

# Index

actual knowledge, 77  
administrative measures  
    for enforcing platform responsibility, 54  
advertising platforms, 156  
AEED, 90  
aggressive tax strategies, 143  
Al Qaeda, 164  
algorithmic Solutions, 215  
algorithms, 206  
All Politics Is Global, 192  
allocation of jurisdiction, 230  
antibiotics, 108  
Artificial Intelligence (AI), 162, 176  
attempted insurrection  
    in Brazil, 86  
automated tools, 80  
  
Banking and Platform Networks, 121  
barriers, 230  
Basel Accord, 121, 129, 189  
    Basel I, 130  
Basel Committee, 232  
Basel Committee on Banking Supervision  
    (BCBS), 130  
BEPS, 144, 158  
BEPS Project, 146  
bilateral tax treaties, 143  
blocking Rules  
    in India, 65  
  
child pornography, 73  
child sexual abuse material (CSAM),  
    8, 89  
China  
    Platform ecosystem, 41  
Christchurch attack, 166

Civil Code  
    platform liability provisions in China, 53  
civil investigation, 97  
civil liability, 11  
    in Brazil, 89  
command and control regulations, 109  
Communications Decency Act, 94, 178  
Community Standards, 187  
complementary strategies, 156  
computational capital, 142, 161  
constitutional protection, 8  
    First Amendment, 8  
    hate speech, 9  
    misinformation, 9  
    pornography, 9  
    terroristic, 9  
consumer protection law, 95  
content moderation, 92–93, 119, 141, 148, 153, 158,  
    180, 186, 202, 206, 228  
    content moderation regulation, 203  
    definition in DSA, 33  
    impact, 208  
content removal by government orders, 64  
Copyright Act, 88  
Countering Violent Extremism (CVE), 163  
Court of Justice of the European Union (CJEU)  
    orders to remove content, 39  
COVID-19, 104, 117, 174, 191  
Criminal Code  
    in Brasil, 89  
criminal laws  
    application to platforms in China, 53  
cyber terrorism, 71  
cyberbullying, 9  
Cyberspace Administration of China (CAC)  
    role as online content regulator, 43

- data localization, 199, 231
- deep synthesis technology, 51
- defamation
  - defamatory speech, 69
- digital economy, 154
- digital extremism, 164
- digital literacy, 175
- Digital Markets Act (DMA), 241
- digital media services
  - regulations in China, 43
- Digital Personal Data Protection Act (DPDP), 74
- digital platforms, 200
- Digital Services Act (DSA), 20–21, 30, 171, 181, 211, 216, 220, 234
- Digital Services Coordinator (DSC), 31
- disinformation, 23, 103, 167, 174, 188, 199, 201–2
  - Code of Practice, 23
  - disinformation chain, 201
- disinformation paradox, 201, 208, 212
- dominant markets, 133
- dominant strategy, 147
- Dormant Commerce Clause, 215
- double exemption, 145
- double taxation, 142
- Douyin, 41, 43, 55, 57, 59, 249. *See* TikTok
- DSA. *See* Digital Services Act
- due diligence obligations
  - under DSA, 28
- E-Commerce Directive (ECD), 20, 76, 181, 194
  - EU regulatory framework, 21
- ECPA, 13
- editorial transparency, 19
- editor-in-chief, 52
- Election Commission of India's Model Code of Conduct
  - certain restrictions on election related speech, 70
- electoral disinformation, 92
- electoral law, 89
- end users, 122
- enforcement, 29
- enforcement methods
  - for platform regulation in China, 53
- EU, 20, 184, 186, 190, 232, 241
- EU Member States, 25
- European Board for Digital Services, 31–32
- European Commission, 31
- European Court of Justice, 21, 26, 229
  - national laws, 26
- European Market Infrastructure Regulation (EMIR), 139
- European Union. *See* EU
- externalities, 122, 225
  - in infectious diseases, 107
- extra-territorial reach
  - of DSA, 38
- extraterritorial Regulation, 138
- Facebook, 84, 156, 166, 178, 187, 202, 221, 229
- fact checking unit, 61
- Fake News Bill, 100
- financial trilemma, 127
- First Amendment, 8–9, 94, 221
- foreign platforms, 129
- foreign social media platforms, 46
- FOSTA, 13, 182
- framework convention – protocol approach, 111
- freedom of speech, 82, 211, 224
- GATT, 231
- Gavi, 114
- General Data Protection Regulation (GDPR), 32, 100
- geo-blocking, 227–28
- German Network Enforcement Act (NetzDG), 25
- GIFCT, 169
- global actors, 143, 148, 152
- Global Commission on Internet Governance (GCIG), 238
- global content removal, 229
- global economic governance, 192
- global financial interconnectedness, 125
- global financial system, 125–26
- global framework, 129
- global governance, 199
- global governance solutions, 179
- global health governance, 105, 107, 113, 116
- global market, 125
  - in Banking and Internet Platforms, 125
- global minimum moderation, 151
- global minimum tax, 147–48
- Global Network Initiative (GNI), 238
- global regulatory tax, 142
- global tax strategies, 143
- GloBE, 149
- Golden Shield Project, 228
- Google, 178, 228
- grading-and-classifying management mechanism, 52
- Grievance Appellate Committee(s) (GACs), 81
- Grievance Redressal Committees (GRCs), 61
- growth asymmetry, 156
- harmful content, 202
  - for banks, 124
- harmful speech, 133
- hate speech, 22, 201
  - EU Code of Conduct, 23, 69

