

Amazon UK—written evidence (FE00118)

Response to the House of Lords Communications and Digital Committee's inquiry into Freedom of Expression Online

Amazon UK welcomes the opportunity to provide written evidence to the House of Lords Communications and Digital Committee's inquiry into *Freedom of Expression*. The Committee has asked us to provide written responses to a number of questions, and we have set out our answers below.

Amazon's mission is to be Earth's most customer-centric company. Our corporate philosophy is rooted in working backwards from the customer and continuously innovating to provide them with better services and products. Amazon's UK website offers over 250 million items, and we strive to offer our customers the widest possible selection, including products sold and delivered by Amazon, as well as products from third party sellers. Amazon complies with the laws in all of the countries where we operate; and all sellers must follow our selling guidelines.

Q. Amazon has stated that it reserves the right to remove from sale items it deems "inappropriate or offensive". Please could you give examples of when Amazon has done this and explain why?

Today, more than 25 years after Amazon launched as a bookseller, we are proud to offer hundreds of millions of products beyond books, many from small and medium sized businesses. In managing our store, we are mindful of the global history of censorship, and we value offering a wide variety of content. All retailers make decisions about what selection they choose to offer, and we do not take selection limitation decisions lightly. We strive to maximise selection for all customers, even if we don't always agree with the message or sentiment of the product itself. There are however some products and content that we don't allow in our store based on our Offensive and Controversial Materials¹ policies and Content Guidelines for Books². These guidelines are publicly available and are also set out on our seller central website³.

Our offensive products policy prohibits the sale of products that promote, incite, or glorify hatred, violence, racial, sexual, or religious intolerance or promote organisations with such views. We periodically review and update these policies based on experience, current events, and other relevant developments, and in consultation with internal and external resources.

One recent example of a product we have taken down is a t-shirt with the slogan "let's make Down Syndrome extinct" as we considered this to be promoting hate speech⁴.

¹ <https://sellercentral.amazon.com/gp/help/external/200164670#:~:text=Amazon's%20Offensive%20Products%20policies%20apply,promote%20organizations%20with%20such%20views> .

² <https://www.amazon.com/gp/help/customer/display.html?nodeId=201995150>

³ <https://sellercentral.amazon.co.uk/gp/help/external/help.html?itemID=GQKVFBUXQJ4FR2G9>

We also recently worked with the Board of Deputies of British Jews and the World Jewish Congress after they raised concerns about some book titles available on Amazon⁵. After careful review against our guidelines, we agreed that some titles were inconsistent with our Content Guidelines for Books, and we removed titles including *The Six Million Swindle* by Joseph App and *The Auschwitz Myth – Legend or Reality* by Wilhelm Stäglich.

We invest significant time and resources in enforcing our guidelines proactively, using a combination of dedicated teams of human reviewers, machine learning and automation. For example, in 2020 we reviewed almost 10,000 product listings each day to ensure compliance with our policies. Our technology continuously scans all products listed for sale looking for text and images that violate our policies, and immediately removes them, often before ever being seen by a customer. We also constantly listen to feedback and, when appropriate, iterate on our guidelines.

Q. By what process does Amazon determine what is too inappropriate or offensive to sell? Does Amazon publish the details of such decisions and is there a means to appeal?

First, we adhere to the law and do not allow illegal products to be sold in our store. Beyond that, we strive to maximise selection for all customers and viewpoints. As set out above, there are some legal products and content that we don't allow, which is why we have Offensive and Controversial Materials policies and Content Guidelines for Books in place.

We have an Offensive Products team that is responsible for developing and updating our policies, refining and maintaining our systems and processes, continuously monitoring our store, and manually evaluating questionable products. We also routinely consult resources issued by the Government, civil rights and anti-hate organisations which we use for guidance.

We provide a number of ways for sellers and customers to report allegations of inappropriate, infringing, or illegal content. For some types of content, including customer reviews, and customer answers, customers and sellers can report possible breaches of these Guidelines by clicking the report abuse link located close to the content. There is also a dedicated email address: community-help@amazon.co.uk where customers and sellers can report content that they believe violate our guidelines.

