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EDITORIAL



Human rights in the governance of digital platforms: introduction to the special issue

In the first decades of the twenty-first century, digitalisation and ‘platformisation’ have disrupted and even transformed many fields of economic, cultural and social life.¹ Platforms can be defined as digital infrastructures that not only enable, but also constrain, regulate and surveil interactions between different individuals and social groups.² Today, such infrastructures are typically owned and operated by for-profit companies; even platforms and other digital technologies used in the public sector tend to be outsourced to or are heavily reliant on private hardware and software providers.³ The platform as a type of *digital infrastructure* is thus closely linked with the platform as a type of *business model*: one in which companies structure user interactions in order to maximise and capture part of the revenue these interactions generate. This is typically underpinned by large-scale production, aggregation, analysis and exchange of data⁴ and/or monopolisation of digital infrastructure on which other actors depend.⁵ In this sense, platforms are now regarded by some scholars as the ‘core organisational logic’ of contemporary capitalism;⁶ as a characteristic feature of a new era of capitalism, involving distinctive forms of economic production, capital accumulation, and political power;⁷ or even as heralds of an emerging post-capitalist economic and political order.⁸

With this journal symposium, our aim is not to dismiss platform technologies, but to engage in critical reflection on how platforms are imagined, and

¹ Thomas Poell, David Nieborg and José Van Dijck, ‘Platformisation’ (2019) 8(4) *Internet Policy Review* <https://doi.org/10.14763/2019.4.1425>; Jane I. Guyer, *Legacies, Logics, Logistics: Essays in the Anthropology of the Platform Economy* (University of Chicago Press 2016).

² Nick Srnicek, *Platform Capitalism* (Polity 2016).

³ Valeria Cirillo and others, ‘Power, Knowledge and Technology in a Finite World’ (2025) 37(4) *Review of Political Economy* 1467 <https://doi.org/10.1080/09538259.2025.2524265>.

⁴ David Murakami Wood and Torin Monahan, ‘Editorial: Platform Surveillance’ (2019) 17(1/2) *Surveillance & Society* <https://doi.org/10.24908/ss.v17i1/2.13237>.

⁵ Reijer Hendrikse and others, ‘The Big Techification of Everything’ (2022) 31(1) *Science as Culture* 59 <https://doi.org/10.1080/09505431.2021.1984423>.

⁶ Julie E Cohen, *Between Truth and Power: The Legal Constructions of Informational Capitalism* (CUP 2019), 47.

⁷ Jeremy Gilbert, ‘Techno-Feudalism or Platform Capitalism? Conceptualising the Digital Society’ (2024) 27(4) *European Journal of Social Theory* 561 <https://doi.org/10.1177/13684310241276474>.

⁸ See e.g., Cédric Durand ‘Scouting Capital’s Frontiers’ (2022) 136 *New Left Review* 29; Yanis Varoufakis, *Technofeudalism: What Killed Capitalism* (Penguin 2024); and for critical views Gilbert (n 7); Evgeny Morozov, ‘Critique of Techno-Feudal Reason’ (2022) 133 *New Left Review* 89.

the conditions under which they are designed, developed and deployed.⁹ The platformisation of social, political, and economic life is significantly transforming relations of power in ways that generate a range of concerns. Illustratively and non-exhaustively, scholars have argued that platformisation reinforces the concentration of wealth and political power,¹⁰ facilitates dangerous forms of state and corporate surveillance,¹¹ reproduces colonial power asymmetries,¹² erodes labour rights and degrades working conditions,¹³ exacerbates racial inequalities,¹⁴ and demands ever-more-unsustainable levels of resource extraction and pollution (including but by no means limited to fossil fuel use).¹⁵

The power of digital platforms and the companies that own them have already given rise to growing demands for state regulation,¹⁶ as well as non-state-centred forms of civil society advocacy¹⁷ and political contestation.¹⁸ One way in which such demands and advocacy efforts have been expressed is in terms of *human rights*.¹⁹ Human rights have provided a widely understood and salient language through which diverse state and civil society actors have challenged the inequalities generated by platforms. For example, activists have drawn on human rights to identify, critique and challenge harms they attribute to platforms; to articulate demands for alternative approaches to platform governance; and to challenge state

