

Technology giants use Germany's Network Enforcement Law to delete tens of thousands of comments

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Six months after Germany's Network Enforcement Law (Netz DG) came into force, it has become clear that under the pretext of combatting "fake news" and "hate comments," the legal framework for the all-out censorship of the Internet has been established, as the *World Socialist Web Site* warned from the outset.

Last Friday, the three main social network operators presented their transparency reports, in which they must document the deleting of comments in connection with the Network Enforcement Law every six months. The reports confirm that Google, Facebook, and company have seized on the law to launch a massive assault on freedom of speech and erect a comprehensive regime of censorship.

Within the framework of Netz DG, Google's video platform YouTube deleted or blocked 58,297 comments alone in the first half of 2018. The deletions resulted from 214,827 complaints, meaning they had a success rate of 27 percent. The largest number of complaints, a total of 75,829, concerned "hate speech or political extremism"; 24,804 deletions were carried out in this area, equating to a success rate for the complaints of 33 percent. On the social network Google+, fully 46 percent of comments about which complaints were made were deleted.

The figures for Facebook are somewhat lower, but nonetheless remain high. Twenty-one percent of the comments about which complaints were raised were deleted. The total of 1,704 complaints and 362 deleted comments is lower because Facebook relies heavily on its own deletion mechanisms and makes it very difficult for users to submit a complaint under Netz DG. The company recently acknowledged that it deletes a total of 15,000 comments per month in Germany. On

Twitter, the 11 percent deletion rate from 264,000 complaints was somewhat lower.

However, all of these figures are high when one considers that it is relatively straightforward to submit a complaint to the social media operators. It can be done online and is usually completed within a few clicks. The fact that complaints generated in this way are resulting in comments being deleted at a rate of up to 46 percent shows that the companies are deleting content on a mass scale.

Most of the complaints reviewed by the three major operators are not examined for unlawful conduct. For example, YouTube considered only 28 percent of the complaints that resulted in the deletion of a comment in connection with the criminal offences set out in Netz DG. The remainder were deleted because they violated the internal community guidelines at YouTube.

The extremely low level of complaints to the Ministry of Justice about the failure of social media operators to delete comments shows that far more were deleted than lawfully required. The Justice Department initially anticipated that at least 25,000 people would file complaints with the government due to the failure of companies to delete comments in spite of complaints. By July 23, only 585 such complaints had ultimately been submitted.

The so-called "overblocking"—the blocking *en masse* of non-criminal content—is not merely a byproduct of Netz DG, but its essential purpose. The law compels operators of an Internet platform with more than 2 million members to delete or block "clearly illegal content within 24 hours of receipt of the complaint." Cases where the issue is less clear have a deadline of seven days. If a company fails to comply,

they face a fine of up to €50 million.

To guard against these fines, the companies prefer to delete content if in doubt. This is because there is no punishment for deleting comments which do not violate the law. In this way, the Internet giants are not merely being transformed into judges of content, but also encouraged by the state to delete as much as possible.

A review of the cases thus far in which comments have been deleted or blocked confirms that what is involved here is not the struggle against “hate comments” or “fake news,” but the massive restriction of free speech. Although the transparency reports give no details about the content of the deleted comments, several prominent cases have come to light in recent months.

They show that it is chiefly anti-fascist comments and those critical of the fascist party Alternative for Germany (AfD) that have fallen victim to censorship. Early this year, a comment by Sophie Passmann was blocked by Twitter on the basis of Netz DG. The satirist had been making fun of right-wing nationalism, writing, “As long as the tradition of watching Dinner for One on New Year’s Eve continues, the refugees are welcome to come here and destroy our culture.” Twitter deemed this to be unlawful.

Around the same time, the satirical magazine *Titanic* was blocked after mocking the AfD deputy leader Beatrix von Storch. After Storch railed against “barbaric hordes of Muslim male rapists,” *Titanic* wrote, “Why do the German police actually use Arabic numbers? I won’t dial 110 if the barbaric hordes want to rape me!”

In February, YouTube censored an anti-AfD video after members of the far-right party complained about it. “For over two years, you’ve agitated against refugees on a daily basis from morning till night as if nothing else matters. This is just as pathetic as today’s politics,” stated the video in closing.

The censorship drive within the framework of Netz DG is part of a broader development. Due to growing opposition in the working class to its policies of anti-refugee xenophobia, war, and social attacks, the ruling elite is resorting ever more openly to censorship and repression. The major corporations are working hand-in-glove with the state apparatus to enforce this.

Since April 2017, Google, in close collaboration with the German government, has been censoring left-wing

and progressive web sites, including the *World Socialist Web Site* in particular. Web sites are downgraded in search results by so-called “evaluators” if they do not conform to the desired opinion.

In May, Facebook founder Mark Zuckerberg explained to the European Parliament how closely his organisation collaborates with governments to eliminate oppositional content and to ensure that no undesirable content is spread during election campaigns. As is the case with Netz DG, these measures were portrayed as a struggle against “fake news.”

In the future, Facebook will work with “tens of thousands of independent fact checkers in every country and every language” and will use artificial intelligence to filter out “problematic content” and “false information,” he stated. “Our goal over the coming years is going to be developing the AI systems and hiring the staff necessary to be able to proactively review more of the content as it’s coming into the system,” added Zuckerberg. It is an “arms race,” but “significant progress” is being made, he said.



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