Research on the Pre-screening Obligations and Responsibilities of Online Platforms

Guozhen Wang　　Hongmeng Hu　　Daofu Yang　　Yihan Zhou　　Yirui Wang

Anhui University of Finance and Economics, Bengbu, Anhui 233030;

Abstract: This study focuses on the pre-screening obligations and responsibilities of online platforms. With the widespread use of the internet, online platforms have become crucial hubs for information dissemination. However, the proliferation of harmful information has led to many social issues, highlighting the importance of pre-screening. This paper delves into the connotation and boundaries of the pre-screening obligations of online platforms and explores the obligations they should shoulder in multiple dimensions such as law, ethics, and social responsibility. Meanwhile, it analyzes the practical dilemmas faced by current online platforms in pre-screening, including vague screening standards, insufficient technical capabilities, and unclear responsibility definitions. Based on this analysis, it proposes solutions such as improving laws and regulations to clarify screening standards and responsibilities, enhancing technical means to improve screening efficiency, and establishing a multi-party collaborative supervision mechanism. The study aims to provide theoretical references for the standardization and scientific development of pre-screening by online platforms, promoting a healthy and orderly development of cyberspace, and safeguarding users' legitimate rights and interests as well as social and public interests.

1 Introduction

At present, the digital wave is sweeping across the globe. Online platforms have been deeply integrated into every aspect of people's lives. They have become important carriers for various activities like information dissemination, social interaction, and commercial transactions. From the daily life moments shared by users on social media to the wide range of commodity transactions on e-commerce platforms, and then to the vast amount of information conveyed by various news platforms, online platforms have greatly changed people's lifestyles and the way society operates because of their convenience, efficiency, and openness.

However, while online platforms bring a lot of convenience, they also cause a series of problems. Due to the huge amount of online information and the instant nature of its dissemination, some harmful information, such as false propaganda, violent and terrorist content, pornographic and vulgar material, and privacy violations, spreads recklessly on online platforms. This poses a serious threat to social order, public interests, and users' rights.

Pre-screening is an important way for online platforms to manage information. It is crucial for preventing the spread of harmful information and maintaining a healthy and orderly online space. But at present, there are still many controversies about pre-screening on online platforms. On the one hand, the boundary of the pre-screening obligation is not clear. There are disagreements about how much responsibility platforms should bear for screening. On the other hand, the lack of unified screening standards and the limitations of technological means also lead to inconsistent screening effects.

Therefore, conducting in-depth research on the pre-screening obligations and responsibilities of online platforms, clarifying their legal status and scope of responsibilities, and improving the screening mechanisms and standards are not only helpful in regulating the operation of online platforms and protecting users' legitimate rights and interests but also beneficial for creating a clear and healthy online space and promoting the healthy and sustainable development of the Internet industry.

2 Research Significance

2.1 Theoretical Significance

From a legal perspective, studying the pre-screening obligations and responsibilities of online platforms is an in-depth exploration and improvement of the applicability of the current legal system in the Internet field. With the rapid development of Internet technology, online platforms are playing an increasingly important role in information dissemination. Traditional legal rules seem inadequate when dealing with the complex legal issues caused by online platforms. Clarifying the pre-screening obligations and responsibilities of online platforms helps fill legal gaps. It enables legal norms to better meet the development needs of the Internet age and provides a solid theoretical foundation for the construction of the rule of law in cyberspace.

At the social level, this research is of great significance for safeguarding social public interests and protecting citizens' legitimate rights and interests. The spread of harmful information on online platforms, such as fake news and infringing content, not only disrupts social order but also causes damage to citizens' property, reputation, and other rights. By studying the pre-screening obligations and responsibilities of online platforms, we can encourage online platforms to more actively fulfill their social responsibilities and effectively curb the spread of harmful information. This helps create a healthy and orderly online environment and protects citizens from being harmed by harmful information.

From the perspective of industry development, studying the pre-screening obligations and responsibilities of online platforms is helpful in guiding the standardized development of the online platform industry. Clear pre-screening obligations and responsibility divisions can provide online platforms with clear behavioral guidelines. This makes them pay more attention to the legality and compliance of information content while pursuing commercial interests. It helps improve the image and credibility of the entire industry, promotes the online platform industry to develop in a healthier and more sustainable way, and achieves a win-win situation of economic and social benefits.

2.2 Practical Significance

From the perspective of protecting users' rights and interests, studying the pre-screening obligations and responsibilities of online platforms is of great importance. Nowadays, online platforms are flooded with a large amount of false information and infringing content. For example, false advertisements mislead consumers into buying low-quality goods, and pirated movies, TV shows, and music infringe on creators' rights. Clarifying the pre-screening obligations of online platforms can encourage them to conduct effective screenings before information is published. This reduces the spread of such harmful information at the source, prevents users from suffering property losses and mental harm, and effectively safeguards users' legitimate rights and interests as consumers and content users.