⁹ See e.g., Jason Hickel, 'On Technology and Degrowth' *Monthly Review* (September 2023) <https://www.jussemper.org/Resources/Economic%20Data/Resources/JasonHickel-OnTechnologyDegrowth.pdf>; Tim Wu, *The Age of Extraction: How Tech Platforms Conquered the Economy and Threaten Our Future Prosperity* (Penguin Random House 2025).

¹⁰ Hendrikse and others (n 5); Cirillo and others (n 3).

¹¹ Shoshana Zuboff, *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power* (Public Affairs 2019); Azadeh Akbari and David Murakami Wood, 'Towards a Critical Political Economy of Surveillance and Digital Authoritarianism' (2025) 13(1) *Surveillance & Society* 152 <https://doi.org/10.24908/ss.v23i1.18917>.

¹² James Muldoon and Boxi Wu, 'Artificial Intelligence in the Colonial Matrix of Power' (2023) 36 *Philosophy & Technology* 80 <https://doi.org/10.1007/s13347-023-00687-8>.

¹³ Antonio Aloisi and Valerio de Stefano, *Your Boss Is an Algorithm: Artificial Intelligence, Platform Work and Labour* (Bloomsbury 2022); Juan Sebastián Carbonell, *Un taylorisme augmenté : Critique de l'intelligence artificielle* (Editions Amsterdam 2025).

¹⁴ Ruha Benjamin, *Race After Technology: Abolitionist Tools for the New Jim Code* (Polity 2019).

¹⁵ Michael Kwet, *Digital Degrowth: Technology in the Age of Survival* (Pluto 2024); Cédric Durand, *Faut-il se passer du numérique pour sauver la planète ?* (Editions Amsterdam 2025).

¹⁶ Robert Gorwa, *The Politics of Platform Regulation: How Governments Shape Online Content Moderation* (OUP 2024).

¹⁷ Brenda Dvoskin, 'Representation Without Elections: Civil Society Participation as a Remedy for the Democratic Deficits of Online Speech Governance' (2022) 67(3) *Villanova Law Review* 447.

¹⁸ See, e.g., Stefania Milan, 'Resistance in the Data-Driven Society' (2024) 13(4) *Internet Policy Review* <https://doi.org/10.14763/2024.4.1811>; Sebastián Lehuedé, 'An Elemental Ethics for Artificial Intelligence: Water as Resistance Within AI's Value Chain' (2025) 40 *AI & Society* 1761 <https://doi.org/10.1007/s00146-024-01922-2>; Andres Dominguez Hernandez et al., 'Lessons from the Margins: Contextualizing, Reimagining, and Hacking Generative AI in the Global South' (2025) 7 *Harvard Data Science Review* <https://doi.org/10.1162/99608f92.30a2934f>; Tania Duarte et al., 'Resisting, Refusing, Reclaiming, Reimagining AI' (2025) *We and AI* <https://doi.org/10.5281/zenodo.17382120>.

¹⁹ On alternative vocabularies to human rights law, see fn. 30-33 and accompanying text.

interventions seen as instrumentalising platforms' power in ways that threaten civil liberties.²⁰

This is not unusual, but common to many fields of law and civil society advocacy. Human rights offer one of the most widespread and widely accepted ways to articulate social justice claims.²¹ They are often mobilised to demand legal oversight and accountability of public and private actors through both legal action, such as strategic litigation, and non-legal processes, such as street protest. However, scholars debate whether they are effective in actually doing so. A critical strand of scholarship suggests that their dominant focus on *individual* rights evades structural forms of power.²² Others emphasise that the consensual, depoliticising register of human rights discourse has historically been as likely to stabilise and legitimise state and corporate power as to undermine them.²³ At the same time, others defend the impact of human rights on protecting core freedoms,²⁴ and call for remaking human rights to overcome their deficits.²⁵

