



OPEN MARKETS INSTITUTE

DEFENDING EUROPE'S DIGITAL SOVEREIGNTY

Platform Power, Free Speech and Political Interference

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Executive Summary

Europeans face a growing threat to their fundamental freedoms and democratic institutions, as dominant tech platforms further consolidate their control over the online platforms and other infrastructure essential to communications in the 21st century. These corporations exploit their centralized power and unprecedented ability to personalize the information they deliver to each individual, to manipulate how individuals and groups access and exchange information, news, and ideas; and even to censor specific individuals and groups.

Such power poses a grave danger to individual freedom of expression and thought, democratic governance, and public discourse; and to the ability of citizens, journalists, businesses, and governments to freely receive and impart information. These threats are in many ways analogous to – and increasingly interwoven with – the threats to freedom of expression and thought from authoritarian states. The problem is rapidly becoming more acute, as these same dominant corporations increasingly use artificial intelligence (AI) to both further concentrate their control over information, news, and debate, and further amplify their ability to personalize information and manipulate the individual user.

The problem is not new. Online interference in electoral processes – including the Brexit referendum, the 2016 U.S. election, and the 2017 French

presidential election – focused concern on Russian and, to a lesser extent, Chinese state manipulation of Western digital news and social media. But since January of this year, much of the most intense pressure on Europe has come from the U.S. government. Key members of the current U.S. administration and Republican members of Congress have directly supported these corporations' interference in European political debate, while falsely depicting European efforts to democratically govern these communications platforms as attacks on freedom of speech.

The European Commission and the EU's Member States must stand up to such interference in their sovereign affairs, democratic institutions, and the fundamental rights of their citizens. In doing so, they can rely on foundational laws and treaties as well as a robust set of new laws and expanded regulatory frameworks.

That said, the nature and magnitude of the threat demands an even stronger and swifter response designed to: (1) immediately stop today's dominant tech platforms from amplifying, censoring and otherwise interfering in free speech, and (2) immediately begin laying the foundation for the longer-term construction of a new public digital commons designed to protect democracy and individual rights for generations to come.

● The U.S. Administration's Assault on European Sovereignty under the Pretext of "Free Speech"

Since January 2025, the U.S. government has launched a campaign, in coordination with dominant tech platforms, to undermine EU digital legislation. This campaign targets the Digital Services Act (DSA) and Digital Markets Act (DMA) as well as other laws that apply to the very largest digital platforms. The administration has inaccurately portrayed these laws as "foreign censorship" and "[taxes on American firms](#)." These attacks appear designed to achieve three main objectives: to protect U.S. tech platforms from public oversight and accountability; to weaken European sovereignty; and to clear the way for the rise of extremist parties and actors that question or directly oppose liberal democracy.

The scale and scope of this interference is unprecedented. In February 2025, the House Judiciary Committee issued [subpoenas](#) to major tech platforms demanding their communications with European governments regarding compliance with EU law. That same month, the Committee Chair sent letters to European Commission President Ursula von der Leyen [demanding](#) an end to "foreign censorship" and warning of consequences if the EU continues enforcing its own regulations, and to EU Tech Commissioner Helena Virkkunen [demanding](#) information on "censorship provisions" that affect the free speech of Americans. In September, the Judiciary Committee held a [public hearing](#) giving critics of EU and UK regulation – including Big Tech-funded lobbyists – a platform to air their grievances.

The White House has explicitly and repeatedly threatened tariff retaliation against European nations that dare to [regulate](#) American tech companies operating in their jurisdictions, and in May Secretary of State Marco Rubio announced a new policy [restricting visas](#) for foreign officials and their families whom the State Department deems to be involved in "censoring Americans." That same week, the Department published an [official memo](#) disparaging Europe's "Orwellian content moderation" and the impact of this on the "free speech rights of American citizens and companies." The Secretary also reportedly [instructed](#) U.S. diplomats to launch a concerted attack on the DSA. In August, President Trump, in a [post](#) on his social media platform

Truth Social, promised "consequences" for "Countries that attack our incredible American Tech Companies. Digital Taxes, Digital Services Legislation, and Digital Markets Regulations are all designed to harm, or discriminate against, American Technology."