In terms of maintaining the order of cyberspace, this research helps create a healthy and orderly online environment. The reckless spread of harmful information can lead to chaos such as cyberbullying and the spread of rumors, disrupting the harmony and stability of cyberspace. By strengthening the pre-screening responsibilities of online platforms, platforms need to strictly control information that may trigger social conflicts or endanger public safety. They should promptly block non-compliant content to prevent its diffusion, thus maintaining the normal order of cyberspace and safeguarding social public interests.

From the perspective of promoting the healthy development of the Internet industry, clarifying the pre-screening obligations and responsibilities of online platforms can guide the industry to operate in a standardized manner. Some online platforms, in pursuit of traffic and profits, neglect information screening, leading to a chaotic industry situation. Studying this issue can encourage platforms to pay attention to their own responsibilities, strengthen internal management, and improve information screening technologies and capabilities. This not only helps enhance the image and credibility of the entire industry but also attracts more users and capital. It promotes the Internet industry to develop in a healthier and more sustainable way, achieving the unity of economic and social benefits.

3 Practical Dilemmas Faced by Online Platforms in Pre-screening

In today's digital age, online platforms have become important carriers for various activities such as information

dissemination, social interaction, and commercial transactions. They have a profound impact on people's lifestyles and the way society operates. However, online platforms face many practical dilemmas in pre-screening. These dilemmas not only restrict the development of online platforms themselves but also pose challenges to maintaining a healthy and orderly cyberspace, protecting users' rights and interests, and safeguarding social public interests。

3.1 Dilemmas of Vague Legal Norms and Definitions

First, the boundary of screening obligations is unclear. Currently, China's relevant laws and regulations have not yet perfected the provisions on the pre-screening obligations of online platforms, and the obligation boundaries are ambiguous. Although laws and departmental regulations such as the Civil Code of the People's Republic of China and the Provisions on the Governance of the Ecological Environment of Online Information Content involve the responsibilities of online platforms, they lack clear definitions for key issues like under what circumstances platforms should bear pre-screening obligations, and the scope and extent of screening. For example, on short-video platforms, regarding the content uploaded by users, it's not clear from the law to what extent the platform should conduct screening. Should it only check for obviously illegal or non-compliant content, or does it need to comprehensively review all content? This ambiguity leaves online platforms at a loss when fulfilling their pre-screening obligations. They are worried both about bearing legal liability for inadequate screening and about infringing on users' freedom of speech through excessive screening, thus falling into a dilemma.

Second, the criteria for responsibility determination are not uniform. In judicial practice, the non-uniform criteria for determining the pre-screening responsibilities of online platforms further exacerbate the platforms' difficulties. Different courts have different judgment standards for whether a platform has fulfilled its pre-screening obligations in similar cases. Some courts believe that platforms should comprehensively screen all content that may have problems, while others think that platforms only need to screen within a reasonable range. This lack of uniform criteria makes it difficult for online platforms to accurately grasp their responsibility boundaries and increases their legal risks in operation.

3.2 Dilemmas of Limited Technical Capabilities and Resources

First, there are limitations in screening technologies. With the rapid development of Internet technology, online information is characterized by its huge volume, diversity, and rapid updates. Although technologies such as artificial intelligence and big data have, to some extent, improved the efficiency of information screening on online platforms, these technologies still have limitations. For example, it is difficult for technical means to accurately identify and judge harmful information expressed through metaphors, hints, or distorted forms. In addition, the speed of technological upgrades cannot keep up with the changes in information dissemination. New forms and methods of violations keep emerging, posing continuous challenges to the platforms' technical screening capabilities.

Second, there is insufficient investment in screening resources. Pre-screening requires a large amount of investment in human, material, and financial resources. Online platforms have to deal with a vast amount of information every day. Establishing a professional screening team and developing advanced screening technology systems all demand huge financial support. However, for some small and medium-sized online platforms, due to their limited financial strength, it is difficult for them to bear the high costs of screening. This leads to insufficient investment in pre-screening, significantly reducing the screening effectiveness. As a result, they are unable to effectively block the spread of harmful information.

3.3 Dilemmas Between User Information Needs and Freedom of Speech

First, there's a conflict between users' information needs and screening. Users have diverse information needs on online platforms. They want to get rich, timely, and true information. However, strict pre-screening may have some impact on the speed and diversity of information dissemination. If the screening standards are too strict, some valuable but potentially controversial information might be mistakenly deleted or blocked. This restricts the flow of information and can't meet users' diverse needs. For example, in discussions about hot social issues, overly strict screening might suppress different voices, preventing the public from getting a comprehensive understanding of the events.

Second, it's hard to balance freedom of speech and screening. Freedom of speech is a basic right of citizens and an

important value in cyberspace. As platforms for information dissemination, online platforms need to find a balance between protecting freedom of speech and fulfilling pre-screening obligations. But in practice, this balance is often hard to achieve. On one hand, overly loose screening might lead to the overflow of harmful information, infringing on others' legitimate rights and interests and disrupting the order of cyberspace. On the other hand, overly strict screening might infringe on users' freedom of speech and hinder the normal dissemination and exchange of information.