- identical content, 91
- IHR, 105
- illegal and harmful content
  - definition in China, 48
- Independent Panel on Pandemic Preparedness and Response (IPPPR), 111
- infectious disease, 103
- infectious disease control, 117
- information and communication technology (ICT), 238
- Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021 (Intermediary Guidelines), 60
- Information Technology Act, 2000 (IT Act), 60
- interconnectivity, 126
- intermediaries, 155, 238
  - definition under IT Act, 60
- intermediary guidelines, 61, 77, 80, 82, 182, 185, 222
  - Chief Compliance Officer, 79
- intermediary guidelines prohibited UGC, 66
- intermediary liability, 237
- intermediary technological frameworks, 155
- international commercial law, 219
- international cooperation, 129, 187, 218, 232–33
- international coordination, 213
- international coordination mechanisms, 112
- international financial cooperation, 136
- International financial regulation, 189
- International Framework on Infectious Disease Control, 109
- international human rights law, 23
- international regulation of global banks and internet platforms, 121
- international regulatory cooperation, 114
- international sanitary conferences (ISCs), 106
- international tax regulation, 141
- international trade law, 225
- Internet Corporation for Assigned Names and Numbers (ICANN), 133
- Internet Information Service Providers (IISPs)
  - content moderation responsibilities, 43
- Internet News Information Service (INIS), 45
- internet services, 7
- internet-cleaning campaigns, 54
- intractability, 153
- IP addresses, 97, 188
- ISIS, 164
- legal representative
  - requirement for non-EU providers, 39
- LinkedIn
  - in China, 46
- livestreaming platforms
  - regulation in China, 50
- Marco Civil, 86, 222
- measles
  - in Venezuela, 104
- media regulators
  - in China, 43
- minilateralism, 148, 151
- Ministry of Electronics and Information Technology (MEITY), 63
- misinformation, 90, 93, 103, 106, 118, 165, 175
  - content creators, 212
- misleading, 201
- multilateral cooperation, 117
- multinational enterprises, 143
- must carry, 226
- Mutual Recognition Agreement (MRA), 137
- negative externalities, 112, 123–24, 128, 201
  - in infectious disease control, 108
- network effects, 155
- neutral spaces, 156
- nexus rules, 147
- NGOs, 170
- notice-and-action mechanism
  - under DSA, 36
- notice-and-takedown, 89
- OECD, 237–39
- online advertisements, 182
- online content governance
  - general principles in China, 42
- online harms
  - mitigating online harms, 168
- online information, 106
- online platform, 103, 167, 181
  - liability protection, 178
- online platform regulation, 227
- OTC derivatives, 136
- oversight board, 169
- Pandemic Influenza Preparedness (PIP), 110
- per-capita asymmetry, 156
- Personal Information Protection Law (PIPL), 50
- Pigouvian taxes, 109
- platforms, 7
  - definition, 7–8, 218
- platform commerce, 225
- platform governance and regulation, 85
- platform liability, 181
  - under DSA, 26–27
- platform regulation, 179, 221, 229
  - structure, 218
- platform responsibility, 20, 118, 158, 189, 218
  - from the Basel Accord, 132
  - Chinese approach, 47

