

Abstract

Keywords: Digital Platform, Platform Accountability, Digital Intermediary Services Act

I. Origin of this Study

Since the Internet was opened for commercial use, its characteristics of freedom, openness and diversity have promoted the vigorous development of various innovative applications. As the communication model between the overall industry and civil society has undergone major changes, people's daily life and the Internet have formed an inseparable relationship. It is also necessary for industry, users and governments to face up to the cross-border and real-time communication characteristics of the Internet and actively respond to it. Emerging communication issues in the digital era jointly maintain a good and safe Internet environment through the participation of multiple stakeholders, self-discipline, and heteronomy mechanisms.

As the Internet communication policy has become the business responsibility of the National Communications Commission (NCC) after the government organizational restructuring in 2022, the commissioning unit intends to use the promotion of this study to understand our civil society on Internet communication issues. Important public issues are combined with the research and search of secondary data, supplemented by qualitative and quantitative surveys, in order to respond to the needs of society in the digital era and serve as an important reference for discussing and promoting Internet communication policies and related governance mechanisms.

II. Research Methodology and Process

Based on each entrusted work project, this study adopts literature analysis, case study and comparative analysis methods, quantitative questionnaire survey and statistical analysis and verification methods, and plans to hold focus interviews and symposiums. The survey on social issues in Internet communication, and the online survey will use quantitative questionnaires for statistical analysis.

Among them, the survey on social issues in Internet communication was commissioned by Trend Polls. The survey targets include the general public, citizen groups and Internet communication-related service providers. The number of samples from the general public reached 1,301 (the confidence level is at least 95%, and the sampling error does not exceed $\pm 3\%$); the online survey was commissioned by DSIGroup, with its exclusively EZChoice as the execution platform, the number of valid samples reached 300, and the survey subjects need to have registered and used three of the following five types of platforms: social platforms, video sharing platforms, online forums, communication software, auctions and shopping platforms.

III. Preliminary Findings

(1) Understanding the legal system in response to social issues spread through the Internet around the world

As Internet intermediary services become more and more popular, countries around the world have begun to pay attention to the various social problems it has caused in contemporary times. Including political misinformation, children's online safety, online transaction safety, online bullying, user rights, etc., are all important issues of concern to major

countries in the world. Especially on the issue of curbing the spread of illegal content online, although countries have different definitions of illegal content and whether the information restriction order adopts the principle of judge reservation, the concept of "platform accountability" can be observed in many countries. Rising trend.

Through common indicators such as "extensive/limited ban on illegal content", "high-density/low-density Internet content enforcement measures", "judge reservation/no judge reservation", this study combines countries like EU, Germany, France, the United Kingdom, the United States, Canada, Australia, New Zealand, Japan, South Korea, Singapore, to serve as the basis for explaining to the general public when conducting subsequent social surveys, and to help the commissioning unit understand current relevant issues and international legal trends.

(2) Understanding the main issues and public habits of Internet-related services in Taiwan

Through the implementation of telephone interviews and online questionnaires, this study has a better understanding of Taiwan's Internet usage habits, risk perceptions, understanding of platform services and user terms, etc., and has observed that people believe that social problems on the Internet require clear intentions of those responsible. Among them, political misinformation, children's online safety, and cyberbullying are issues with higher intensity, and people hope that the government will do something; issues with online transaction security and user rights protection are issues with lower intensity. type, but people also hope that the online platform will solve such problems through proactive inspections.

On the other hand, this study also found through the analysis of the interaction between the Internet and television: using traditional television and the Internet at the same time will not deepen or aggravate the public's perception of social problems spread by the Internet; but on the contrary, people who don't use Internet platforms at all are more likely to think that Internet platforms have serious social problems.

IV. Preliminary Recommendations

(1) Immediately feasible suggestions

In view of the current situation in which the government adopts a "decentralized legislation" model on social issues related to the Internet, relevant laws and regulations are scattered among various ministries and local government agencies. In order to avoid increased compliance costs and difficulties for businesses, which would make it difficult to form order, government agencies should first conduct an internal inventory of regulations and integrate resources, and establish an inter-ministerial meeting at the Executive Yuan level to implement cross-domain governance through the coordination of network governance operations, and ultimately form a framework specification for the Internet.

On the other hand, in this inter-ministerial coordination mechanism, although the NCC, which has the characteristics of an independent agency with collegial system, may not be suitable to serve as the coordinator, it should still follow Article 3, paragraph 1, of the newly revised National Communications Commission Organization Act. The commission should continue to observe the development of legal policies and law enforcement of various ministries, and consider the possibility and necessity to study feasible centralized legislative

strategies, including common mechanisms for dealing with illegal content.

In addition, government departments should also understand that social problems arising from the Internet cannot be solved by top-down regulation alone. The key lies in establishing common purposes and mutual trust among stakeholders. Therefore, government agencies must act as collaborators in building consensus, maintain dialogue with industries and citizen groups, and at the same time continue to educate the public. In addition to creating a good dialogue environment, providing sufficient resources, and continuing to share information, only in this way can the Internet collaborative model exert complete governance functions.

(2) Medium and long-term suggestions

In order to seek regulatory alignment with the international market and avoid the risk of large digital intermediary service providers withdrawing from the Taiwan market due to compliance costs and other issues, in the long term, government agencies must still learn from the experience of promoting the draft "Digital Intermediary Services Act" and continue to consider the possibility of centralized legislation. That is to say, through the strategy of "cornerstone-and-addition", we should establish a set of common laws applicable to various digital intermediary services, and then use departmental hard laws as special laws to target special types of platforms or types of illegal information, and retain judges reservation as a design principle in the removal or restriction of access to illegal information to safeguard users' freedom of speech.

Specifically, this "common law" obligation imposed on digital platforms may start with relatively uncontroversial types under

international trends, such as "establishing and disclosing notice and action mechanisms", "formulating and disclosing handling standards for content moderation", "establishing and disclosing comprehensive content moderation ", "inform the notifier and the notified party of the processing results as soon as possible", to reduce industry compliance costs.

On the other hand, to ensure the stability of the Internet order, the experience of iWIN should also be learned. The government should entrust an association with social credibility as the initiator, and invite platform operators, the public, citizen groups, government authorities, etc. to jointly create an alliance for collaborative Internet governance. The function of this alliance is to provide a dialogue platform for all stakeholders to promote the formation of consensus. Therefore, the independence of its organization should be protected through legislative authorization, and the representatives of government agencies must also be minimized, with the main task of bringing back opinions and integrating resources. The alliance's financial and personnel independence must be protected as much as possible, and leave the follow-up completely to the industry or private autonomy. Only in this way can we fully gain the trust of the industry and the public.