3.4 Dilemmas Between Commercial Interests and Social Responsibilities

First, there is screening negligence driven by commercial interests. The operation of online platforms mainly relies on commercial interests, such as advertising revenue and user payments. In the pursuit of commercial interests, some platforms may neglect their pre-screening obligations to attract more users and traffic. For example, to increase user activity and platform visibility, some platforms may relax screening standards for content that has certain risks but can attract attention, leading to the spread of harmful information.

Second, there is a conflict between social responsibilities and commercial interests. As important channels for information dissemination, online platforms bear certain social responsibilities. They need to maintain a healthy and orderly cyberspace and protect users' legitimate rights and interests. However, fulfilling social responsibilities often requires platforms to invest more resources and costs, which may conflict with their commercial interests. For example, strengthening pre-screening requires hiring more screeners and upgrading screening technologies, both of which increase the platforms' operating costs and affect their short-term economic benefits.

4 Practical Approaches to Pre-screening by Online Platforms

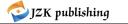### 4.1 Improve Laws and Regulations to Clarify Screening Obligations and Responsibilities

First, refine legal provisions. Currently, although China has introduced a series of laws and regulations related to the responsibilities of online platforms, the specific provisions on pre-screening are still rather general. Legal provisions should be further refined to clarify the pre-screening obligations of different types of online platforms (such as social media platforms, e-commerce platforms, and information platforms) in various scenarios. For example, for social media platforms, the screening standards for content posted by users involving politically sensitive, violent, terrorist, or pornographic and vulgar materials should be specified. For e-commerce platforms, the screening requirements for merchants' product information and promotional copy should be clarified to prevent false advertising and infringement.

Second, unify the criteria for responsibility determination. In judicial practice, there are differences in the criteria for determining the pre-screening responsibilities of online platforms, leaving platforms without clear guidance when fulfilling their obligations. Relevant departments should unify the criteria for responsibility determination through judicial interpretations, typical cases, and other means. They should clarify under what circumstances platforms fail to fulfill their pre-screening obligations and need to bear legal responsibilities, as well as the specific forms of responsibility (such as fines, rectification, and license revocation). This will enable platforms to clearly understand the legal consequences of their actions and thus more actively fulfill their screening obligations.

4.2 Strengthen Technical Support to Improve Screening Efficiency and Accuracy

First, introduce artificial intelligence (AI) technology. AI technology has significant advantages in information recognition, classification, and processing. Online platforms should increase their investment in the AI field and introduce advanced technologies such as image recognition, speech recognition, and natural language processing to quickly and accurately screen the content uploaded by users. For example, image recognition technology can automatically detect whether an image contains violent, pornographic, or other harmful elements. Natural language processing technology can analyze the semantics of text content to determine if there is any false advertising, defamation, or other non-compliant information.

Second, establish a big data screening model. Big data technology can collect, analyze, and mine massive amounts of online information. Online platforms can use big data to build screening models. By analyzing historical screening data and user behavior data, they can identify the patterns and characteristics of harmful information dissemination, thus enabling

early warning and blocking of potential harmful content. For example, by analyzing the frequency and correlation of certain keywords in different time periods and among different user groups, they can discover potentially non-compliant topics or information dissemination trends.

4.3 Optimize Screening Processes to Ensure Comprehensive and Efficient Screening

First, establish a multi-level screening mechanism. Online platforms should set up a multi-level screening mechanism that combines human screening with machine screening. Machine screening acts as the first line of defense, quickly screening a large amount of regular content and marking out potentially problematic content. Human screening then serves as the second line of defense, conducting in-depth reviews of the content marked by the machine to ensure the accuracy of screening results. Meanwhile, for some important or sensitive content, multiple levels of human screening can be set up to enhance the rigor of the process.

Second, formulate detailed screening standards. Clear screening standards are key to ensuring screening quality. Online platforms should develop a detailed screening standards manual that clearly defines different types of harmful information and specifies corresponding handling measures. For example, for information containing violence or terrorist content, the manual should clearly outline its specific manifestations, judgment bases, and criteria for approval or rejection. Screeners should strictly follow the screening standards to avoid subjective arbitrariness.

Third, strengthen screener training. The professionalism and competence of screeners directly affect the screening effectiveness. Online platforms should regularly organize training sessions for screeners to improve their understanding of laws and regulations, screening standards, and technical tools. Training content can include interpretations of laws and regulations, techniques for identifying harmful information, and operation of the screening system. At the same time, establish a screener evaluation mechanism to assess and incentivize screeners' work performance, ensuring the quality and efficiency of the screening work.

5 Conclusion

Overall, pre-screening by online platforms faces practical dilemmas in multiple aspects, such as vague legal norms and definitions, limited technical capabilities and resources, conflicts between user needs and freedom of speech, and tensions between commercial interests and social responsibilities. To address these dilemmas, it requires the joint efforts of the government, online platforms, and all sectors of society. We need to improve laws and regulations, strengthen technological research and development, and balance the interests of all parties. By doing so, we can jointly create a healthy, orderly, and safe cyberspace.

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Author Bio: Guozhen Wang (2005—), female, Han ethnicity, from Ankang, Shaanxi Province. She is an undergraduate student at the School of Law, Anhui University of Finance and Economics.