## Restricted Platforms and eCommerce Group: BTO Meeting with Facebook (24 April 2017)

Posted by Apr 25, 2017			
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## Main discussion points:

- Main interest is in the liability regime. On algorithms transparency, the aim is to strike a balance between "the maths" and sharing more information.
- Facebook is changing privacy settings with more informative choices based on the assumption that users don't read terms and conditions. They now inform users with specific information while they share.
- Facebook's main concern is the German law regarding hate speech. Facebook is meeting German representatives regarding this issue on 25/04.
- Facebook considers there are two sets of laws: private law (Facebook community standards) and public law (defined by governments). What they consider is missing is a qualified/authorization body to judge what is illegal. Facebook is not getting notice (in notice and action terms), e.g. hate speech in the framework of the German law (which is mainly focused on political speech). Facebook doesn't consider being qualified to make a judgment call, which can thread a very fine line. Facebook considers that the issuing of notices should be simpler, for instance, when notices are issued by qualified organizations (Brazilian law was used as an example). Community standards and public law shouldn't be addressed similarly, i.e. if it is appropriate that a random person raises issues of noncompliance with the Community standards, this is not appropriate for assessing compliance with public law. Facebook argues that the need to treat separately/differently private/community standards and public law is more important for bigger platforms.
- Facebook is proceeding through selection: If something is considered illegal in one country,
   Facebook will block it for that country on the basis of IP+ (IP + city/country where you live, where it was reported etc).
- Facebook would like to avoid the responsibility of a mediator if a government decides to take a
  measure to ban a certain kind of content. According to them, platforms shouldn't be a proxy for the
  link between the person creating the content (freedom of expression) and the person considering that
  content is illegal and requesting the removal.
- When an account is deleted, the content is deleted as well.

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