

Intermediary Liabilities and the protection of women:

Be careful what you wish for.

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What are the benefits?

- Protection of children
- Protection against hate speech against minorities and women
- Protection from abuse on and offline
- Curbing the spread of misinformation and illegal activities
- Security and protection from terrorists and terrorist activities



A Tale of Three Women

A woman with long dark hair, wearing a light pink sweater, is sitting at a dark wooden table in a dimly lit cafe. She is looking down at a laptop in front of her, holding a white cup with both hands. The background is blurred, showing other people and framed pictures on the wall. A hanging lamp is visible above her. The text "The slippery slope" is overlaid in white, with a white horizontal line underneath it.

The slippery slope

Problems

- Giving control to companies and/or government bureaucrats which may lead to arbitrary takedowns and blocking
- Promotes censorship
- Cultural differences require different interpretations
- Breaks trust and security
- What is 'unlawful content'? not defined.
- Jeopardizes user rights to privacy
- Jeopardizes free speech and freedom of expression
- Threatens net neutrality
- Overrides encryption and encourages traceability

Proposed (flawed) remedies

Technological

Social and cultural

Political

Legal



Algorithmic bias”: Nyome Nicholas-Williams

Solution

- The “notification and take-down” approach is important.
- Anything that violates the law needs to be taken down and perpetrators arrested according to the law.
- Back to the Manila Principles
- Keeping a rights framework in mind.
- Considering women’s protections on the same level as protecting the public from online terrorist activity, and/or protecting children from being abused through pornography.

The 6 Manila Principles

- 1-Intermediaries should be shielded by law from liability for third-party content.
- 2-Content must not be required to be restricted without an order by a judicial authority.
- 3-Requests for restrictions of content must be clear, be unambiguous, and follow due process.
- 4-Laws and content-restriction orders and practices must comply with the tests of necessity and proportionality.
- 5-Laws and content restriction policies and practices must respect due process.
- 6-Transparency and accountability must be built into laws and content restriction policies and practices.