

Dynamic Coalition on Platform Responsibility

2023 Yearly Report

1. Background info about the DCPR

The goal of DCPR is to stimulate the debate and analysis on the meaning of platform providers' responsible behavior. [1] DCPR works started with the analysis of the application to digital platforms of the UN Guiding Principles on Business and Human Rights, progressing to the development of a set of recommendations on core dimensions of platform responsibility. In this sense, the Coalition aims at exploring the concept of platform responsibility, coined, and promoted by this very same DC in 2014. [2] The concept aims at both highlighting the impact that private ordering regimes by platforms have on individuals' fundamental rights, such as effective remedy (art. 2 ICCPR), privacy (art. 17 ICCPR), freedom of expression (art. 19 ICCPR) and others, and interrogating the moral, social and human rights responsibilities [3] that platforms bear (or should bear) when setting up such regimes.

DCPR has been contributing to the discussion of platform responsibility and developing tangible outcomes, such as the "Recommendations on Terms of Service and Human Rights" [4] presented at the 2015 IGF, which served as an inspiration for (and were annexed to) both the study on Terms of Service and Human Rights [5], co-sponsored by the Council of Europe and FGV Law School, and the 2017 outcome of the Coalition – a volume entitled "Platform regulations: how platforms are regulated and how they regulate us", featuring research by an ample range of stakeholders[6]. It also bears noting that the "platform responsibility" approach and a conspicuous number of elements of the Recommendations can be found in the Council of Europe Recommendation CM/Rec(2018)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries. [7] Fostering this kind of multi-stakeholder and cross-institutional discussion is a core component of the vision behind the creation of the Coalition: to critically analyse challenging questions and collaborative develop potential solutions that, if deemed suitable and efficient, can inspire policymaking exercises. One of these efforts is the development of the Glossary of Platform Law and Policy Terms, launched in 2021 and transformed into a wiki available for any interested person.

2. Activities conducted in the past year

a. Participation at the IGF 2023

The DCPR 2023 session titled “A New Generation of Platform Regulations” investigated emerging platform regulations worldwide, scrutinizing their implications on human rights. It focused on an array of legislative initiatives including the Brazilian Fake News Draft Bill, the United Kingdom's Online Safety Bill, the European Union's Digital Services Act (DSA), Digital Markets Act (DMA) and Artificial Intelligence Act (AIA), the Indian IT Act, and the Chinese algorithmic regulation, among others. The session aimed at dissecting their complexities, particularly their potential effects on freedom of expression, privacy, and other human rights. The primary objective of the session was to understand how these legal paradigms are reshaping the digital landscape. The aim was to discern viable strategies for fostering a universally safe, equitable digital environment that steadfastly respects and upholds fundamental human rights while avoiding internet fragmentation. The methodological approach entailed fostering a comprehensive, multi-stakeholder dialogue, encompassing perspectives from government entities, civil society advocates, and the tech industry. This allowed for a profound exploration of the issues, challenges, and opportunities that these local regulations posed.

The session has as its organizer Yasmin Curzi (FGV Law School, Rio de Janeiro, Brazil, Academic) and as moderator Luca Belli (FGV Law School, Rio de Janeiro, Brazil, Academic). As its speakers it had Tatevik Grigoryan (UNESCO), Alejandro Pisanty (UNAM - Technical Community), Anita Gurusurthy (IT for Change - Civil Society), Camille Grenier (Forum on Information and Democracy – Civil Society), Monika Zalnierute, (UNSW Sydney Australia and Law Institute of the Lithuanian Centre for Social Sciences Lithuania – Academic), Rolf Weber (University of Zurich – Academic), Samara Castro (Directress for the Promotion of Free Speech at the Special Secretariat for Social Communication of the Brazilian Government), Shilpa Jaswant (Jindal Global Law School – Academic), Sofia Chang (PKU School of Transnational Law – Academic), and Vittorio Bertola (Head of Policy & Innovation - Open-Xchange - Technical Community)

b. Activities beyond the IGF (e.g. events attended/organized, input submitted into various processes, cooperation with various entities/groups/processes);