Vice President J.D. Vance has taken this campaign abroad, using high-profile diplomatic fora to attack European digital governance. At the Munich Security Conference in February, Vance [declared](#) that the greatest threat facing Europe was not external adversaries but its own democratic institutions, calling EU officials "commissars" for cracking down on illegal content on social media. At the subsequent Paris AI Summit, he [characterized](#) EU privacy protections and AI regulation as "tools for authoritarian censorship." These statements represent a deliberate and disingenuous attempt to delegitimize European democratic decision-making and enforcement to the benefit of American corporate power.

● The "Free Speech" Red Herring

The administration's claims to be "defending free speech" fundamentally misrepresent both the nature of speech rights and the EU's regulatory approach. Far from imposing censorship, the DSA is designed to limit the ability of dominant platforms to interfere with speech by requiring them to provide much greater transparency on their content moderation systems and recommender algorithms, and by giving users rights to challenge unjustified censorship. The DSA also requires fair and clear terms of service and accountability for systemic risks like disinformation campaigns, content harmful to minors, and threats to public health and security.

The DMA addresses market concentration and anti-competitive practices, not speech content. Moreover, by creating the conditions for a more open and pluralistic digital economy, the DMA promises to give citizens and businesses more options for expressing themselves, engaging in free enquiry, and sharing information online. Finally, digital services taxes are designed to ensure a more equitable distribution of the wealth that dominant tech platforms have extracted from their users, including through tax avoidance, intellectual property violations, and illegal exploitation of their monopoly power.

The U.S. government's misrepresentation of Europe's efforts to impose reasonable limitations on the extreme power and anti-competitive, anti-democratic conduct of these corporations is not a mistake. On the contrary, this rhetorical strategy seems intentionally designed to obscure the real free speech implications of the concentration of power by private corporations over core communications technologies. When a handful of corporations control the infrastructure through which most democratic discourse occurs, their business models, algorithms, private interests, and terms of service end up constituting the foundational regulatory system for free speech, free debate, and free learning.

At present, the result is a system of private regulation of speech and communications by corporate actors aligned with an increasingly authoritarian government, which for its part has shown its willingness to pressure the private sector to promote its partisan political agenda.

● The Real Censorship Threat: Manipulation of Speech and Thought by Tech Platforms

Through their control of critical information infrastructure such as social media, online search, cloud computing, video streaming, digital advertising, AI models, and AI applications, the dominance of these digital gatekeepers is about far more than just market competition, encompassing control over day-to-day communications, democratic discourse and news distribution. These platforms – in particular X, Meta, Google and TikTok – increasingly have the power to determine who can speak, create, trade, campaign, or be seen and heard online. They also enjoy fast-increasing power to interfere in democratic processes – in Europe and elsewhere – in ways that put their political and economic interests ahead of the public interest.

European citizens, publishers, businesses and governments have experienced profound disruption and manipulation at the hands of the U.S. tech giants that control this infrastructure. For instance, Google's monopoly over search, and the duopoly it shares with Meta in digital advertising, have siphoned traffic and revenue from news organizations and

severed the ability of publishers and businesses to directly engage with their audiences. The platforms' use of media content without consent, credit or compensation is further exacerbating their dominance and ability to extract wealth from users, while undermining the economic basis for journalism and the creative sectors more broadly.

Making matters worse, the business models of Google, Meta, X, and TikTok are based on invasive surveillance of the online actions and behavior of individual citizens and businesses, and use of that information to manipulate how people think and act, usually in exchange for payment by companies and political actors seeking to sell some product or idea. In the aggregate, these algorithmically-driven systems – fortified with huge quantities of highly personalized information about individuals or organizations – have led to extreme distortion of political discourse and destructive social and economic effects, including on very young children.

The evidence of this manipulation is extensive and well-documented around the world and in Europe. It includes:

- **X's** algorithms [systematically amplifying](#) extremist parties during recent German elections and [promoting racist falsehoods](#) following a mass stabbing in the UK, part of the platform's broader transformation into a [megaphone for far-right politics](#) across Europe. This includes Elon Musk's direct engagement with specific topics, posts, and accounts, which has been shown to [massively amplify their reach](#). The same is true of his political manipulation of xAI's chatbot Grok, which Musk and his staff regularly manipulate to promote his political views, including conspiracy theories, Nazism, and erroneous claims about "White Genocide" in South Africa.
- **TikTok's** role in [dramatically boosting](#) the profile of a largely unknown far-right candidate in recent Romanian elections through a network of Russian-sponsored influencers and bots, and in [promoting far-right parties](#) in the recent German elections. The platform, which is being spun off in the U.S. to a consortia of aligned investors and corporations aligned with President Trump, has also been accused of [suppressing content critical of the President](#) and [censoring content banned](#) in China.

