this project). Based on these research outcomes, we selected 10 issues related to Big Tech, wrote an article introducing the gist of each issue and related materials, distributed them through the campaign website and SNS, and delivered the printed copy to civil society activists, experts, and lawmakers.

Meanwhile, when Meta revised its privacy policy in July 2022, Korean users protested against Meta's excessive collection of personal information, and it was also known that Meta has collected users' website and app usage records for target advertisements. In the Republic of Korea, unlike

Europe, websites do not obtain user consent for collecting personal information through cookies and transmitting personal information to ad-tech companies during the online auction process for target advertising. We held a discussion forum at the National Assembly on the issue of personal information infringement during the target advertisement process, and reported illegal activities of Meta and Google to the Personal Information Protection Commission. On September 14, 2022, the Personal Information Protection Commission fined Meta and Google for not sufficiently notifying users of the collection of personal information for target advertising, and then formed a task force to address the illegality of the target advertising process.

Through this project, we have made big tech issues widely known to Korean society, and the Personal Information Protection Commission, a regulatory body on personal information, has already begun to take this issue seriously. Jinbonet will carry out a legislative campaign for Big Tech regulations in the future.

2. Strategic Outcomes (SO)

Please identify the APC Strategic Outcomes (SO) your project was related to and briefly explain how your project contributed to it.

SO 4: Advocate for human rights online and offline

Contribution:

Big Tech has a vast amount of personal information, and the stronger the monopoly power, the more it tends to abuse personal information. In addition, Big Tech promotes sensational and offensive expressions against minorities through its platform algorithm, while restricting users' freedom of expression. The regulation of big tech monopoly is also to protect the human rights of users. We analyzed how Big Tech violates users' human rights and what regulations each country is introducing.

3. Activities

Please list the activities that were planned in your proposal and explain (one by one) the results of each activity. Highlight positive and negative aspects of the activities. Highlight ways in which what you did was different from what was planned. Give reasons if you did not do the activity or you changed the activity in any way.

Activity: Seminars for research (with civil society experts and activists) - every week until the end of the project

Results:

Since 2021, Jinbonet has been holding seminars every week with the Institute for Digital Rights and lawyers of law firm 'Jihyang' to study big tech-related issues. In addition, in 2022, we had 11 open forums to share the results of these studies with civil society activists and experts. Open forum videos and materials are archived on the website of the Institute for Digital Rights.

<https://idr.jinbo.net/1116>

The topics of the 11 Open Forum are as follows.

[11th Forum] Controversy over in-app payment, what is the issue?

[10th Forum] A platform that became a dinosaur... It's time to explore alternatives

[9th Forum] Dark Patterns

[8th Forum] The Impact of Digital Platforms on Media Diversity

[7th Forum] Algorithmic Discrimination and Audit

[6th Forum] Is Children Safe in Social Media?

[5th Forum] Digital Advertising and AdTech (II): Digital Advertising, How to Regulate

[4th Forum] Digital Advertising and AdTech (I): Surveillance advertising that engulfed the Internet ecosystem

[3rd Forum] EU Digital Service Act Package, what is it about?

[2nd Forum] Why has the United States become one of the strongest big-tech regulatory promoters?

[1st Forum] From Facebook to Meta Platform

Comments & changes: This activity was carried out successfully without any changes. Through the open forum, interest in big tech issues has increased within civil society organizations.

Activity: writing or translating articles on Big Tech: publication of 10 articles (1 article per week)

Results:

We selected 10 topics related to Big Tech and wrote an article summarizing the points of each issue and related materials. The 10 topics are as follows.

