

Google's approach to Content Regulation

At Google, we seek to keep users safe from bad actors while protecting the core benefits of online environments, including the ability of users to express lawful speech openly, access useful information, and connect with one another. We do this by preserving & promoting reasonable—and consistent—liability protections and content regulation.

We are constantly working towards these goals, introducing new policy changes to support online safety, developing our team of safety policy experts, and continuing to invest in technology to help us tackle illegal and harmful content at scale.

Content regulation is not a singular end state; it will develop and evolve to constantly meet the rapidly changing technology sector. Self-regulatory approaches, codes of conduct, industry-led efforts, and other collaborative fora remain important to innovating and working together on shared content challenges.

Our guiding principles

We take our responsibility seriously, and work to build greater trust with our users, governments, and society. We regularly share information about the actions we take to keep our users safe online, and work closely with policymakers to ensure new approaches to content regulation enable the growth of the internet and protect the human rights of its many users.

We believe that new regulation should be designed with safeguards built in and protections of human rights front and center. This includes the well-established principles of limited liability for intermediaries and rules that do not restrict legal speech, or have the effect of restricting legal speech. Regulation should remain proportionate, risk-based, evidence-based, and provide clarity for all stakeholders about their responsibilities.

Our approach is guided by a clear set of principles:

Shared responsibility

Tackling illegal content is a societal challenge—in which companies, governments, civil society, and users all have a role to play. Where oversight is handled by courts or regulators, it is important that they be independent and respect rule of law.

Protection of fundamental rights

It is especially important to ensure that legal frameworks safeguard human rights, including the right to receive and impart lawful speech.

Rule of law and legal clarity

It's important to clearly define what platforms can do to fulfill their legal responsibilities, including removal obligations. This clarity also helps ensure that those with oversight obligations, such as independent regulators, can fulfill their responsibilities.

Proportionality and flexibility to accommodate new technology

Obligations should be proportionate and evidence-based. They should be written in ways that address the underlying issue rather than focusing on existing technologies or mandating specific technological fixes.

Three focus areas of regulation

At Google, we haven't waited for new content regulation before acting to keep our users safe. We are constantly improving our content moderation systems and investing in technology to help us tackle illegal and harmful content at scale.

We want to bring our expertise and experiences to debates on content regulation, including on three focus areas: intermediary liability, due diligence, and oversight. We hope our contributions can help keep users safe from bad actors while protecting the core benefits of online environments, including the ability of users to express lawful speech openly, access useful information, and connect with one another.

Intermediary liability protections

Online intermediary services have enabled the free flow of information, educational opportunities, media pluralism, culture, creativity, and economic growth. These benefits were made possible by broad liability protections, alongside Good Samaritan protections that help responsible companies take additional content safety measures. A recent study found that undermining internet intermediation can lead to a measurable impact on innovation, investment, and freedom of expression.¹ We believe these protections are essential.

Intermediary liability protections have **enabled economic growth and access to information**. We believe they are essential.

Due diligence

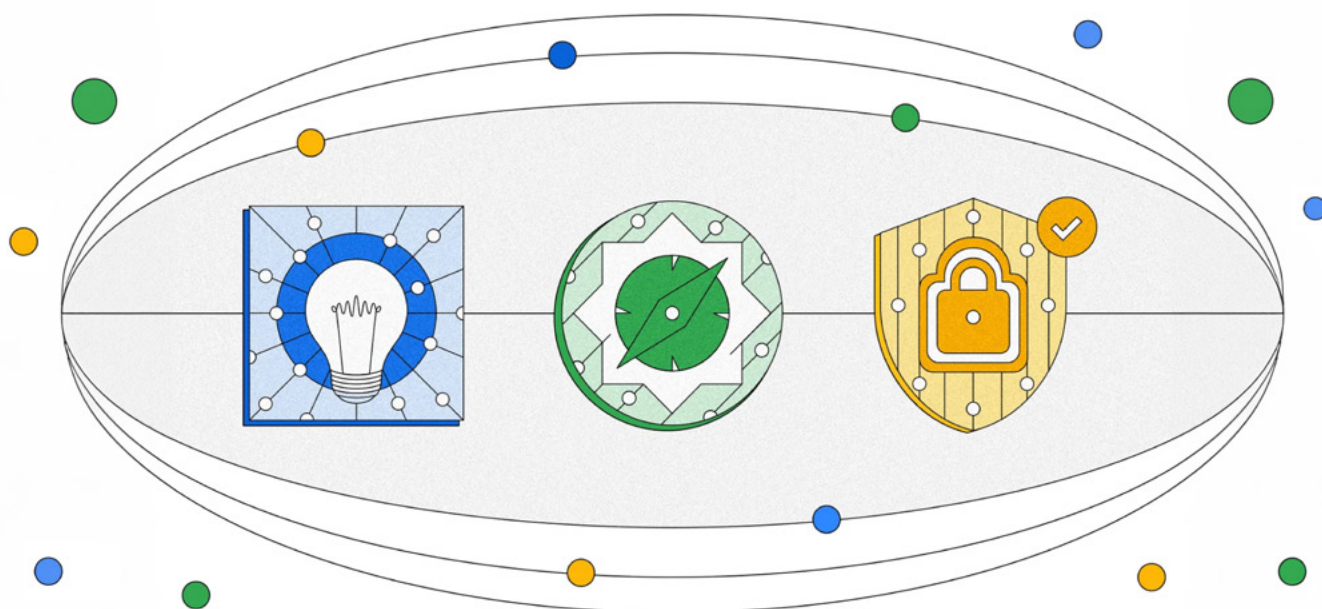
Apart from an intermediary liability regime, content regulation may include due diligence obligations to foster greater transparency and accountability. Due diligence obligations should be proportionate and risk-based, and focus on the systems and processes of content moderation over individual content decisions. Rules should be adjusted based on the relevant differences between types of services. What makes sense for content-sharing platforms may not be appropriate or technically feasible for a platform that hosts mobile apps or for a search engine. Obligations should contain robust safeguards for human rights.

Oversight

If regulators oversee compliance with due diligence obligations, they should be independent, trustworthy, and scaled to meet expectations. Oversight should be evidence-based, fair, and proportionate, with built-in safeguards for security and user privacy. Regulators should regularly engage with companies to develop solutions on issues of shared importance.

¹ <https://research.ccianet.org/reports/unintended-consequences-of-internet-regulation/>

Ongoing challenges to openness and trust online



As we work towards greater accountability and trust, we are increasingly concerned about the move away from the decades-long consensus around the open internet, as governments pass restrictive rules that nationalize and fragment the internet, making it less secure, less open, and less safe.

As an annual Freedom House report highlighted: “Authorities in at least 48 countries have pursued new rules on content, data, and competition. With a few positive exceptions, the push to regulate the tech industry... is being exploited to subdue free expression and gain greater access to private data.”²

We understand the heightened regulatory concern around tech. But this should not be carte blanche for governments to close their markets, undermine due process and the rule of law, and break from international norms – particularly when the impact of breaking from these principles is to damage fundamental principles of human rights.

² <https://freedomhouse.org/report/freedom-net/2021/global-drive-control-big-tech>