This debate has recently resurfaced in relation to digital technologies. A growing number of scholars have drawn on this literature to raise questions about whether human rights are an adequate, appropriate or strategically optimal way to challenge (abuses of) state and corporate power in platform governance, and to negotiate the broader social conflicts and challenges raised by platformisation.²⁶ Some scholars have argued that human rights-based advocacy and analyses can be strengthened by responding to these

²⁰ For some examples of scholarship on each of these aspects of human rights law and political discourse in relation to platform governance, see e.g., Rikke Frank Jørgenson (ed), *Human Rights in the Age of Platforms* (MIT Press 2019).

²¹ Samuel Moyn, *Not Enough: Human Rights in an Unequal World* (Harvard University Press 2019); Makau Mutua, *Human Rights Standards: Hegemony, Law, and Politics* (State University of New York Press, 2016).

²² Susan Marks, 'Human Rights and Root Causes' (2011) 74(1) *Modern Law Review* 57 <https://doi.org/10.1111/j.1468-2230.2010.00836.x>; Sally Engle Merry, *Human Rights and Gender Violence: Translating International Law into Local Justice* (University of Chicago Press, 2006); Abdullahi Ahmed An-Naim, *Decolonizing Human Rights* (Cambridge University Press, 2021).

²³ See e.g., Moyn (n 21); Jessica Whyte, *The Morals of the Market: Human Rights and the Rise of Neoliberalism* (Verso Books, 2019).

²⁴ Kathryn Sikkink, *Evidence for Hope: Making Human Rights Work in the 21st Century* (Princeton University Press, 2017).

²⁵ César Rodríguez Garavito (ed), *More Than Human Rights: An Ecology of Law, Thought and Narrative for Earthly Flourishing* (Cambridge University Press, 2024).

²⁶ Barrie Sander, 'Freedom of Expression in the Age of Online Platforms: The Promise and Pitfalls of a Human Rights-Based Approach to Content Moderation' (2020) 43 *Fordham International Law Journal* 939; Evelyn Douek, 'The Limits of International Law in Content Moderation' (2021) 6 *UC Irvine Journal of International, Transnational and Comparative Law* 37; Barrie Sander, 'Democratic Disruption in the Age of Social Media: Between Marketized and Structural Conceptions of Human Rights Law' (2021) 32 *European Journal of International Law* 159; Rachel Griffin, 'Rethinking Rights in Social Media Governance: Human Rights, Ideology and Inequality' (2023) 2(1) *European Law Open* 30 <https://doi.org/10.1017/elo.2023.7>; Brenda Dvoskin, 'Expert Governance of Online Speech' (2023) 64(1) *Harvard International Law Journal* 85; Barrie Sander, 'Confronting risks at the Intersection of Climate Change and Artificial Intelligence: The Promise and Perils of Rights-Based Approaches' (2025) *Netherlands Quarterly of Human Rights*; Petros Terzis, 'The Many Shades of Clouds: How Law Fails (us) in Seeing Power in the Digital Economy' (draft manuscript on file with authors).

critiques—such as by giving greater weight to social and economic rights,²⁷ or by reconceptualising human rights in terms of structural conditions for collective social life rather than individual entitlements.²⁸ Others have argued that the social, political and economic impacts of platformisation could be better understood and/or more effectively challenged by adopting other normative frameworks entirely.²⁹ What those alternative frameworks might be remains very much up for debate, although existing literature offers several starting points, such as (eco)socialism,³⁰ (eco)feminism,³¹ decoloniality,³² or (economic) democracy.³³

In this context, the editors of this special issue organised a two-day workshop at the University of Leiden in January 2024, supported by funding from Leiden University's Global Transformations and Governance Challenges Initiative. Our aim was to push forward these debates not only by enabling sustained conversations on the role of human rights in platform governance, but also by bringing more disciplinary and geographic diversity into these conversations. All the contributors diverge in some ways from the liberal mainstream of calls for platforms and their regulation to be made human rights-compliant, as though human rights provide a clear and objective normative framework which is sufficient to bring platform governance in line with a universally shared public interest. Beyond this broadly critical orientation, however, the authors take very different perspectives on the importance (or not) of human rights in platform governance. They also draw on diverse theoretical traditions; engage with different bodies of literature, case studies and political contexts; and employ a wide range of research methods and (in some cases) empirical data.