- Controversy over Meta's violation of the Personal Information Protection Act in the Republic of Korea
- Privacy issues around Facebook
- Privacy issues around Google
- The Impact of Big Tech on media diversity
- Big Tech Regulatory Trends in the United States
- Big Tech Regulatory Trends in the European Union
- Discrimination and Protection of Vulnerable Data Subjects in Big Tech
- The Problem of privacy infringement around targeted advertising
- In-app payment controversy and issue
- Regulators and Users' Responses to Big Tech

Comments & changes:

At first, we planned to write an article with three to four pages a week on each issue. However, it took a lot of time to organize each issue, so we published two or three articles a month. So the End date for this activity was also delayed by about a month from October 22 to November 24, when the 10th issue was issued. The amount of writing also increased to around 10 pages for each issue.

However, it is expected that it will be very useful for those who want to grasp big-tech issues because those articles had the gist of each issue and provided links to related materials.

Activity: Issue website development

Results: We have created the <Big Tech and Digital Rights> issue website to provide easy access to 10 articles.

<https://act.jinbo.net/wp/p45840/>

The website is linked from Jinbonet's policy homepage, <https://act.jinbo.net>.

Comments & changes: We created using the same blog tool to integrate with the Jinbonet's policy homepage. This activity was carried out successfully without any changes.

Activity: posting articles in the issue homepage and disseminating via SNS (1 article per week)

Results:

Written articles were uploaded to the Issue website and distributed through Jinbonet's Facebook page, Twitter, mailing list for Jinbonet's press release, Telegram channels and groups. (For your information, Korean civil society activists and experts mainly use Telegram as a messenger for mutual communication and cooperation.)

- facebook page: <https://www.facebook.com/Jinbonet>
- twitter: <https://twitter.com/jinbonet>
- mailing list : jpress@list.jinbo.net
- telegram : <https://t.me/Jinbonet>

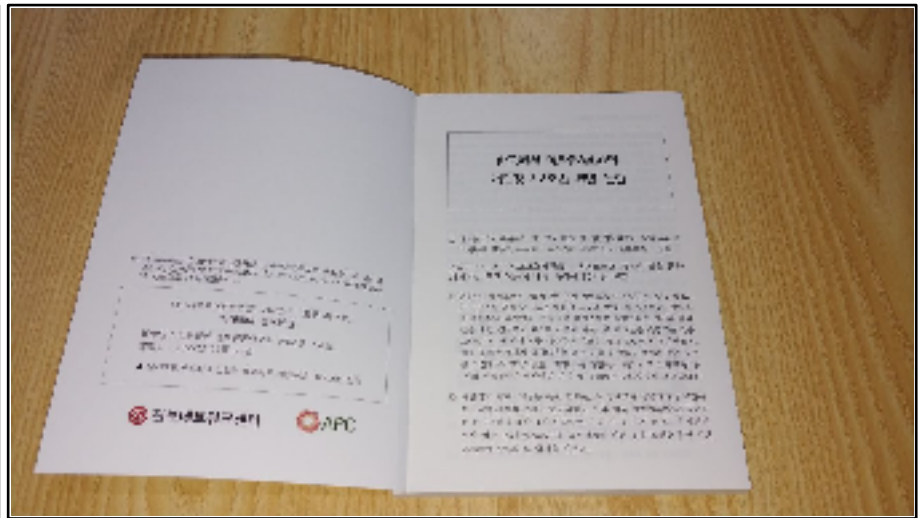
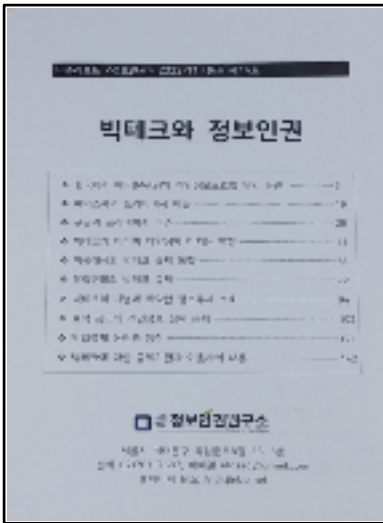
Comments & changes: This activity was carried out successfully without any changes.