- **Meta's** platforms disproportionately promoting or suppressing certain political actors and voices. This includes studies showing that Facebook amplified accounts belonging to [Russia Today](#) and [Alternative für Deutschland](#) among others, and a [ruling](#) by a Belgian court that Facebook's downranking of a politician's post was a clear violation of the right to receive and impart information under European Union (EU) law. Meta has also repeatedly been found – by both [independent researchers](#) and a [report](#) the company commissioned itself – to systematically censor peaceful expressions of support for Palestine, both of its own accord and [under pressure](#) from the Israeli government.
- **Google-owned YouTube's** routine amplification of Russia Today, far-right parties, and conspiracy theories – including Holocaust-denial videos – through its recommendation algorithm in European countries including [Germany](#) and [Finland](#). YouTube has also censored certain accounts and content by “demonetizing” them (cutting off their access to advertising revenue), including [LGBTQ content](#), [journalistic accounts](#), and [independent Russian and Ukrainian media](#).

The development and rollout of generative AI is magnifying the information crisis in multiple ways. Generative AI is already accelerating the collapse of the news media by (a) [reducing traffic](#) (and thus advertising revenues) to publishers by replacing referral traffic with AI summaries and chatbot responses; (b) using journalistic content without [consent, credit or compensation](#); and c) replacing news media with “[personalized](#)” [AI-generated newspapers](#).

More fundamentally, Big Tech's vision for AI – in which [omnipresent](#) and highly [personalized](#) chatbots and “agents” mediate how people learn, create, socialize, work and shop – risks amplifying today's already unacceptable levels of corporate control over freedom of thought, speech and expression, to a point that effectively eliminates human autonomy and ultimately the preconditions for liberal democracy. Corporate [retaliation](#) against efforts to introduce modest regulatory oversight – including measures to strengthen transparency, accountability, and media plurality – has become equally systematic. Facebook imposed outright [bans](#) on news content in Canada and Australia when those countries attempted to require

fair compensation for the use of publisher content, partly as a warning to Europeans who might do the same. Google has also withdrawn news content in response to regulation, including in [Spain](#), and has more recently conducted “[tests](#)” suppressing news content from arbitrarily selected European publishers, in what is hard to interpret as anything other than an attempt to intimidate the news industry.

These actions represent a fundamental challenge to Europe's ability to ensure citizen access to trustworthy and diverse media.

● The Roots of the Crisis

This complex and dangerous crisis has several root causes which have reinforced each other over time. Above all, despite centuries of experience in regulating critical communications networks and infrastructure in the public interest, Western democracies failed to apply the lessons of this experience to the digital platforms that have emerged over the past few decades. Nowhere has this failure been more extreme than in the U.S., from where most of these corporations originate and are headquartered. The result of this lack of oversight and exemption from regulation is an unprecedented degree of control by private corporations over the basic channels of communication and information in the 21st century, with little public oversight or accountability.

Specific intellectual and policy errors include:

- Failure to apply traditional democratic platform neutrality/non-discrimination rules on the corporations that control these services, to ensure that each user receives the same overall service, and that customers are always fully in control of their own online experience, communications, and decisions. Rather than recognizing digital platforms as the active curators of speech that they are, laws such as the EU's e-Commerce Directive and Section 230 of the Communications Decency Act of 1996 instead conceptualize them as mere “intermediaries” of speech, in effect granting them exemptions from liability, copyright, and other laws.
- Failure to use competition law and other related measures to structure and regulate the behavior of these corporations in ways that serve the

public interest, including by 1) preventing extreme concentration of political power and wealth; 2) preventing concentration of control over the structure and rules of the Internet and digital economy; 3) preventing conflicts of interest in the production and intermediation of news, debate, and commerce; 4) ensuring diversity and quality of key communications and commercial services, and; 5) enforcing terms of service designed to protect citizens and the public as a whole.