At the Internet for Trust by UNESCO, we organized and participated a hybrid session, titled "[Multilevel and Meaningful Transparency in Algorithmic Systems: Developing Concrete Criteria to Guide Institutional and Legal Reforms](#)", in partnership with UNESCO, Center for Law, Internet and Society from IDP (CEDIS/IDP); Center for Technology and Society at FGV; Action Coalition on Meaningful Transparency (ACT); and the Global Network Initiative (GNI). The session was constituted by Clara Iglesias Keller (Research Group Leader, Weizenbaum Institute), Alexandria Walden (Global

Head of Human Rights, Google) Gabriela Ramos (Assistant Director-General, Social and Human Sciences Sector, UNESCO), Jason Pielemeier, (Executive Director at Global Network Initiative), Laura Schertel Mendes (Professor at IDP, Senior Visiting Researcher at the Goethe-Universität Frankfurt am Main and Rapporteur of the Brazilian Senate Commission on AI Framework) and Yasmin Curzi, Researcher at CTS-FGV, Coordinator of the IGF Coalition on Platform Responsibility.

c. Any outputs produced and/or research/studies conducted.

The DCPR 2023 output was the paper “[A New Generation of Platform Regulations](#)”, a paper that aims to discuss a selection of emerging platform regulations worldwide, scrutinizing their implications on human rights. It stems from the analysis of different legislative initiatives, including the Brazilian Fake News Draft Bill (PL 2630/2020), the European Union's Digital Services Act (DSA), the Indian IT Act, and the Chinese Internet Information Service Algorithmic Recommendation Management Provisions. Our aim is to dissect their complexities, particularly their potential impacts on freedom of expression, privacy, due process, and other human rights. The primary objective of this paper is to discuss the extent to which these new (proposed) regulatory paradigms can reshape the digital ecosystem. In this sense, we aim to discern viable strategies and, considering the UNESCO's Guidelines for Regulating Digital Platforms (2023), provide a possible framework for fostering a universally safe, equitable digital environment that steadfastly respects and upholds fundamental human rights while avoiding internet fragmentation.

Available at:

https://intgovforum.org/en/filedepot_download/57/26620

ii. Updates on internal processes (e.g. DC meetings held during the year, new coordinators/members, updates to website/ mailing list)

We've transitioned our mailing list from AlterMundi to igf-cpr@digitaldissidents.org for improved communication.

iii. Priorities/objectives for the following year (short)

a. Commemoration of DCPR 10th Anniversary:

Organizing a Side Event 2024 marks a significant milestone for the Dynamic Coalition on Platform Responsibility (DCPR) as we celebrate our 10th anniversary. In light of this,

we propose to organize a special side event to honor a decade of impactful work and achievements in the realm of platform regulation and governance. This event will serve as a platform to reflect on our journey, highlight key milestones, and envision future strategies for digital platform governance.

b. Annual Theme: Freedom, Responsibility & Transparency (Continued)

The overarching theme for 2024 will be "Freedom, Responsibility & Transparency: Regulating Digital Platforms for an Open & Accountable Ecosystem." We aim to engage in a multifaceted discourse, bringing together diverse stakeholders to address online harms and promote accountability in platform regulation. Key topics will include interoperability, zero-rating practices, and advancing meaningful transparency and observability in digital platforms.

c. Special Emphasis on Significant Milestones in Brazil

Recognizing Brazil's role as the host country for the G20 Summit in 2024 and celebrating the 10th anniversaries of both the Marco Civil da Internet and NetMundial, the DCPR intends to leverage these significant occasions. We plan to organize activities that not only commemorate these milestones but also align with our annual theme. These activities will focus on examining the evolution of internet governance in Brazil, drawing lessons from its experiences, and exploring how these can inform global platform responsibility frameworks.

References

[1] For further information on the Coalition, please visit the dedicated section of the Internet Governance Forum website, available at: <https://www.intgovforum.org/multilingual/content/dynamic-coalition-on-platform-responsibility-dcpr>.

[2] See Belli, L., De Filippi, P., Zingales, N. (2014).

[3] See the Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie, Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, UN Human Rights Council

Document A/HRC/17/31, 21 March 2011. Available at:
www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.

[4] See Belli L., De Filippi P. and Zingales N. (2015). [5] See Venturini et al. (2016).

[6] See Belli and Zingales (2017).

[7] See <http://bit.ly/CoEinternetintermediaries>.