Activity: editing and printing of a research report, and publishing the press release

Results:

We integrated 10 articles and printed 200 issue reports published by the Institute for Information and Human Rights and sent them to civil society activists and experts.

Comments & changes: Part of the cost of printing 200 copies was covered by the project fund. This is because the printing cost increased much more than expected as the amount of articles increased. The rest of the cost was borne by the Institute for Digital Rights. As the writing of articles was delayed by about a month, the printing and distribution of the report were also delayed. It was printed at the end of November and sent to civil society activists and experts in December.



Activity: sending a research report to related experts and activists

Results:

As mentioned earlier, 200 copies of the issue report were printed and sent to civil society activists and experts in December.

Comments & changes: This activity was carried out without any other changes except that the sending date was behind schedule about a month.

Activity: holding open forum

Results:

We held a discussion forum on targeted advertisements in the National Assembly from 10 a.m. to 12 p.m. on September 22, 2022. The title of the event was <"The problem of personal information infringement by targeted advertisements and how to address them">. Many people knew that targeted advertisements were being shown, but they were not aware of how targeted advertisements worked and how personal information was handled in this process. The purpose of this event is to reveal that vast and sensitive personal information is being collected and processed for targeted advertisements without our knowledge, and to inform how our personal information is being violated in the process.

On September 14, just before the event, the Personal Information Protection Commission(PIPC) fined Google and Meta about 100 billion won because they did not provide sufficient explanation to users in the process of collecting personal information for targeted advertisements. However, the PIPC did not address the issue of meta and Google collecting user personal information from third-party websites or apps without consent and providing user personal information to Ed-Tech companies during the online auction process. At the event, lawyer Lee Eun-woo presented how personal information infringement is carried out in the process for targeted advertising, how serious it is, and what regulations are needed to address it.

The event was co-hosted by nine lawmakers from the Democratic Party of Korea, one from the Justice Party, and 10 civil society organizations, including jinbonet. Professor Han Sang-hee, co-representative of the People's Solidarity for Participatory Democracy, was the moderator and lawyer Lee Eun-woo (law firm 'Jihyang) joined as a presenter. The discussants included various

stakeholders, including Jang Yeo-kyung (Institute for Digital Rights), Kim Borami (Citizens'Coalition for Economic Justice), Kwon Se-hwa (Korea Internet Enterprise Association), Kim Jik-dong (PIPC), and Seol Min-ah (Fair Trade Commission). About 50 people from the National Assembly, industry, and civil society attended the event.

Comments & changes:

We originally planned to hold an event at the end of November, but it was held earlier in September.

When Meta revised its privacy policy in July 2022, Meta's extensive collection of personal information became controversial, and it was widely reported that vast and sensitive personal information of users were collected and shared through third-party websites and apps without users' knowledge. Jinbonet has already reported to the PIPC that Meta collected personal information without user consent and without user knowledge for targeted advertising purposes in May 2022.

On September 14, the PIPC fined Google and Meta about 100 billion won because they did not provide sufficient explanation to users in the process of collecting personal information for targeted advertisements.

This was not a satisfactory decision, but it was an important step forward in that the PIPC began to take an interest in targeted advertising issues. So we decided that it was important to attract the attention of the PIPC, members of the National Assembly, and society as a whole through the discussion forum in the National Assembly. Immediately after our event, the PIPC formed a task force to deal with targeted advertising issues.

Activity: Blog post production

Results: Blog post will be included in this report.

Comments & changes: Overall, the schedule was delayed, so a blog post was not published on the APC website in November. Instead, it was included in this report and is expected to be published in January 2023.

4. Community

Please identify which target community or audience you reached. Indicate the number of people reached and disaggregate by gender. Indicate the results and changes achieved.

