



Follow-up questions for written answer to the company “X”

In regard to agenda item 2 of the 59th meeting on 13 March 2024

Questions from the parliamentary groups of the Social Democratic Party of Germany (SPD), Alliance 90/The Greens, and the Free Democratic Party (FDP)

Block I: Suspensions, geopolitics, and the integrity of democratic processes

Suspensions:

1. What are the fundamental rules regarding suspensions? Ms. Navalnaya’s account was apparently automatically suspended in error. On what grounds was Ms. Navalnaya’s account suspended? On what grounds and on the basis of what specific criteria are accounts suspended automatically, are suspensions of this type reviewed, and how long does the process take?
2. Who can candidates or public figures like Ms. Navalnaya contact at X to seek support? Within what time frame does X guarantee support?
3. How long does it take to unsuspend an account in cases like this, and who exactly reviews the reports? How long does it take X to review an erroneous suspension, and how quickly can a suspension be lifted – looking at the integrity of elections and electoral processes, for example?
4. In addition to the case of Ms. Navalnaya’s account, in which the suspension was quickly lifted again, there have been other cases of non-transparent account suspensions, for example affecting numerous journalists at the end of 2022, or, last Autumn, in the case of data analyst Travis Brown from Berlin. Can X explain why his account was suspended, given that he had not posted any illegal content, but rather had drawn attention to ways that potentially illegal content might be spread on X? What were the indications that led to the account being suspended?
5. On what grounds did X lift the suspension on the account of the Identitarian Movement, which is under surveillance by the German intelligence services, and on the account of Austrian Martin Sellner, who is banned from entering Germany following the presentation of his “remigration plans”, both of which Twitter suspended in 2020?

Verification and elections:

6. Under the previous system of verified accounts, the verification process ensured that these accounts would not be suspended. How does X ensure that the person claiming to be behind a verified account now is in fact the person responsible for the account? What is the value of verification, if the only criterion is that the user pays for it? Is this in fact “verification”?
7. Even during the last European elections, there was already a considerable amount of discussion about disinformation and fake accounts, particularly on Twitter. With this in mind, Twitter established a policy team with numerous contact persons in Germany and Europe, and all candidates for the German Bundestag and for the European Parliament were able to undergo a secure verification process, also in collaboration with the Federal Office for Information Security and the Federal Returning Officer. How does X ensure the integrity of these accounts now?
8. In view of the elections to the European Parliament and to the German Bundestag, and of the *Land* (federal state) parliamentary elections: Will there again be collaboration with the authorities in Germany and Europe, for example, the Federal Returning Officer or the Federal Office for Information Security?
9. Will candidates be provided with training to help them protect themselves against fake accounts and false statements?
10. Are other measures planned to protect the integrity of the elections and the veracity of accounts?
11. The former Twitter “Civic integrity policy” from August 2023 is still on the X homepage and remains valid. Avoiding the creation of false accounts is given specific priority in this policy, as is preventing the spread of false information regarding electoral processes. How is this to be enforced if there is no serious option for the verification of potential candidates, for example? How does X plan to address false information on the electoral process, the spreading of which is prohibited? Will this be appropriately labelled in view, for example, of the elections to the European Parliament and to the German Bundestag, and of the *Land* (federal state) parliamentary elections? How does X intend to implement its own policy, which from the point of view of X itself is important for the protection of democratic processes?
12. Why has X lifted the ban on political adverts?
13. It is understood that, following Elon Musk’s takeover of the platform, the recommendations for the implementation of policy requirements that X has drawn up, often during long and complicated processes, have ceased to apply. How does X intend to ensure that the application of the rules remains neutral, and is not subject to the whims of a single person?

Russian actors on X

14. Why did X make the decision to verify the accounts of Russian ministries and to highlight these accounts as verified so that the ministries in question could communicate internationally in English from the platform, although the platform itself is blocked in Russia? Are there specific grounds or criteria for this decision?
15. What measures is X taking to ensure that the content that is posted by official Russian ministries is in line with the platform's policies, particularly in regard to disinformation and propaganda? Does X plan to revise its policies in regard to permitting or blocking content and users from geopolitically disputed zones? How are decisions of this type made and regularly reviewed?
16. How does X view its role and responsibilities in geopolitical conflicts?
17. Is X planning to work with governments or international organisations in order to develop policies or measures to regulate communication on the platform in geopolitically sensitive situations?
18. Can X provide examples of positive effects or of success stories resulting from the presence of official Russian ministries on the platform, particularly in regard to dialogue and understanding at international level?

Terms of Service

19. What policies and rules are currently in place at X, particularly given that, on the website at least, those that are available are mainly the Twitter rules which, in some cases still today, refer to Twitter rather than to X? Do those sections of the rules that refer to Twitter also apply to X?
20. What is the legal entity for the company in the case of legal conflicts? It is stated repeatedly that "X will..." or "X does not permit..." How can this be valid if users have agreed to the Twitter terms of use and no longer know which of those rules remain applicable?
21. Is X systematically violating the rights of its users if reference is made to Twitter rules that are clearly not complied with?

