REGULATION OF SOCIAL NETWORKS – FACEBOOK EXPERIMENT

A FRENCH FRAMEWORK FOR MAKING FACEBOOK MORE ACCOUNTABLE

In May, France submitted to the French Secretary of State for Digital Affairs interim mission report on creating a French Framework for making social media platforms "more accountable". The report recommends creating a new regulatory system, "with a European vision", for the social networks, based on five pillars:

1. A public regulatory policy with broad objectives guaranteeing individual freedoms and entrepreneurial freedom;

2. A prescriptive regulation focusing on the accountability of the social networks, implemented by an independent administrative authority (based on three obligations for the platforms);

3. Broad, informed political dialogue conducted transparently between the government, the regulator, the actors and civil society;

4.   An independent administrative authority, acting in partnership with other branches of the state, and open to civil society;

5. A European cooperation, reinforcing Member States' capacity to act against global platforms and reducing the risks related to implementation in each Member State.

The report expresses the opinion that social networks have the responsibility to assure security of communication on their platforms. However, "the inadequacy of their moderation systems and the lack of transparency of their platforms operation justify intervention by the public authorities, notwithstanding the efforts made by certain operators".

Given the transborder nature of social networks, an ex-ante regulation must be adopted and implemented at European level, with a focus on the destination country, where the damage has occurred (instead of the country of origin principle).

Regarding algorithms: "Transparency cannot simply be declared", says the report. Regulators need to have the access and the resources to extract information from the social networks, to be able to study the specific characteristics of each algorithm on a case-by-case basis in order to ensure effective transparency, but also to enhance societal and academic debates on the range of issues underlying the concept of transparency.

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http://www.iicom.org/images/iic/themes/news/Reports/French-social-media-framework---May-2019.pdf