In general, when raising new issues, the first target communities are civil society activists and experts. This is to make the movement more powerful by forming a solidarity network interested in the issue. In the process of responding to meta's personal information infringement, we formed a group to respond to big-tech issues with activists and experts from civil society and consumer group. Currently, 18 people are participating in the communication group, and 11 are women.

The issue report on Big Tech has been sent to about 200 activists and experts to share our findings on this issue. Of course, this content is open to the Internet and promoted through SNS or mailing lists, so the general public, including journalists, can access it.

5. Relevance to your organisation

Please briefly describe the organisation's plans for further activities in this area of work. How will you leverage the outcomes of your project? What new opportunities open up for your organization after this project?

Since 2021, Response to Big Tech has been a key activity area of Jinbonet. In 2021, we have carried out research on the problem of Big Tech and responded to meta's infringement of privacy rights. In 2022, we organized systematically the research results on Big Tech and shared them with civil society, and the problem of privacy infringement of target advertisements was raised. Based on the achievements of this project, Jinbonet will promote the issue on Big Tech monopoly more broadly in the future. In addition, we will strive to enact alternative legislation to regulate big-tech monopolies.

6. Relevance for APC

Please explain how your project relates to APC wide activities, other members, etc.

The problem of Big Tech is not just a problem in the Republic of Korea, but a problem around the world wide. In addition, Big Tech's problems range from damaging fair market competition due to monopoly to infringement of user personal information, damage to media diversity, and threats to democracy. Already in Europe and the United States, legislation to regulate big tech is being discussed. APC and members may already be responding to Big Tech in various areas. It is necessary to share Big Tech's problems and response activities within APC to cooperate in the fight against Big Tech.

7. Overall reflection

Please write a few paragraphs of general reflection. Write about:

What went very well in the project - what are you especially proud of?

What did not go very well, and why?

What would you change if you were to do this project again?

The overall schedule was delayed because it took more time than expected to organize the gist of articles on big tech issues. Instead, rich content has been written and this is in line with the project's objectives. The Big Tech Issue website will continue to be updated as the situation changes.

The timing of the discussion forum was adjusted to suit the political situation in reality. Fortunately, as the PIPC responded to the problem of Big Tech, our activities attracted social attention. The problem of infringement of personal information in target advertisements was raised at an appropriate time. This is an important issue that can affect the overall usage environment of Korean users, as most websites and apps should inform users and obtain their consent when they collect users personal data through cookies and provide them to Ed-tech companies. Since target advertising is an important revenue base for Big Tech, changes in target advertising policy have a great influence on Big Tech's power. This project raised important issues that could affect Korea's Internet environment and big tech power.

But the response to Big Tech will be a long battle. Based on the achievements of this project, it is necessary to continue activities to inform more people of the problems of Big Tech and to form public opinion for Big Tech regulations.

8. A Story

We want to hear not only about what you did, but also about how that made this world a better place. In a few paragraphs, please tell a story of change that relates to your project. It can be a story of how somebody's life improved, or a community improvement. We would like to share this story publicly online in the APC website. Here are some generic questions you can follow as a guideline:

- Why was your activity a relevant one for the community you work in?*
- What was the most significant change that has occurred among your beneficiaries? Why is this significant, mostly in terms of their quality of life? You can address changes on the levels of knowledge or awareness, changes in personal development, changes in attitude and behaviour, changes in participation in activities that aim to bring about positive social or political change, etc.*
- Is this something other organisations could replicate and readapt? Why?*

Big Tech Monopoly and Civil Society Response in the Republic of Korea

Most of the services and content we use on a daily basis, such as messengers, news, social networks, videos, shopping, and maps, are now provided by a small number of big tech companies. The Internet is not a diverse and decentralized network any more, but a centralized network dominated by a few big techs. Global consensus is expanding on various problems caused by a small number of big techs dominating the Internet. In October 2020, a subcommittee on Antitrust, Commercial and Administrative Law under the Committee on the Judiciary of US House published the report <Investigation of Competition in Digital Markets>. The report criticised Big Tech as (1) dampening innovation and entrepreneurship, (2) negatively affecting privacy and personal data, (3) hindering the formation of free and diverse media, and (4) threatening political and economic freedom.

