

**Delete or not to Delete**  
**Methodological Reflections on Content Moderation**

Sekwenz, M.T.; Wagner, Ben

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purpose of preserving public order and security. As a result of increased attention surrounding the use of these technologies and the risks of discrimination that may come with it, there is an increasing body of literature that assesses the adequacy of non-discrimination law in this context. In recent literature, it has increasingly been found that the use of these technologies in the aforementioned context leads to a number of challenges posed to the non-discrimination framework. These challenges result in difficulties for citizens seeking to bring discrimination claims and difficulties for organizations in knowing how to mitigate these risks and comply with the law. This paper uses empirical evidence in the form of unstructured interviews with academics, civil society organizations, law enforcement officials, lawyers, technical experts, and sociologists to explore these challenges and understand the impact that they have on citizens and organizations seeking to comply with the law.

## 2. 'The Delete or not to Delete - Methodological Reflections on Content Moderation'

### Authors:

- Marie-Therese Sekwenz (sekwenz@icloud.com)
- Ben Wagner

### Abstract:

Content moderation is protecting human rights such as freedom of speech, as well as the right to impart and seek information. Online platforms implement rules to moderate content on their platforms through their Terms of Service (ToS), which provides for the legal grounds to delete content. Content moderation is an example of a socio-technical process. The architecture includes a layer that classifies content according to the ToS, followed by human moderation for selected pieces of content. New regulatory approaches, such as the Digital Services Act (DSA) or the Artificial Intelligence Act (AIA) demand more transparency and

explainability for moderation systems and the decisions taken.

Therefore, this article answers questions about the socio-technical sphere of human moderation:

- How is certainty about content moderation decisions perceived within the moderation process?
- How does the measurement of time affect content moderator's work?
- How much context is needed to take a content moderation decision?

A sample of 1600 pieces of content was coded according to international and national law, as well as on the Community Standards developed by Meta, mimicking a content moderation scenario that includes *lex specialis* for content moderation – the German Network

*Keywords: Content Moderation, Digital Services Act, Artificial Intelligence Act, Human Rights, Explainability*

## 3. 'Keep Them Out of It! How Concerns for Other's Privacy Influence the Willingness to Sell Personal Data'

### Authors:

- Franziska Weber (weber@law.eur.nl)
- Tim Friehe (tim.friehe@uni-marburg.de)
- Leonie Gerhards (leonie.gerhards@kcl.ac.uk)

### Abstract:

Many individuals act rather naively when providing personal data online. When individuals share their personal data, this can allow third parties to learn more about others, too. Our large-scale online experiment reveals that individuals are less willing to sell personal data when sharing can compromise others' privacy. Compared to a benchmark without data compromise, individuals' willingness to sell personal data decreases in scenarios in which others' data is compromised with 50% and 100%, respectively. By applying two well-studied interventions - peer effects and a social norm focus - we explore ways to mitigate excessive data sharing, laying the ground

for the design of effective policies. While peer effects seem to increase individuals' willingness to share personal data on average, making people reflect on the appropriate behavior appears a promising policy approach.

*Keywords: Privacy; Information Externality; Social Norms; Peer Effects; Experiment.*

## F. Administrative Law / Access to Justice Room: IN-3B52

### 1. 'Access to Justice for Older People'

**Author:** Kaijus Ervasti  
kaijus.ervasti@uef.fi

### Abstract:

The number of older people in society is increasing in all western countries. Changing demographics that will lead to a larger proportion of vulnerable older people also mean that a larger number of people will have problems with access to justice. This development will entail great challenges within the judicial as well as welfare system.

The basic premise of the access to justice approach is that citizens' rights must be effective and accessible. People can have many kinds of legal problems, that may raise legal issues in their everyday life.

In the beginning of the 2021 we conducted a research project of access to justice for older people (65+) in Finland. We published in different magazines a request for older people and their family members to send their experiences about legal needs and problems as well as the remedies used and the barriers to access to justice older people encountered. Project got experiences from 342 people.

We analyzed experiences by thematic analysis. The most common problems were in the field of social and health care, family relations and housing. Many had experiences of injustice. Experiences of injustice focused on society and the legal system as a whole, social and health care and the and close relationships. Many seniors found the legal system complex and