Accordingly, we see this special issue as making four key contributions to the literature on human rights in platform governance. First, our contributors bring more disciplinary diversity to debates around the (un)desirability of drawing on human rights frameworks to challenge the power of dominant

²⁷ Jędrzej Niklas and Lisa Dencik, 'What Rights Matter? Examining the Place of Social Rights in the EU's Artificial Intelligence Policy Debate' (2021) 10(3) *Internet Policy Review* <https://doi.org/10.14763/2021.3.1579>

²⁸ Sander, 'Democratic Disruption' (n 26).

²⁹ Griffin, 'Rethinking Rights' (n 26).

³⁰ James Muldoon, *Platform Socialism* (Pluto 2022); Cecilia Rikap and others, *Reclaiming Digital Sovereignty: A Roadmap To Build a Digital Stack for People and the Planet* (Democratic and Ecological Digital Sovereignty Coalition, December 2024) <https://www.ucl.ac.uk/bartlett/sites/bartlett/files/reclaiming-digital-sovereignty.pdf>.

³¹ Ana Valdivia, 'Data Ecofeminism' (2025) *FACCT '25: Proceedings of the 2025 ACM Conference on Fairness, Accountability, and Transparency* 391 <https://doi.org/10.1145/3715275.3732027>.

³² Sebastián Lehuédé, 'An Alternative Planetary Future? Digital Sovereignty Frameworks and the Decolonial Option' (2024) 11(1) *Big Data & Society* <https://doi.org/10.1177/20539517231221778>.

³³ Blayne Haggart and Clara Iglesias Keller, 'Democratic Legitimacy in Global Platform Governance' (2021) 45(6) *Telecommunications Policy* 102152 <https://doi.org/10.1016/j.telpol.2021.102152>; Rachel Griffin, 'Public and Private Power in Social Media Governance: Multistakeholderism, the Rule of Law and Democratic Accountability' (2023) 14(1) *Transnational Legal Theory* 46 <https://doi.org/10.1080/20414005.2023.2203538>.

platform companies. So far, these debates have mostly involved legal scholars, generally deploying doctrinal and/or critical theoretical arguments. Our contributors not only introduce new concepts and theoretical perspectives from other disciplines, but they also enable more situated analysis of how human rights frameworks play out in particular contexts. For example, empirical work such as Suruchi Mazumdar's digital ethnography of Rohingya refugees shows how critical frameworks overlook the way that populations, for example refugees, use surveillance technologies for their own purposes, such as building collective identity through content creation. Adopting a philosophical lens, Liat Levi's analysis critically reflects on how policymakers handled anthropomorphic design of large language model-based chatbots. Second, our workshop and symposium also aimed to widen the geographic diversity of these debates, enabling consideration of different human rights traditions beyond a Eurocentric perspective. This is reflected, for example, in Yohannes Enelew Ayalew's analysis of the relevance of African human rights law for content moderation.

Third, our special issue moves beyond the regulation of social media and content moderation that has dominated prior debates. Such literature has implied an implicit or explicit focus on freedom of expression as the most relevant or paradigmatic human right in the platform governance context. In contrast, our contributors consider a wider range of types of platforms. For example, Joe Atkinson and Natalie Sedacca's analysis of 'gig economy' platforms not only highlights connections with other aspects of human rights law (social and economic rights) and bodies of law (labour law), but also analyses how legal and political struggles around platform regulation play out in a different political-economic context (the regulation of precarious, low-wage and largely migrant labour). This approach diverges sharply from literature focused only on the regulation of online content. An additional illustration is offered by Barrie Sander's contribution, which examines the climate and environmental impacts of AI technologies not only in terms of their technical deployment within surveillance and platform infrastructures of climate repression and disinformation, but also in terms of the materiality of the AI supply chain, including raw materials mining, data centre construction, and e-waste disposal.