- A failure to comprehend that dominant communications corporations – when not governed by traditional platform neutrality/non-discrimination rules – can pose threats to free speech as grave as those posed by the state. And further, that such corporations can in turn be used by state actors in ways that greatly amplify the threat posed by the state itself.
- The embrace of extreme corporate libertarian (or “neoliberal”) ideology by nation-states – including, importantly, competition law enforcers and regulators – designed to promote the idea that even dominant corporations are governed by “market forces,” and hence do not require traditional forms of regulation of their structure and behavior.
- The ever-growing political and lobbying power of the tech corporations themselves, which have wielded their political influence to entrench their dominance and undermine even modest attempts to regulate them.
- A continuing naïve infatuation – including by well-meaning political leaders in Europe and the U.S. – with “innovation,” regardless of the nature of that innovation or its political or social consequences, including its impact on freedom of speech, the distribution of wealth and opportunity, and democracy.

The U.S. government and Congress bear the greatest blame for the present situation due to their failure to prevent this concentration of power in the first place, and then subsequently failing to adequately regulate domestic technology giants. To make matters worse, the U.S. government has also repeatedly interfered in attempts by other sovereign states to regulate and rein in U.S. corporations. President Obama, for instance, repeatedly [derided](#) the EU’s antitrust investigations into Google as protectionism. Both Republican and Democratic government in the U.S. have also embedded coercive

protectionism in trade agreements, such as requiring trading partners to grant Section 230 liability protections to U.S. online platforms that host user content.

The Biden administration marked a radical and broadly successful – if unfinished – change in U.S. regulation of the tech platforms and the political economy as a whole. This included the President himself condemning the pro-corporate competition policy of his predecessors as an “experiment” that “failed.” President Biden hired visionary enforcers of competition law, promoted greater [transatlantic collaboration on antitrust enforcement](#) and – via a speech delivered by former U.S. Trade Representative Katherine Tai – explicitly committed not to interfere in other governments’ sovereign right to regulate U.S. corporations.

Importantly, when it comes to the intersection of platform power and free speech and thought, many important advances came from Republican members of Congress and legislators and officials in individual U.S. states. These include efforts to establish platform neutrality and non-discrimination rules preventing the amplification or suppression of the voices of individual people and companies, including in Texas, Ohio, and Florida. It also includes leadership on addressing Google’s monopolization of advertising technology and revenue, through bills such as Senator Mike Lee’s AMERICA Act and a major antitrust lawsuit first developed in Texas.

While these U.S. actions underscored that change is possible when there is political will, under the second Trump Administration, the Republicans have seemingly abandoned these efforts in favor of rhetoric and policies much more favorable to the tech giants.

● Europe is Responding, but More is Needed

The challenge facing European policymakers is simple: to ensure that Europe’s political institutions maintain authority over the digital infrastructure that underpins contemporary communications and democratic life, instead of allowing that authority be permanently transferred to a few immensely powerful corporations and their allies in the U.S. government.

Before Europe can respond adequately, it must first recognize the true nature and scale of the threat it

faces. This is not simply a more aggressive version of efforts by previous U.S. governments to shield American business from foreign oversight. Rather, it is an attempt to entrench the economic and political power of U.S. monopolies and the U.S. state and undermine the rule of law in democratic societies worldwide. If Europeans do not respond decisively to these threats, they effectively cede sovereignty over their own information systems to unaccountable foreign corporations backed by foreign states, all but ensuring the destruction of liberal democracy in Europe.

The good news is that Europe is not starting from scratch. The EU and its Member States have been at the forefront of efforts to rein in dominant tech platforms, with the first EU antitrust investigation into Google dating to 2010, followed by many more regulatory interventions targeting Meta/Facebook, Apple, Amazon and others.

Initially, these actions were largely ineffective – in part because of an overreliance on fines and piecemeal remedies. More recently, the EU has moved to upgrade both its toolkit and overall enforcement philosophy, including by embracing bright-line rules targeting the behavior of these corporations – though much more could be still done with respect to structural interventions. Most notably, this includes passing landmark laws such as the DMA and DSA. While both laws have yet to be enforced to their full potential, they provide the EU with its strongest tools yet to counteract and ultimately rein in the chokehold that a few digital gatekeepers currently exercise over core communications infrastructure.

