

## **Senate Select Committee on Foreign Interference Through Social Media Questions on Notice**

### **Senator Chandler asks Twitter:**

1. Since June 2022, how many requests have Australian Government authorities made to Twitter for content to be restricted or taken down on the basis that it allegedly is in breach of Australian law(s)?

Answer: From June 2022 until July 2023, Twitter has received approximately 42 requests submitted via its legal submission forms by an Australian Government authority.

2. Since June 2022, how many requests have Australian Government agencies, Departments, staff, Ministerial offices or any other branch of government made to Twitter to remove, restrict or limit the visibility of content where the request was NOT from a regulator acting to address an alleged breach of Australian law?

Answer: Twitter does not have this specific level of country data available. That being said, it is important to clarify that, as a matter of policy, Twitter reviews the requests sent by any government authority in order to confirm a request meets the legal requirements. Twitter may ask a government authority for additional information or even to push back from a request depending on the outcome of that review.

a. What is the channel or avenue by which Australian Government agencies, Departments, staff, Ministerial offices raise requests or concerns around content moderation with Twitter?

Answer: Twitter's guidance for law enforcement agencies is here: <https://help.twitter.com/en/rules-and-policies/twitter-law-enforcement-support>. All legal requests, including preservations, requests for account information (routine and emergency), and content removal requests may be submitted via Twitter's Legal Request Submission form under [t.co/lr](https://legalrequests.twitter.com/forms/landing_disclaimer) or [https://legalrequests.twitter.com/forms/landing\\_disclaimer](https://legalrequests.twitter.com/forms/landing_disclaimer). Alternatively, Twitter's [web form](#) can be used to flag such content: <https://help.twitter.com/en/forms/law-enforcement>.

General reports can be made via Twitter's Help Center forms. Information for how to report potential violations of the Twitter Rules and Terms of service: <https://help.twitter.com/en/rules-and-policies/twitter-report-violation>

b. Is this the same process by which foreign governments raise content moderation requests with Twitter?

Answer: Twitter's policies and processes are as above for reporting globally.

c. Does Twitter have a policy of granting the same access to raise content moderation concerns to opposition political parties and members of parliament in countries where government officials make requests for content moderation?

Answer: Twitter's Legal Submission forms are available at [t.co/lr](https://legalrequests.twitter.com/forms/landing_disclaimer) or [legalrequests.twitter.com](https://legalrequests.twitter.com/forms/landing_disclaimer).  
[https://legalrequests.twitter.com/forms/landing\\_disclaimer](https://legalrequests.twitter.com/forms/landing_disclaimer)

They are open only to law enforcement agents, government officials, or other third-parties intending to submit valid legal requests. Users who are not an authority with legal competence to submit a valid legal request may send all non-legal requests via Twitter's <https://help.twitter.com/en/forms>.

3. In a notice issued to the media outlet Reduxx, Twitter advised: "In the interest of transparency, we are writing to inform you that Twitter has received a request from the eSafety Commissioner regarding your Twitter account, @ReduxxMag, that claims the following content violates the law(s) of Australia... In order to comply with Twitter's obligations under Australia's local laws, we have withheld this content in Australia; the content remains available elsewhere."

a. Is this notice a form of notice provided to a Twitter user when a regulator alleges a breach of local law but Twitter has not identified any breach of Twitter rules?

Answer: As written, this appears to be an excerpt of Twitter's user notice language issued to users when Twitter withholds content in a specific jurisdiction, in response to a properly scoped legal request. Such withholdings will be limited to the specific jurisdiction that has issued the valid legal demand or where the content has been found to violate local law(s). Unless prohibited, Twitter will attempt to notify affected users of any third-party requests to withhold their content via the email address associated with the affected Twitter account(s) and/or through a notification within the Twitter app. This will typically include identification of the specific content that has been reported or withheld and the origin of the request.

b. In this specific case, did the eSafety Commissioner identify the specific Australia law(s) which they alleged had been violated by the news article in question?

Answer: We request that a case number from the submission be provided to allow us to identify the specific case and confirm that information accurately.

c. If so, did Twitter conduct its own legal assessment of whether the content actually is in breach of Australian law?

Answer: We request that a case number from the submission be provided to allow us to identify the specific case and to respond accurately. As we only have reference to potential content of a notice that was sent to an user, we are not in a position to confirm the specifics of the case. That being said, it is important to clarify that as a matter of policy, Twitter reviews the requests sent by any government authority in order to confirm a request meets the legal requirements. Twitter

may ask a government authority for additional information or even to push back on a request depending on the outcome of that review.

d. If the specific law allegedly violated was disclosed by the Commissioner, why did Twitter not disclose this in its notice to ReduXX?

Answer: Twitter requests a specific case number be provided to respond. As we only have reference to a potential content of a notice that was sent to an user, we are not in a position to confirm the specifics of the case.

By default, Twitter will attempt to notify reported account holder(s) of the existence of a legal request pertaining to the account(s) if we are not otherwise prohibited from doing so, including in Australia. Twitter attempts to notify the user(s) about the legal request through a notification in the Twitter app and by sending a message to the email address associated with the account(s), if available.

e. If the specific law violated was not disclosed by the eSafety Commissioner to Twitter, how can Twitter be assured that it was necessary to withhold the content in Australia in order to comply with Australian law?

Answer: As above regarding the specific individual case. In addition, as a matter of policy, we withhold content in a specific jurisdiction in response to a properly scoped legal request. Such withholdings will be limited to the specific jurisdiction that has issued the valid legal demand or where the content has been found to violate local law(s).

f. Are there circumstances in which regulators or agencies of foreign countries make assertions to Twitter that content has breached the law without disclosing the specifics of the law violated?

Answer: As referenced above, as a matter of policy, Twitter reviews the requests sent by any government authority in order to confirm a request meets the legal requirements, including the legal basis for a given government authority request. Twitter may ask for additional information or even to push back from a request depending on the outcome of that review.

g. Does Twitter agree that withholding content in one country in order to comply with a removal or take-down request from a government regulator, where the content has not been found to breach Twitter rules, has the potential to limit the reach and visibility of that content to global users?

Answer: If Twitter receives a valid and properly scoped request from an authorized entity, it may be necessary to withhold access to certain content in a particular country from time to time. Such withholdings will be limited to the specific jurisdiction that has issued the valid legal demand or where the content has been found to violate local law(s). By withholding the content

in a specific jurisdiction, that content will not be available in the respective jurisdiction, but, in principle, the visibility of the referred content elsewhere is not affected.

4. Has Twitter ever identified any cases of foreign governments or persons connected to foreign governments attempting to cultivate personal relationships with Twitter staff in order to access data or information, or influence internal decisions?

Answer: Twitter is aware that nation-states, bad actors and other adversaries target the company, our employees, our systems, and the content on the platform for malicious purposes. We deploy a variety of measures to identify, understand, and mitigate such risks consistent with our goal of serving the public conversation around the world. We have in place processes to vet prospective employees that are intended to deter and detect efforts by hostile actors to infiltrate the company. Further, access to data is strictly guarded with rigorous checks and measures including detection of suspicious authentication and access activity.

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