ReCreating Europe

Platforms' content moderation & accountability: Evaluating the present and looking into the future

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On 8 December 2022, ReCreating Europe carried out an online workshop on the topic of "Platforms' content moderation and accountability: evaluating the present and looking into the future". This workshop provided an opportunity to discuss research collaboration in the field of copyright content moderation.

The workshop, led by Sebastian Schwemer from the Centre for Information and Innovation Law (CIIR) at the University of Copenhagen and Christian Katzenbach from ZeMKI at the University of Bremen, attracted 28 participants from universities and civil society organizations across Europe. The discussion focused on two main topics:

- **Overlaps and missing pieces:** Post-CDSM Directive and Digital Services Act (DSA), where do we go from here, what is missing?
- **Transparency:** in light of mandatory data access regimes for researchers, how can these rules be operationalised for the study of content moderation?

After a brief presentation setting the stage by Sebastian Schwemer, different participants joined the discussion, presenting their research on a copyright perspective to data scraping, natural language processing (NLP), and computer vision.

After the presentation, another participant spoke about similarities between content moderation and recommender systems. She reminded the participants that in 2016, YouTube published a paper, which has been cited thousands of times, about their recommendation system. This year, TikTok came out with an influential paper on the same topic. She highlighted that these algorithms are very complex, and their sheer complexity makes it hard to study this automated type of interaction.

Following this perspective, we discussed the similarities and (subtle) differences between traditional content moderation actions, such as takedowns, and content recommendation. In the latter context, one of the speakers pointed to the problem of "shadow banning".

In order to study the impact of these algorithmic systems in any case, seminar participants noted that the data access rules in the DSA should lead to the creation of publicly available databases, which would be similar to the Lumen database. Today, for example, transparency reports do not provide detailed information regarding e.g., counter notices. The next speaker added that there is a need for a strategic discussion on what type of information do researchers ask from platforms. Others agreed that the relevant questions are firstly who gets access and secondly what kind of access that is. The

concept of platform observability, introduced in this context by Hofmann and Rieder, is helpful analytically to deal systematically with the problem of studying complex algorithmic systems If the platforms do not want to share deleted content, we can always ask for access to their unmonetized videos, because these are available.

Even with the DSA's provisions on mandatory data access, participants noted, lengthy and costly litigation processes could deter individual researchers' projects. In addition, the required high levels of data security demand special expertise and can be costly, leaving research opportunities to only few privileged institutions and researchers

Christian Katzenbach from ZeMKI then summarized that we need institutional efforts, e.g., by creating structures or organizations for researchers to address those challenges. Such challenges, he noted, demand institutional capacity to coordinate database creation and secure processes for data access. Currently, there already do some smaller and bigger observatories and networks, such as: the social media observatory, platform governance archive, as well the EU-funded European Digital Media Observatory focussing on misinformation, and the Platform Governance Research Network. Yet, we need to create sustaining coalitions and collaborations between those observatories. In contrast to natural and engineering sciences, the social sciences and legal scholarship have fallen behind in building and sustaining research infrastructures to study the challenges of our time. If this does not succeed, individual researchers will repeatedly need to go through these complex processes of data access on their own, bearing too many costs on all levels. The workshop ended with this call for institution building and the need to jointly define the avenues for future research.

FURTHER READING

[Workshop Presentations](#)

[Copyright Content Moderation in the EU: An Interdisciplinary Mapping Analysis](#)

Evaluation Report (Available soon, once uploaded to Zenodo

The ReCreating Europe project aims at bringing a ground-breaking contribution to the understanding and management of copyright in the DSM, and at advancing the discussion on how IPRs can be best regulated to facilitate access to, consumption of and generation of cultural and creative products. The focus of such an exercise is on, inter alia, users' access to culture, barriers to accessibility, lending practices, content filtering performed by intermediaries, old and new business models in creative industries of different sizes, sectors and locations, experiences, perceptions and income developments of creators and performers, who are the beating heart of the EU cultural and copyright industries, and the emerging role of artificial intelligence (AI) in the creative process.