Europe's political leadership increasingly recognizes the dangers of dependence on U.S. tech giants for the continent's sovereignty and democratic resilience. Towards the end of her tenure in June 2024, former EU Competition Commissioner and Executive Vice President (EVP) Margrethe Vestager [warned](#) of the risk that concentration of market power risks leads to "totalitarianism."

There have been further signs of progress under the new European Commission, including the combining of technology and democracy into a [single portfolio](#) for the first time under EVP Henna Virkkunen, and [repeated acknowledgements](#) by EVP Teresa Ribera of the role of competition policy in safeguarding

not just consumer welfare, but democracy itself.

The Commission has also begun to directly [challenge](#) and [refute](#) the U.S. government's claims of censorship, and has repeatedly stated that its sovereign laws are [not up for discussion](#). In April, President von der Leyen herself described the EU's digital rules as "untouchable sovereign decisions" that are not "in the packages of negotiation" and signaled her willingness to retaliate against U.S. coercion, including through the EU's Anti-Coercion Instrument (see annex for more details).

And despite legitimate fears that the EU would abandon regulatory enforcement in response to the U.S. administration's escalating threats, thus far the Commission has largely held its ground. This includes [fining Apple and Meta](#) €500 million and €200 million respectively in April for non-compliance with the DMA, and [fining Google](#) €2.95 billion in September for its illegal adtech monopoly. In the latter case, the Commission has given Google 60 days to come up with a remedy that comprehensively addresses its anti-competitive conduct. If Google's proposal is unsatisfactory, the Commission has promised to intervene itself, including by forcing Google to divest part of its online advertising empire.

Yet if the goal is to protect European democracy and sovereignty from the threat of tech monopolies working hand in hand with the U.S. administration, much more is necessary.

● A regulatory and industrial policy strategy to promote free speech and democratic governance

Europe must not merely defend its regulatory framework. It must also forcefully deploy the laws and regulations to break the chokehold that tech corporations currently hold over public discourse, while accelerating support for domestic alternatives. These efforts should be channeled towards a clear set of concrete actions, including:

- Neutralizing the ability of dominant platforms to control, amplify, and censor speech – in other words to arbitrarily discriminate between different speakers – by eliminating recommender systems and other forms of algorithmically manipulated speech. The individual user – not the platform nor

their owner – should be empowered to decide what they see online. This required establishing clear rules and a clear set of parameters for determining which forms of content are displayed and why.

- Establishing comprehensive transparency and auditing requirements to enable users, business customers, and governments to easily verify the neutrality of the platform. This means requiring platforms to publish terms of service, explain how they curate and moderate online content, and to provide full access to all the data necessary to audit their performance. The DSA already contains strong provisions on transparency of content moderation and recommender systems. These must be robustly enforced, and if found insufficient, further reinforced.
- Restructuring the market, whether through competition enforcement or legislation, to limit concentration of power over information and eliminate conflicts of interest. A key principle is that ownership of critical communications infrastructure should be separate from ownership of publishing and other forms of content creation. Potential measures to achieve such a goal include requiring Meta to divest Instagram and WhatsApp, forcing Elon Musk to divest xAI and Grok, and breaking Google's monopoly hold on the digital advertising market (as part of the Commission's existing adtech investigation).
- Promoting local European alternatives to dominant U.S. technology platforms. This could be achieved in various ways, including providing public funding for new ventures, redirecting existing public procurement budgets towards European providers, and supporting common – and open-source – digital infrastructure that different market players can build upon. Public support for alternative technologies and technology providers should be governed by a clear set of goals – including fair competition, openness and transparency, sustainability, information plurality, and adherence to democratic values.
- Imposing genuine interoperability and data portability across the technology stack, particularly between social media platforms and AI systems, so that citizens have real choice over where they get their information and how they communicate, including by seamlessly switching to alternatives.

- Fully and robustly enforcing copyright laws to ensure platforms that extract data and content from publishers and other content creators provide fair and transparent compensation for the use of their material – including to train their AI models or improve their chatbots, search, and social media platforms.

● Conclusion`

The extreme power of U.S. tech platforms and their routine manipulation and exploitation of the individuals and businesses who depend on their services poses an existential threat to European sovereignty, rule of law, and the fundamental rights of citizens – including the right to freedom of expression – enshrined in the EU's founding documents and treaties. The political alignment of these platforms with the present U.S. administration dramatically amplifies these threats.

