#deleteyourself?

Chances & Risks of Content Regulation: Experiences from Germany 2017

by Julia Krüger
Requirements for democratic content regulation (incl. take-down)

Normative Basics:
• criminal law, concrete and specific norms

Procedural Requirements (Theory):
• effective state powers (democratic legitimacy)
• checks & balances (adequate mechanisms of control)

Procedural Requirements (Self- & Co-regulation):
• Transparency: overall process
• Accountability/ responsibility: concrete decisions
• Adequate procedures
• Checks & balances: control & right of objection
Netzwerkdurchsetzungsgesetz (NetzDG)

- **Aim:** strengthening law enforcement (criminal law) in social media
- **Provisions:** social media platforms are obliged to remove illegal user content upon user request immediately (24 h – 7 days), to report process otherwise they might be subject to severe fines
- **Responsibilities/Accountabilities:** with social media platforms (privatized law enforcement)
NetzDG: Scope of application (criminal law)

Covering a variety of criminal offenses (amount: 22), e.g.:

86: Dissemination of **propaganda material** of unconstitutional organizations
91: Encouraging the commission of a serious violent offense endangering the state
**100a: Treasonous forgery**
111: **Public incitement to crime/ 130: Incitement to hatred**
126: Breach of public peace by threatening to commit offenses
129: **Forming criminal/ terrorist organizations** (incl. ex-territorial)
131: Dissemination of depictions of violence
184b: Distribution, acquisition and possession of child pornography
**185: Insult + 186: Defamation** (also: intentional/ religious + ideological)
201a: Violation of intimate privacy by taking photographs
241: Threatening the commission of a felony
269: Forgery of data intended to provide proof)
NetzDG: Criticism

Overall criticism | major risks:

- Risk of over-blocking (fines) and abuse of the reporting system, illegal restrictions on the freedom of speech/ information
- Privatization of law enforcement

Criticism related to process + performance (anticipated):

- Reporting requirements: provide everything but overview about legality/ illegality of content being taken down = no control
- Despite risks: no user rights of objection (civil liberties are constituted as protections against the state instead of corporations)
- No strengthening of law enforcement: cooperation between social media platforms and law enforcement agencies remains basically voluntarily
- “Hate as you like …!”
- Transitional technology
#Eurobasket_2017 Deutschland vs. Georgien bei Telekosport.de hier: telekosport.de/event/georgien...
#DBB_Basketball: DBB:

Verfassungklage @verfassungklage 4h
Vor #Dieselgipfel mit #Kanzlerin: #Kommunen fordern Maßnahmen vom #Bund ... heise.de/newsticker/mel...

Verfassungklage @verfassungklage 4h
#Wahlkampf in der Grauzone: Die #Parteien, das #Microtargeting und die #Transparenz ... netzpolitik.org/2017/wahlkampf... #Bundestagswahl_2017:

Verfassungklage @verfassungklage 4h
#IFA #heiseshowXXL am Samstag: Sprachassistenten, VR, gute Fotos & mehr ... heise.de/newsticker/mel...

Verfassungklage @verfassungklage 4h
#Röntgenlaser #European #XFEL
Facebook purges tens of thousands of fake accounts to combat spam ring

Global crackdown on 'inauthentic likes and comments' launched on Friday targeting a single operation
Kampf gegen den Islamischen Staat: Youtube löscht offenbar zu viele Videos

New Google Search Censorship Appears to Be Worse Than Originally Feared

August 14, 2017 at 1:14 pm
Written by Jake Anderson

(ANTIMEDIA) - New data released by the World Socialist Web Site seems to confirm what many had feared: the new Google search evaluation protocol is adversely affecting a broad array of leftist, whistleblower and democratic rights organizations, and anti-war news outlets. The data, collected from the search engine metric website SEMrush, shows massive drops in traffic to Wikileaks, the Intercept, the ACLU, Common Dreams, Antiwar.com, and many others.
Democratic Content Regulation:

Transparency (Data + Process) | Adequate Responsibilities | Accountability | Controls (Manipulation) | Rights for Objection (Publication)

Prospects: Upcoming EU Regulation
Thanx + Credits:

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