Finally, some contributors challenge the default state-centrism of human rights. Stefania Di Stefano's analysis, for example, questions the sharpness of the boundary drawn between state and non-state actors within certain strands of critique concerning the application of human rights norms to content moderation. Others question the adequacy of conventional human rights frameworks within the corporate-dominated platform governance context: Dominique Carlon, for example, probes the capacity of human rights frameworks to govern increasingly hybrid media where authorship and provenance are fluid, while Ramiro Álvarez-Ugarte argues that human

rights impact assessments are inherently restricted by the voluntary approach to business and human rights within which they are embedded. In the remainder of this introduction to the special issue, we briefly summarise each of the contributions and the principal arguments they seek to advance.

The symposium begins with legal scholar Stefania Di Stefano's important intervention in existing debates around human rights law and content moderation. In *International Human Rights Law in Content Moderation and the Risks of 'Misdiagnosing' its Limits*, Di Stefano challenges some of the main claims made by critics of human rights-based approaches to content moderation by contextualising them within wider scholarship on international human rights law.³⁴ She argues that such critiques have so far failed to engage in sufficient depth with contemporary research on international human rights law (IHRL), which complicates or challenges some of their underlying assumptions. For example, arguments that non-binding human rights norms fail to constrain companies often seem to implicitly assume sharp distinctions between binding and non-binding law, and between state and private power, which have increasingly been questioned by international legal scholars.

Relatedly, Di Stefano suggests that many of the arguments raised in critiques of human rights in content moderation are not, in fact, particularly distinctive to content moderation, but reflect more widespread questions and anxieties about the development and enforcement of IHRL, especially as applied to multinational corporations. This is another reason that critical scholarship on human rights in platform governance should resist siloed thinking and 'platform exceptionalism'³⁵—in order to contribute to, as well as learn from, these wider conversations. As Di Stefano suggests, engaging with a wider range of theoretical perspectives and contemporary debates within and beyond the field of international law would be useful 'not only for assessing the adequacy of IHRL in addressing the challenges posed by the governance of digital platforms, but, more broadly, for further understanding the evolving nature of human rights governance'. Given the ever-growing wealth and influence of the biggest platform companies (whose power is based not only on the governance of the platforms they own, but also on their dominant role in the booming AI industry, their financial resources and investment strategies, and their political connections),³⁶ it seems more important than ever to connect so far relatively specialist debates about IHRL in platform governance with their wider legal, political and economic context.

³⁴ Douek (n 26); Dvoskin (n 26); Sander, 'Freedom of Expression' (n 26); Griffin, 'Rethinking Rights' (n 26).

³⁵ Devika Narayan, 'The political economy of digital platforms: Key directions' (2024) 1 *Platforms & Society* <https://doi.org/10.1177/29768624241263071>.

³⁶ Cirillo and others (n 3).

The special issue then turns to two articles that similarly argue for human rights-based approaches to be reimagined and incorporate previously marginalised perspectives—whether by shifting the focus to African human rights law or by focusing on economic rights and structural conceptions of human rights law. In *A Third-World Critique of the International Human Rights-Based Approach to Content Moderation*, Yohannes Ayalew draws on a Third World Approaches to International Law (TWAIL) lens to reveal the epistemic, contextual, and linguistic blind spots of content moderation systems built on Eurocentric foundations. As Ayalew explains, such systems have failed to account for diverse understandings of freedom of expression and harm within the Majority World; neglected subaltern normative frameworks; disregarded low-resource languages and cultural contexts; and relied upon low-paid labour without sufficient consideration for mental health or fair compensation.

