

The Relationship Between Digital Platforms and Government Agencies in Surveillance: Oversight of or by Platforms?

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Abstract

Revelations of surveillance practices like those of the National Security Agency or Cambridge Analytica have shown that the digital age is developing into an age of surveillance. What said revelations have also shown is that digital platforms are significantly contributing to this development. As intermediaries between communications and business partners platforms enjoy a privileged position (Trottier 2011). Platforms increasingly use this position by surveilling and manipulating end users for the sake of profit maximization (Fuchs 2011, Zuboff 2015). Platforms with a business model of surveillance and manipulation, seem to have become the most successful type of corporations of today. Already two of the three most valuable corporations are operating as such platforms. While platforms are emerging and expanding in ever more established as well as new markets and thus gain influence on large parts of society, the question arises how states are dealing with these new actors and their capabilities. The panel is intended to provide answers to this question by studying the spectrum of state-platform relations.

As empirical examples show, the relationship between digital platforms and the states is multi-faceted. On the one hand public institutions are partnering with private platforms. The data from platforms is used for example by intelligence agencies to combat terrorist groups, by police departments to search for criminal suspects and by regulatory agencies to counter hate speech or violations of copyrights.

On the other hand, the capabilities of platforms can also be turned against the state. As the last US presidential elections showed platforms can be utilized to influence the electorate or to compromise political actors.

From the point of view of the platforms, the state represents on the one hand an instance that may restricts their actions as it declares specific types of business activity illegal. The new general data protection regulation of the EU is one example.

At the same time, states are providing the legal basis for the platforms' activities. In order to promote e-commerce for example many European states liberalized their privacy regulation in the beginning of the new millennium.

These examples illustrate the diversity in platform-state relations. The panel will acknowledge this diversity and will bring together works considering various empirical cases as well as theoretical frameworks. We welcome contributions focusing on different political systems as well as different platforms like for example social media, retail, transport or cloud computing platforms.

Exemplary questions that may be addressed are:

- Which major privacy, anti-trust or media regulations of platforms were enacted on the national level recently? Which types of platforms were addressed and which were not? In how far do these regulations resemble a general trend? To which degree do they effect surveillance practices?
- In which areas and by which means of surveillance are platforms already enforcing public policies? Which kind of data is provided by platforms for predictive policing? How are platforms identifying and depublishing illegal content? When are platforms collaborating with intelligence agencies?
- How can platforms be regulated efficiently? Which forms of regulations between hierarchical regulation and self-regulation exist and how did these forms emerge? In how far is oversight of platforms comparable to oversight by platforms?
- Are policies of platform regulation defusing? If so, which states are setting the standards?
- Which international institutions in the field of platform regulation were created so far? Is an international regime of platform regulation evolving?

To take part in the panel as an author, you will need to create a MyECPR account and submit the following information no later than **15 February**:

- Your name, academic affiliation and email address
- The title of your paper
- An abstract of up to 500 words.
- 3 to 8 keywords

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