Already, regulators in the U.S. and Europe (e.g., market regulators or data protection supervisors) are investigating and regulating Big Tech's anti-competitive activities or personal information infringement. In addition, bills to regulate Big Tech have been proposed and discussed, and as the limitations of regulating Big Tech through the existing anti-trust law have been revealed, new regulation targeting only a few Big Techs is being introduced. In the United States, several bills to regulate big tech - for example, the American Innovation and Choice Online Act, which regulates self-preferential behavior for platforms above certain criteria, the Platform Competition and Opportunity Act for prohibiting M&A by Big Tech, and the Ending Platform Monopolies Act, which fundamentally prohibits the provision of certain products or services that cause conflicts of interest - have been proposed bipartisanly. In the European Union, the Digital Service Act (DSA) and the Digital Market Act (DMA) for regulating big tech online platforms have already passed the European Parliament in 2022 and are set to be implemented.

However, in the Republic of Korea, critical awareness of big tech is still weak. Unlike overseas, there are several native big techs such as Naver and Kakao, and there are many voices calling for fostering native tech companies. But, although the pattern of market monopoly may be somewhat different from overseas, various problems caused by big tech at home and abroad are also appearing in Korea. Therefore, the voices of civil society and small business owners who criticize Big Tech's monopoly and high-handedness are growing.

In 2021, Jinbonet filed a personal information dispute settlement and compensation suit for damages for Meta's unauthorized provision of user personal information to third parties (related to

the so-called "Cambridge Analytica" scandal). In 2022, issues related to the revision of Meta's privacy policy were raised. In July 2022, when Meta revised its privacy policies around the world, in Korea, it demanded to agree to the revised policies again, warning that users could not use the service otherwise. Korean users protested, criticizing Meta for collecting excessive personal information and actually forcing consent. Jinbonet reported to the Personal Information Protection Commission (PIPC) that Meta's collection of vast amount of personal information for targeted advertisements is a violation of the Personal Information Protection Act (PIPA) because PIPA requires collection of only personal information essential for service provision.

In connection with the controversy, it is known that Meta has also collected user personal information on Internet websites and apps outside Facebook and Instagram without even users' knowledge. In other words, Meta is collecting what users searched, what contents they read, and what items they ordered. In Korea, unlike Europe, site operators do not receive user consent for collecting personal information through cookies, so users were never aware that Meta was collecting their personal information outside of Facebook.

The personal information collected in this way is shared with numerous ad-tech companies during the online auction process for targeted advertisements. If personal information about the interests or tastes of the users who are accessing a specific website now is provided to the ad-tech companies, those companies will bid for its advertisement based on this information, and the advertisement of the winning company will be shown to the users. Apple's ad called 'Ellie's Data Auction' illustrates this online auction system. These online auctions take place in a short time when users access the site. However, when Meta or Google share users' personal information with ad-tech companies, they do not get consent from users, which is also a violation of the PIPA.

Jinbonet reported to the PIPC that Meta and Google have processed personal information in violation of the PIPA for targeted advertising purposes, and held a discussion forum at the National Assembly on the infringement of personal information in the targeted advertising process. On September 14, 2022, the PIPC imposed a fine of about 100 billion won along with a correction order for Google and Meta not sufficiently notifying users of collection of behavioral personal information from 3rd parties websites and apps without consent for targeted advertising purposes. However, the PIPC did not address the collection of personal information through cookies and sharing with ad-tech companies without user consent. Currently, the PIPC has formed a task force to examine on the processing of personal information in the targeted advertising process to examine this issue.

Targeted advertisements control users' consumption habits without users' knowledge. The processing of vast and sensitive personal information collected for target advertisements violates the user's right to privacy. As ads related to what they search follow them on any site, many people feel monitored.