- platform responsibility (cont.)
  - enforcement under ECD, 29
  - enforcement in India, 75
- polycentric cooperation, 152
- positional asymmetry, 155
- positive content
  - promotion in China, 49
- positive externalities, 123
- primary responsibility, 181
  - of internet companies in China, 44
- profit allocation rules, 147
- protection of internet services as platforms, 10
- protection of users and privacy, 49
- Public Health Emergency of International Concern (PHEIC), 104
- public opinion management, 46
- public oversight, 201
- QAnon, 165
- real-name user registration, 52
- real-time content monitoring and moderation, 52
- reciprocal responsibility
  - of IHR, 115
- regulating externalities, 124
- Regulation on Algorithmic Recommendation of Internet Information Services (RARIIS), 49
- Regulation on Governance of Online Information Ecology (RGOIE), 48
- regulatory networks, 132
- regulatory-tax arbitrage, 144
- safe harbor, 12, 63, 72, 78, 90, 92, 222
  - to avail in India, 76
  - conditions under Section 79 of IT Act, 62
  - in Marco Civil, 88
- sanction
  - in DSA, 31
- school shootings, 96
- Section 124A of the IPC
  - Supreme Court intervention in India, 69
- Section 230, 7, 10, 178–79, 183–85, 221, 236, 242
  - implications of Section 230, 14
  - implications of Section 230(c)(1) and the First Amendment, 15
  - information provided by another information content provider, 13
  - publisher or speaker claims, 12
  - Section 230(c)(1) defense, 12
- Section 270
  - liability for account terminations and content removal, 16
  - What happens when Section 230 does not apply to claims over third-party content?, 17
- sector-specific legislation, 22
- self-moderating content, 203
- sensitive personal data, 75
- separate unity principle, 143
- SESTA, 182
- significant social media intermediaries (SSMIs), 61, 185
- social media, 91
- social media platforms, 97
- soft Law, 134
- special unit for combating disinformation, 91
- sponsor unit (主管主办单位)
  - for traditional media, 42
- Spotify, 102
- State regulation of the internet, 18
  - Dormant Commerce Clause, 18
- Stateless capital, 145
- Stateless information, 145
- strategic asymmetry, 156
- strict liability, 125
  - for platforms in India, 67
  - platform content responsibility in China, 44
- surveillance, 195
- systemic risk management
  - for VLOPs and VLOSEs, 37
- take down, 226
- takedown decision, 91
- takedown orders, 90
- tax competition, 142
- tax implications of global platforms, 153, 157
- TCO, 172
- telegram, 98, 102
- terrorist content, 24, 182
  - EU Regulation, 24
  - TCO Regulation, 24
- TikTok, 55, 186, 188, 198, 208
  - community guidelines, 57
  - content moderation policies, 56
  - localization strategy, 58
- traditional media
  - regulations in China, 42
- transnational markets, 232
- Transnational Regulatory Network (TRN), 132
- transparency as regulation, 18
- transparency obligations, 185
- trade related intellectual property rights (TRIPS), 242
- trusted flaggers, 37
- Twitter, 203, 209
  - challenge to blocking orders, 65

- UGC, 219
  - UGC liability protection, 221–22
- UN Office for the High Commissioner for Human Rights (UN OHCHR), 239
- undertaxed payments rule, 150
- United States-Mexico-Canada Agreement, 234
- unlawful content
  - platform liability, 68
- unqualified democratization, 162
- URLs, 88, 91
- user generated content (UGC), 60
- user records, 52
- user rights
  - against platforms, 94
- US-Japan Digital Trade Agreement, 243
- US-Japan Trade Agreement, 234
- very large online search engines (VLOSEs)
  - regulations under DSA, 28
- very large platforms (VLOPs), 23
- very large search engines (VLOSEs), 23
- violent extremism, 163, 167
- VLOPs, 184
- VLOSEs, 184
- voluntary content moderation, 34, 67, 76–77, 83, 183
- Westphalian sovereignty, 143
- Westphalian tax, 146
- WhatsApp, 84
- WHO, 105
- World Health Assembly, 112
- WTO, 231, 242