Block II: Implementation of the DSA

1. Why has X decided not to establish an official presence or representation in Germany, a market with several million users? What were the strategic considerations behind this decision?
2. In May 2023, X withdrew from the voluntary EU Code of Practice on Disinformation. What were the reasons for this?

3. In the past, reports were dealt with and checked in line with the Network Enforcement Act (*Netzwerkdurchsetzungsgesetz*, NetzDG) and with the Terms of Service. X worked with the responsible Federal Office of Justice in a lengthy process to create easily accessible, user-friendly reporting channels as part of the implementation of the requirements of the Network Enforcement Act. Today, posts can be reported in accordance with X's policies, or in accordance with EU requirements. However, the reporting channels are no longer easily accessible and are also no longer user-friendly. The process is no longer automated, for example, which means that all content (username, content, legal reason, location, etc.) must be entered manually. This is contradictory to the requirements of the DSA. When and how will X remedy this?
4. Does X ensure that all reported content is investigated on the basis of the applicable national criminal law provisions of the relevant member states? National criminal law provisions differ considerably in some cases, for example in regard to content regarding abortion, which is prohibited in Malta but permitted in Germany.
5. How far advanced is the company with the risk analyses prescribed by the DSA?

Content moderation

6. When the figures from the first DSA transparency report are compared with the figures that the company Twitter reported under the German requirements stipulated in the Network Enforcement Act and that are constantly increasing, the difference is remarkable. How does X explain this discrepancy?
7. How many content moderators has X let go since the takeover by Elon Musk? Have new content moderators been recruited to ensure compliance with the DSA?
8. In the first DSA transparency report, X details 2,294 English-speaking and 81 German-speaking content moderators. The figures are considerably lower for other European languages, e.g. Polish, with 1, Italian, with 2, and Dutch, with 1. The numbers are also very small for non-European languages, with 12 for Arabic and 2 for Hebrew. How does X intend to meet European requirements with such a small team?
9. How many Russian- and Ukrainian-speaking content moderators does X employ?
10. Can X explain the specific criteria and algorithms based on which posts on the platform are screened for disinformation and fake news and moderated accordingly? How does X ensure that this process is effective and non-partisan?
11. How does X guarantee the transparency and comprehensibility of the algorithms that are used in the identification and moderation of disinformation and fake news? What options exist for users to appeal decisions made regarding the moderation of their content on X?

12. Can X provide current figures and metrics on the extent of disinformation and fake news on the platform in Germany and Europe? How has the situation developed in recent years?
13. What special challenges do the German and European markets pose for X in the fight against disinformation and fake news, and what strategies is X pursuing to meet these challenges?
14. What is X’s assessment of the influence of disinformation and fake news on public opinion and democratic processes in Germany and Europe? Does X feel that it has a responsibility to actively counteract this?
15. What role do community guidelines and user reports play in the identification of disinformation and fake news on X, and how effective are these tools in comparison with algorithm-based methods?
16. Does X plan to expand or change its strategies and tools for combating disinformation and fake news in Germany and Europe? What new approaches is X considering?
17. According to a study by the European Commission from September 2023, X is the platform with the highest ratio of posts with false information or disinformation. How does X explain this figure? What do the other platforms do differently?
18. An evaluation of the DSA Transparency Database (<https://www.tagesschau.de/investigativ/ndr/eu-datenbank-social-media-inhalte-100.html#zeigen>) shows that, in comparison with Instagram and TikTok, X reports and deletes comparatively little content. What is the reporting process, and is X aiming to improve it?
19. What resources does X provide to raise user awareness of disinformation and fake news and to help users recognise these? Are there specific education or information campaigns for the German or the European market?
20. Is it correct that the owner of X, Elon Musk, has stated that he does not delete antisemitic or racist content because such content is not illegal and that he rejects the moderation of content because “Moderation is a propaganda word for censorship”? With this interpretation of the law, how does the owner intend to implement the European requirements stipulated in the DSA and the criminal law requirements of the EU member states? Does the owner of X share the opinion that, as owner of a public platform of such scope, he has a particular responsibility for protecting democratic discourse and the rule of law?

Academic Research access

21. X used to provide free access for the scientific and academic research community to APIs for reasons including researching the efficacy of the platform in public communication. The high price that X now charges for access to APIs means that German and European research institutions are effectively excluded from these interfaces. However, the DSA requires this transparency and access for research purposes; how does X intend to meet this requirement of the DSA?
22. Access for the research community was also an important backchannel for X as a company: researchers and users gave X important warnings of problems on the platform. What is the situation now?
23. The DSA requires data access for researchers, among other things. Applications have already been submitted to X in accordance with Article 40 (12) of the DSA, but we have received reports that some applications are approved while others are rejected, with little information on why the decision is made to reject these applications. How does X deal with these applications, and how many researchers and organisations have been given the status of “vetted researchers”? How many people process applications for data access within X? How does X justify rejections, and does X envisage any potential improvements in regard to the level of detail provided to back up rejections?

