

Twitter Opening Statement – Joint Committee on Media, Tourism, Arts, Culture, Sport and the Gaeltacht

May 19, 2021

I'd like to thank the Committee for your invitation to participate in today's session. In this opening statement, I will provide our observations on the Online Safety & Media Regulation Bill (OSMR), while briefly discussing the international regulatory context and Ireland's unique role at this milestone of Internet governance.

Common Challenges & Shared Starting Point

The Open Internet has been an unprecedented engine for economic growth, cultural development, and self-expression. At Twitter, we define the Open Internet as a global and borderless digital space where anyone can freely access information and express themselves, and where businesses can start, innovate and compete with relative ease. As the inventor of the World Wide Web, Sir Tim Berners-Lee, said: "Freedom of connection, with any application, to any party, is the fundamental social basis of the Internet, and, now, the society based on it."

However, this vision of the Open Internet faces challenges we all acknowledge. Its fruits are being undermined by the consolidation of industry, the regression of civil and respectful discourse, and the subversive spread of harmful disinformation. Spurred by these threats, forums like this are being convened all over the world to assess what rules and standards are required to ensure that our online environment enriches society. In this context, we once again welcome the opportunity to engage with you today.

Twitter asks that we approach the regulatory response to these challenges from a shared foundation: the laws we make should protect, not diminish the global and open Internet. They should nurture fair competition, not choke it. They should encourage diversity in approaches to content moderation. They should mandate a degree of interoperability between services. And institutions like the EU and the Irish government, which are now at the frontier of this new era, should be mindful that the regulatory models and penalties they enact will be exported across the world to service political agendas of all kinds.

As David Kaye, former UN Rapporteur for Freedom of Expression and Opinion, has said: "...authoritarian governments are taking cues from the loose regulatory talk among democracies."

Online Safety & Media Regulation Bill

While we share the objective of the OSMR, Twitter would highlight the following concerns with the current proposals:

- **Regional & Global Harmonisation:** The global and borderless nature of the Open Internet is best-preserved by the establishment of regional and global standards. In our view, the harmonisation of regulatory standards will safeguard fair competition, as small-to-midsize companies will be better able to shoulder a single compliance regime. Fragmentation only benefits the largest players. As Ireland is part of the EU's Digital Single Market, it should consider delaying the enactment of provisions in the OSMR that may overlap with proposals currently under development in the Digital Services Act, the Digital Markets Act, and the European Democracy Action Plan. The European Parliament and the Commission have both [called attention](#) to the

challenges posed by such legal fragmentation and how it creates new barriers in the internal market especially for SMEs, including innovative start-ups.

- **International Precedent:** With the OSMR, Ireland is setting a global benchmark. We contend that several of the sanctions as currently envisaged create an unhelpful international precedent. Specifically, the extent of proposed financial sanctions, the provision for service blocking, and the criminal liability of senior management. Already, we see countries imposing punitive financial penalties to make the business environment difficult for platforms with unwelcome positions on freedom of expression. Service throttling and blocking is used to limit citizen access to news, information, and minority or opposition perspectives. And non-compliance is met with custodial threats for company employees. These actions challenge the foundational principles of a free Internet. We humbly ask that Ireland acknowledge this unfortunate trend and reflect its support for the Open Internet in the sanction regime set out by the OSMR.
- **Equitable Sanctions:** With respect to the financial sanctions proposed in the Bill, it should be recognised that there is a large cohort of platforms for which sanctions on the order of those set out would be an existential concern. In the platform sector, content policy is often competition policy by other means. The implementation of equitable sanction regimes are a key part of promoting fair competition – the alternative is a landscape too costly for all but the largest players.

I look forward to discussing the future of Internet governance with you today.

Annex: Twitter's Work to Promote Healthy Conversation

For years now, Twitter has stated that its top priority is the promotion of healthy public conversation. In service of this mission, we're continually developing our policies and updating our product to improve the user experience. We want to share some key updates on this work:

- **68%** of the content that's removed for violating Twitter's rules around abuse is now **proactively surfaced by machine learning** – significantly reducing the burden on users to report.
- Since introducing our policy against misleading information regarding COVID-19 and related vaccines, Twitter has challenged close to **12 million** accounts globally.
- Product innovations focused on user safety:
 - Throughout the COVID-19 pandemic, we have worked closely with the HSE to [surface authoritative, high-quality information](#). Through keyword search prompts and a timeline intervention during World Immunisation Week, we have urged users to consult HSE information sources above others.
 - [Conversation controls](#) introduced last year enable users to choose who responds to their Tweets.
 - We recently [rolled out prompts](#) that encourage people to pause and reconsider a potentially harmful or offensive reply before they hit send. Through testing, we learned that if prompted, **34%** revised their initial reply or decided to not send their reply at all.
 - To encourage more consideration in content consumption and distribution, Twitter now [prompts users](#) to read an article before sharing a link. After seeing the prompt, users are **40%** more likely to read the article.
 - We have been innovative in [labelling](#) content as we strive to limit the spread of harmful and misleading material, while providing context that gives users a more rounded view.