

c) Common carriers or ISPs be held civilly liable for the transport or hosting of content which is illegal and for failing to exercise due diligence to prevent such activity.

(The committee expressed concern over non-legal standards in contracts that would require third-party monitoring. Would civil or criminal law apply? But the criminal code should be maintained as presently drafted. Acceptance of B'nal B'nt's recommendation No. 3; ISPs should exclude the provision of services to those who use the Internet to promote hatred; remains conditional.)

• The establishment of a cyber-tribunal. The composition of such a tribunal was not determined; independent body of legal experts. Could such a body establish law or norms?

• Encourage industry self-regulation. If the service/provider voluntarily engages in a program to review self content in good faith and in accordance with an established industry code of conduct, it should be protected from liability as a result of this conduct.

• Encourage dialogue between policy makers, human rights activists and industry representatives.

• The development of international observatory centers would provide a sound basis for the analysis and evaluation of hate on the Internet and be a source of information to the human rights community (measurement, academic pursuit, purpose - no legal role but work with legal enforcement). Watchdog and data collection.

• Have service providers establish a code of conduct in concert with human rights organizations and law enforcement agencies that would lead to the exchange of information on the names and addresses of those who promote hate, pedophilia and pornography.

• User code of conduct/contractual obligations to others which clearly outline users' responsibilities to others (installation process, part of pull-down menu); violations result in termination of services.

• UN Commission on Human Rights: declare that hate is a global problem and move to marginalize it in all forms.

• Provide users with a venue where they can voice their concerns and complaints. Need to provide for potential abuse.

III- Legislation

• Human rights acts, particularly their definitions, should be revised in order to update sections in terms of new technology and to avoid being unenforced because of a technicality.

• Federal and provincial governments should develop legislation on privacy in the private sector.