Miscellaneous

24. Twitter had a Trust and Safety Council, the purpose of which was to work together with independent citizen, human rights and other organisations to combat hate speech, the exploitation of children, suicide, self-harm and other problems on the platform. The Council’s tasks included advising the platform when new policies were to be introduced. In Germany, the Council worked, among others, with the organisation jugendschutz.net and the Antonio Amadeo Foundation, and on an international level it worked with NCMEC. Who decides on the introduction and implementation of new rules, and who advises the company in this regard?
25. Many critics felt that the platform Twitter was too powerful. Do you share the assessment that this power was further increased by a considerable degree by the takeover of the platform, and that today there is much greater potential for the platform to be abused by a single individual, for example due to arbitrary decisions regarding which accounts should be suspended or unsuspended?
26. Why does X permit access to pornographic material with no age verification, although an age verification process is mandatory in Europe?
27. Why is there no collaboration in matters of the protection of children and young people with the German Association for Voluntary Self-Regulation of Digital Media Service Providers any more, although this was a given for Twitter?

28. How are participants in the Community Notes process selected? How does the weighting of ratings take place?

Questions from the Christian Democratic Union/Christian Social Union (CDU/CSU)
parliamentary group

1. How high is the error rate for human content moderators in comparison to the error rate for automated/AI-based content moderators?
2. What measures are in place to train the data (algorithms, AI) so that incorrect judgements of this type can be rectified?
3. Does the company aim to establish an arbitration body for users to allow them to defend themselves against (unjustified) suspensions?
4. How many X accounts have been suspended and then unsuspended again in the last 12 months? (Please provide a month-by-month breakdown of figures).
5. How many accounts that are politically active on X have been suspended in the last 12 months? (Please provide a month-by-month breakdown of figures).
6. How many X accounts that are associated with the terrorist attacks carried out by Hamas on Israel on 7 October 2023 have been suspended in the last 12 months? (Please provide a month-by-month breakdown of figures).
7. How large must an X account be to receive a “second check” before it is suspended by X? What is the threshold for this?

Questions from the Alternative for Germany (AfD) parliamentary group

1. A few days ago, the suspension of the X account of the long-term spokesperson of the Austrian "Identitarian Movement", Martin Sellner, was lifted, which means that his Tweets, some from as long as six years ago, can be viewed again. What principles does X follow when deciding to unsuspend accounts? Were there special conditions in the case of Martin Sellner?
2. How satisfied is the management of X with the development of advertising revenue on the platform? What is the difference in figures for advertising customers now, in comparison with the pre-Musk era?
3. For a long time, Twitter was considered the network for professional communication, providing a platform for discussion among journalists, politicians, activists, PR professionals, public authorities, artists, businesses and cultural institutions. Elon Musk talked about turning X/Twitter into a universal service in the style of WeChat, combining a messaging service, a messenger app, a search engine, a bank account, a payment service and an appointment calendar. To what extent have these plans come to fruition?
4. During the COVID-19 pandemic, were talks held between the Federal Government and the management of Twitter with the aim of avoiding critical discussion of the COVID-19 public health measures that were planned and implemented? If yes, how did the management of Twitter respond to this demand from the Federal Government?
5. Under Article 46 of the DSA, if there is "a serious threat to public security or public health", platforms have an obligation to "prominently display information on the crisis situation provided by Member States' authorities or at Union level". How does X intend to implement this order to cooperate with the authorities? Does this not create the risk that X will become a submissive mouthpiece of the government, to the detriment of other opinions?
6. The account of Samidoun, a Hamas supporter association, was understandably suspended on X. How does X address Tweets that use the slogan "From the river to the sea", show videos depicting the burning of the Israeli flag, or show the outline of the State of Israel completely filled in with the colours of the Palestinian flag? Does X consider such Tweets to be acceptable expressions of opinions, or does it identify them as punishable antisemitism?

Questions from Member of the Bundestag Joana Cotar (Independent)

1. How can Members of the Bundestag contact X directly in order to have fake accounts (such as these ones: <https://twitter.com/Joanacotor>, <https://twitter.com/JoanaCotari>) removed, and what is X doing to limit the creation of such accounts?
2. Is X considering the introduction of some other type of validation label for public figures to make it clear to users that the accounts in question are genuine?
3. What is X doing to counteract the flood of bot-created Russian propaganda that is strongly influencing public opinion against Ukraine and the Western world, and that in Germany often creates Tweets linking to websites that are designed to look like German news sites?
4. Is it in the interests of X for users to be able to choose to limit who sees their Tweets, but to then be able to write comments with their account that the thread creator cannot see? This would mean that potential fake news and insults would simply remain posted, with no monitoring.
5. The DSA is very vague. In the recitals to be taken into account in the interpretation of the DSA, a clear distinction is made between spreading unlawful and “otherwise harmful information”, for example. What is X’s approach to this type of vague formulation? In case of doubt, would it tend to leave a statement, or delete it?
6. How does X ensure that it works with independent partners in the different countries and does not become a pawn of the different governments?