In addition to targeted advertising issues, various issues surrounding Big Tech monopoly are also being raised in Korea. Like other countries, Google and Apple have forced their in-app payment systems on the App Store and Play Store, prompting app developers to protest. Coupang, an online shopping mall, has been criticized for discriminating against the products of the store vendors compared to their products and causing excessive tyranny such as price cuts to the store vendors. Recently, when Kakao Talk's server, a messenger used by the majority of the public in Korea, was stopped due to a fire in the data center, many important communication through Kakao Talk was disrupted, allowing many people to realize the social influence of certain exclusive services.

Big Tech's monopoly is not just an issue in Korea, but a global issue. In the Republic of Korea, while seeking responses to Big Tech and alternative legislation, we have drawn a lot of inspiration

from overseas response movements and examples. Korea's experience will also be helpful to many civil society organizations abroad that want to respond to big tech.

Appendix 1: Outputs & Documentation

Please include links to: videos, blogs, reports, manuals, press releases, applications and any other result of the project that are available online

Digital Platform open forum series

<https://idr.jinbo.net/1116>

Each pages below includes related presentation files and forum video

[11th Forum] Controversy over in-app payment, what is the issue? : <https://idr.jinbo.net/1504>

[10th Forum] A platform that became a dinosaur... It's time to explore alternatives : <https://idr.jinbo.net/1474>

[9th Forum] Dark Patterns : <https://idr.jinbo.net/1177>

[8th Forum] The Impact of Digital Platforms on Media Diversity : <https://idr.jinbo.net/1141>

[7th Forum] Algorithmic Discrimination and Audit : <https://idr.jinbo.net/1128>

[6th Forum] Is Children Safe in Social Media? : <https://idr.jinbo.net/998>

[5th Forum] Digital Advertising and AdTech (II): Digital Advertising, How to Regulate : <https://idr.jinbo.net/978>

[4th Forum] Digital Advertising and AdTech (I): Surveillance advertising that engulfed the Internet ecosystem : <https://idr.jinbo.net/968>

[3rd Forum] EU Digital Service Act Package, what is it about? : <https://idr.jinbo.net/1097>

[2nd Forum] Why has the United States become one of the strongest big-tech regulatory promoters? : <https://idr.jinbo.net/1090>

[1st Forum] From Facebook to Meta Platform : <https://idr.jinbo.net/1083>

<Big Tech and Digital Rights> campaign website

<https://act.jinbo.net/wp/p45840/>

- Controversy over Meta's violation of the Personal Information Protection Act in the Republic of Korea : <https://act.jinbo.net/wp/45867/>

- Privacy issues around Facebook : <https://act.jinbo.net/wp/45903/>

- Privacy issues around Google : <https://act.jinbo.net/wp/45945/>

- The Impact of Big Tech on media diversity : <https://act.jinbo.net/wp/46028/>

- Big Tech Regulatory Trends in the United States : <https://act.jinbo.net/wp/46210/>

- Big Tech Regulatory Trends in the European Union : <https://act.jinbo.net/wp/46278/>

- Discrimination and Protection of Vulnerable Data Subjects in Big Tech : <https://act.jinbo.net/wp/46421/>
- The Problem of privacy infringement around targeted advertising : <https://act.jinbo.net/wp/46465/>
- In-app payment controversy and issue : <https://act.jinbo.net/wp/46542/>
- Regulators and Users' Responses to Big Tech : <https://act.jinbo.net/wp/46647/>

Discussion forum <"The problem of personal information infringement by targeted advertisements and how to address them">

<https://act.jinbo.net/wp/46112/>

This page includes web posters, press release, presentation materials of the event.

<https://act.jinbo.net/wp/46184/>

This page includes photo and summary of the event.



Panels of the discussion forum



Eun-woo Lee, presenter



Young-deok Yun, assembly person who co-organize the event