Europe has the rationale, regulatory foundations, and economic weight to design an information system that guarantees the full intellectual and political freedom of every individual, prevents excessive concentration of political and economic power, promotes robust growth and innovation, and always protects every core democratic public interest. The path forward is clear and simple: accelerate and expand efforts to rein in the power and arbitrary behaviors of every dominant tech corporation, no matter where in the world they are based.

The European Legal Framework

1. European Legal Foundations for Freedom of Expression

Europe's human rights architecture already embeds strong protections for the right to receive and impart information without restrictions and privacy:

- **EU Charter of Fundamental Rights (Art. 11):** Guarantees the right to receive and impart information and requires media pluralism to be respected;
- **European Convention on Human Rights (Art. 10):** Protects expression even when it shocks or offends; Strasbourg jurisprudence affirms the essential watchdog role of the press;
- **Positive state obligations:** Courts interpret these rights as requiring states to foster an enabling environment for free expression and plural media ecosystems, not just to abstain from censorship;
- **Council of Europe:** Emphasizes user rights online, source protection, and limits on surveillance, further reinforcing structural support for free expression;
- **GDPR:** Provides individual privacy rights and imposes a consent-based framework for the collection of personal data.

2. A Strong Policy Architecture Is Emerging

The EU has pioneered a regulatory approach that targets the root causes of market dominance and corporate censorship in digital markets through public oversight, proportionate regulatory obligations, robust antitrust enforcement, and procedural fairness, creating a durable, rights-respecting shield for user choice and free expression without resorting to censorship or arbitrary state control.

- **Digital Services Act (DSA):** Requires very large online platforms to assess and mitigate the systemic threats posed by their services to society, including threats to freedom of expression and information. The DSA further protects freedom of expression in several crucial ways, including by 1) mandating transparency on recommender algorithms and content moderation processes; 2) requiring platforms to maintain logs of [moderation actions](#) and clear “statements of reasons” for content takedowns, and; 3) requiring platforms to offer internal complaint-handling mechanisms and out-of-court dispute settlement routes so that users can hold them accountable for their content moderation decisions.
 - The Commission has launched several investigations into X for potential violations of the DSA, including by disseminating illegal terrorist and violent content,

deploying manipulative “dark patterns,” and denying researchers access to data required by the regulation.

- Meta is [facing investigations](#) for potential DSA violations on Facebook and Instagram, including allegations of deceptive advertising, demotion of political content, inadequate safeguards during European elections, and insufficient measures for flagging illegal content.
- **Digital Markets Act (DMA):** Applies ex-ante obligations to dominant digital platforms – including American, Chinese and European gatekeepers – designed to prevent self-preferencing and other anti-competitive practices, eliminate unfair terms and conditions, promote interoperability, and enable data portability. This includes strengthening interoperability between different messaging and social media services, both of which are critical to modern freedom of expression. By promoting choice and fair competition in digital markets, the DMA also strengthens information pluralism and freedom of expression.
- **European Media Freedom Act (EMFA):** Enshrines editorial independence, source protection, and media ownership transparency. Restricts arbitrary takedowns of lawful media content by Very Large Online Platforms (VLOPs) by providing media outlets with pre-removal notifications and 24-hour response windows. Media that meet editorial and independence standards can self-declare their status, and the Act establishes yearly structured dialogues between platforms and media stakeholders and requires platforms to give users greater control over media settings.
- **Anti-Coercion Instrument (ACI):** Designed to respond to situations in which a “third country applies or threatens to apply a measure affecting trade or investment in order to prevent or obtain the cessation, modification or adoption of a particular act by the Union or a member state, thereby interfering in the legitimate sovereign choices of the Union or a member state.” Where it is determined that economic coercion is taking place, the ACI allows the Commission to deploy a broad set of retaliatory measures in response. This includes duties and restrictions on goods and services exported into the EU, exclusions from public procurement processes, restrictions on investments, and the revocation of protections on intellectual property. These restrictions could be used to target the operations of U.S. technology corporations in the EU market in response to U.S. government threats against EU regulation.
- **AI Act (in process of implementation):** Requires transparency and oversight for some algorithmic systems and for content used for training AI models.



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