



October 11th, 2023

EUROPEAN COMMISSION

Cabinet of Internal Market Commissioner Thierry Breton

By Email

Re: Letter from Commissioner Breton to Mr Musk dated 10 October 2023

Dear Commissioner Breton,

We write regarding your 10 October 2023 letter.

We are deeply troubled by the large-scale and unprecedented terrorist attack on Israel and by the loss of innocent lives. Each day we are reminded of our global responsibility to protect the public conversation by ensuring everyone has access to real-time information and safeguarding the platform for all our users. That's why we've redistributed resources and refocused internal teams.

In accordance with your request to respond in 24 hours, this is a high level summary of our work, noting we are actively working to address the operational needs of this fast-moving and evolving conflict.

X is committed to serving the public conversation, especially in critical moments like this and understands the importance of addressing any illegal content that may be disseminated through the platform. There is no place on X for terrorist organizations or violent extremist groups and we continue to remove such accounts in real time, including proactive efforts.

Since the terrorist attack on Israel, we have taken action to remove or label tens of thousands of pieces of content, while Community Notes are visible on thousands of posts, generating millions of impressions.

We continue to respond promptly to law enforcement requests from around the world, including EU member states. At the time of receipt of your letter, we had not received any notices from Europol relating to illegal content on the service.

Crisis response.

Shortly after the news broke about the Hamas attack, X assembled a leadership group to assess the situation. In crisis situations, X's unique purpose to serve the public conversation; access and share information, raise awareness about the situations they are in and on the ground, and openly and freely exchange on issues becomes all the more critical.

X Rules¹.

Our service has clear rules that prohibit **violent & hateful entities²**, **perpetrators of violent attacks³**, **violent speech⁴**, **sensitive media⁵**, and the **synthetic and manipulated media policy⁶**.

- There is no place for **violent & hateful entities** on X, including (but not limited to) terrorist organizations, violent extremist groups, perpetrators of violent attacks, or individuals who affiliate with and promote their illicit activities. Under this policy, users may not threaten terrorism and/or violent extremism, nor promote violent and hateful entities.
- Also, the policy on **perpetrators of violent attacks** determines the removal of any accounts maintained by individual perpetrators of terrorist, violent extremist, or mass violent attacks, as well as any accounts glorifying the perpetrator(s), or dedicated to sharing manifestos and/or third party links where related content is hosted. We may also remove posts disseminating manifestos or other content produced by perpetrators.
- Our rules on **violent speech** forbid violent threats, such as threatening to inflict physical harm on others, which includes (but is not limited to) threatening to kill, torture, sexually assault, or otherwise hurt someone. This also includes threatening to damage civilian homes and shelters, or infrastructure that is essential to daily, civic, or business activities. It also forbids the act of wishing harm to another person. This means that X users may not wish, hope, or express desire for harm on the platform. This includes (but is not limited to) hoping for others to die, suffer illnesses, tragic incidents, or experience other physically harmful consequences. This policy also prohibits incitement of violence and glorification of violence on our services.
- The **sensitive media** policy restricts users from posting and sharing media that contains graphic content, adult nudity and sexual behavior. Media depicting excessively gory content, sexual violence and/or assault, bestiality or necrophilia is not permitted.
- We limit the sharing of **synthetic, manipulated, or out-of-context media** that may deceive or confuse people and lead to harm. In addition, we may label posts containing misleading media to help people understand their authenticity and to provide additional context.

Public Interest Exceptions⁷.

For the avoidance of doubt, we strictly adhere to our policies concerning illegal content and we continue to remove illegal content, including terrorist content, from our platform.

With respect to harmful, but not illegal content, our public interest interstitials, which provide for us to take action on a post while allowing it to remain accessible, were limited to government officials and political leaders' legacy verified accounts. We took the decision to update these criteria to allow us to use the public interest interstitial for a broader range of accounts, including those that are not verified.

Placing a post behind this notice also limits the ability to engage with the post through likes, Reposts, or sharing on X, and makes sure the post isn't algorithmically recommended by X. These actions are meant to limit the post's reach while maintaining the public's ability to view and discuss it.

¹ <https://help.twitter.com/en/rules-and-policies/x-rules>

² <https://help.twitter.com/en/rules-and-policies/violent-entities>

³ <https://help.twitter.com/en/rules-and-policies/perpetrators-of-violent-attacks>

⁴ <https://help.twitter.com/en/rules-and-policies/violent-speech>

⁵ <https://help.twitter.com/en/rules-and-policies/media-policy>

⁶ <https://help.twitter.com/en/rules-and-policies/manipulated-media>

⁷ <https://help.twitter.com/en/rules-and-policies/public-interest>

Policy Enforcement and Illegal Content.

Throughout the world, users can easily report posts, profiles, and direct messages that are in violation of the X Rules or our Terms of Service.⁸ Moreover, in the EU specifically, users can report posts and direct messages for being illegal under member state law by tapping the content, and there is a separate Digital Services Act (DSA) report form accessible to all, not just platform users.⁹ These reporting channels assist X in combating content that violates our rules or is illegal in the EU.

Under the Violent and Hateful Entities Policy, so far since the start of the conflict X has identified and removed hundreds of Hamas-affiliated accounts from the platform, and it continues to coordinate with industry peers through the Global Internet Forum to Counter Terrorism (GIFCT), the Christchurch Call for Action as well as the EU Internet Forum with the aim of preventing terrorist content from being distributed online. X is proportionately and effectively assessing and addressing identified fake and manipulated content during this constantly evolving and shifting crisis. In good faith, we've diligently taken proactive actions to remove content that violates our policies, including: violent speech, manipulated media and graphic media.

Law Enforcement.

In addition to the enforcement of our policies, X continues to work with law enforcement authorities. So far, we have responded to more than 80 take down requests received in the EU within required timelines in a diligent and objective manner. We will continue to respond to law enforcement authority requests in a timely manner and as required by the applicable laws.

We take all reports about potentially illegal content circulating on the platform extremely seriously, especially where it is alleged that such content has been flagged to us by authorities. We would encourage the Commission to immediately provide more detail so that we can fully investigate.

Community Notes¹⁰.

Community Notes are live on posts, adding context to a wide range of topics related to the conflict. In the first 4 days, related notes have been seen tens of millions of times. More than 700 unique notes related to the attacks and unfolding events are showing on X. As a result of our new "notes on media" feature, these notes display on an additional 5000+ posts that contain matching images or videos. This number grows automatically if the relevant images and videos are re-used in new posts.

We recently launched a major acceleration in the speed at which notes appear. Based on our most recent analysis, notes related to the conflict are showing on X quickly — at a median time of about 5 hours after post creation time. Notes that are matched to media and images appear even faster — within minutes of the post being created. We are working on even further acceleration.

Conclusion

X is committed to transparency, safety and the successful implementation of the DSA and will continue to take all appropriate steps to that end.

We wish to reiterate that we welcome further engagement with you and your team, including a meeting, to address any specific questions and look forward to receiving further specifics to which we can respond.

⁸ <https://help.twitter.com/en/safety-and-security/report-a-post>

⁹ <https://help.twitter.com/en/forms/dsa/report>

¹⁰ <https://twitter.com/CommunityNotes/status/1699123989438947373>; <https://twitter.com/CommunityNotes/status/1697036063045239017>

This response is based on the understanding that your letter constitutes an expression of concern – which we take very seriously – but does not constitute a formal notification or request under the DSA or any other legal provision. This response does not entail any recognition or waiver of any kind, and X reserves all rights.

Yours sincerely,

Linda Yaccarino, CEO, X