We filter and remove content that does not adhere to our guidelines and promptly investigate when notified of potential non-compliance. We do not publish details of individual decisions but do notify sellers when we remove an item from sale. We have also set out further information, in addition to our guidelines, about our approach to controversial products and content⁶. If we

⁴ <https://www.bbc.co.uk/news/uk-england-coventry-warwickshire-54165172>

⁵ <https://www.bod.org.uk/92-holocaust-denial-works-removed-from-amazon-after-board-of-deputies-and-wjc-intercession/>

⁶ <https://www.aboutamazon.com/news/how-amazon-works/amazons-approach-to-controversial-products-and-content>

remove a product, we let the author, publisher, or selling partner know, and they can appeal our decision.

Q. Does Amazon’s market power give it greater responsibility to protect freedom of expression than smaller vendors?

The UK retail industry is highly competitive, with thousands of retailers and sellers and a multitude of sales channels including physical stores, online, omnichannel and click-and-collect propositions. Amazon does not have market power. 72% of consumers use a smartphone in physical stores to compare prices at other online or physical stores to make informed buying decisions⁷. In our experience retailers and sellers, whether large or small, take great care that the products they sell comply with both the spirit and the letter of the law. This includes having due regard to freedom of expression which is both a fundamental and universal human right. Freedom of expression is a collective responsibility assumed and accepted by all responsible retailers and sellers.

Q. Has Amazon ever infringed users’ freedom of expression to comply with national law in any of the jurisdictions in which it operates? If not, are there any circumstances in which Amazon would do this?

Amazon complies with all of the laws in all of the countries where we operate. For example, we do not sell products that breach privacy laws or that are defamatory. Some international examples of country-specific laws that restrict the sale or distribution of specific products include the Republic of Ireland Government Censorship of Publications Board⁸ and Germany’s List of Media Harmful to Young Persons looks after the Register of Prohibited Publications⁹.

Q. Has Amazon Web Services ever refused to host a website on the basis of its legal but harmful content? If so, how was the decision made and what review and transparency processes are in place?

As an infrastructure services provider, AWS is different from social media networks, digital distribution platforms, and content services providers. Our customers are responsible for the operation and ownership of their applications and the content they host on AWS and make available on the internet. AWS simply provides underlying technology infrastructure (e.g., compute, storage, network) that makes it possible for our customers to build and operate their applications. When customers sign up for AWS, they agree to comply with the law and with AWS’s terms of service, including AWS’s Acceptable Use Policy (AUP)¹⁰. As part of this agreement, our customers are responsible for the content they host and the activities they conduct using our services, including

⁷ See UPS, 2018, Pulse of the Online Shopper Study; Internet Retailer, 2019, Online Marketplaces Report

⁸ <http://membership.stateboards.ie/board/Censorship%20of%20Publications%20Board/>

⁹ <https://www.bundespruefstelle.de/bpjm/meta/en>

¹⁰ <https://aws.amazon.com/aup/>

ensuring that the content and activities of their end users comply with AWS's terms.

While customers are responsible for their content, AWS also provides members of the public a process to report any potentially abusive content or activity. When AWS receives an abuse report, the AWS Trust & Safety team reviews the report, notifies the customer of it, and works with them to ensure compliance with AWS's terms. The majority of abuse cases are resolved as a result of our customers removing or disabling the reported content or activity. In the rare case where a customer hosts prohibited content or activity in violation of AWS's terms and is unable or unwilling to prevent, or identify and remove, the prohibited content or activity, the AWS Trust & Safety team may suspend the customer's AWS resource(s). This would be done with notice to the customer in accordance with the customer's agreement with AWS. If suspension is necessary, the AWS Trust & Safety team endeavours to take the least invasive suspension action possible by only disabling access to the specific AWS resource(s) hosting the prohibited content or activity.

Website hosting is one of the use cases that customers can choose to use our infrastructure services to support. There are many different IT options available to customers to host websites online including cloud services like our own, managed service offerings, hardware solutions, colocation services, hybrid offerings, and others.

We are proud to offer customers such a variety of content and products across our marketplace; and take our responsibilities as a retailer seriously. We are happy to provide further information and look forward to following the progress of the Committee's inquiry.

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