Ayalew's article also examines how content moderation might be reimagined through the prism of African human rights law. Drawing attention to the concerns of underrepresented voices from the Majority World, Ayalew emphasises the importance of diversifying content and policy teams, improving the well-being of content moderators, and ensuring sufficient investment is devoted to low-resource languages. Ultimately, the article advocates for a shift to an African approach to content moderation, anchored in a communal conception of rights and duties as articulated in African human rights law.

In *Realising Decent Work for Platform Workers: a Human Rights Approach*, Joe Atkinson and Natalie Sedacca shift the focus to the labour rights and socioeconomic issues posed by platform work, and defend a human rights approach to platform regulation in this context. Platforms have transformed employment conditions for millions of workers, facilitating the rise of the 'gig economy.' While they have different models, these platforms typically classify workers as freelancers or solo workers, significantly constraining workers' employment rights and collective action. Platformisation of labour has thus been a significant factor shaping contemporary structures of inequality. In the face of these structural changes, labour lawyers have debated the most effective legal remedy.

Atkinson and Sedacca acknowledge that human rights approaches have faced scepticism among both labour and human rights scholars for being too individualistic, state-centred, indeterminate and limited. However, they suggest that human rights can provide a more inclusive approach that provides a firm normative foundation and framework of contention for grassroots activism. Their article relies upon a structural approach to human rights regulation that focuses on states' positive obligations to address substantive inequalities generated by the platform economy, rather

than as an internal framework for companies to apply through a business and human rights approach.

In contrast to the contributions by Ayalew as well as Atkinson and Sedacca, Ramiro Álvarez-Ugarte defends a more traditional conception of human rights as a set of legal institutions and principles, and suggests that when the norms of human rights law are reimagined as guiding principles for corporate risk assessments, they lose their capacity to constrain abuses of power. In *Bad Cover Versions of Law: On the Inherent Limits of Voluntary Human Rights Obligations, As Applied to Internet Companies Doing Content Moderation*, Álvarez-Ugarte interrogates the increasing adoption and application of voluntary human rights impact assessments (HRIAs) and human rights due diligence (HRDD) by technology companies. He argues that both frameworks, in particular in the context of platform providers' content moderation practices, remain fundamentally limited due to their structure and form as voluntary business and human rights frameworks.

Álvarez-Ugarte identifies two main challenges. First, human rights law generally suffers from structural uncertainty, which he captures with the three interconnected aspects of vagueness, disagreement, and paradoxes, in particular with regard to freedom of expression. Second, there exists an epistemological gap due to the rapid pace of technological change and a structurally limited and uneven research capacity. While HRIAs and HRDD emulate and simulate the legal form and structure of argumentation on the surface, they miss some of the crucial factors that traditionally address these two challenges and make law effective as a governance technique. Their application is always at risk of turning into mere symbolic compliance, as recourse to conventional legal tools such as adjudication that could address vagueness, disagreements, paradoxes, and lack of factual knowledge is foreclosed. As a consequence, Álvarez-Ugarte argues that these vague and voluntary human rights standards fail to ensure content moderation that respects and safeguards freedom of expression, and cannot meaningfully constrain companies' business practices. More optimistically, he concludes that first, sector-wide consensus-building initiatives might offer a path towards increased and formalised compliance; and second, he approvingly considers the European Union Digital Services Act's risk management framework as one promising approach that might bridge the gap between the voluntary commitments of HRIAs and HRDD and the legal force of top-down regulation.

Moving beyond an understanding of human rights as an argumentative practice, Barrie Sander's contribution draws on a struggle conception of human rights to critically reflect on the different registers through which human rights may be harnessed to address risks and concerns at the intersection of artificial intelligence (AI) technologies and climate change. In *Addressing Climate Change in the Age of Artificial Intelligence: Three Registers of*

Human Rights Struggles, Sander begins by identifying four categories of risk at the intersection of AI and climate change: first, the extraction of significant material resources and energy across the AI lifecycle; second, the deployment of AI within climate mitigation and adaptation initiatives in ways that may inadequately account for local conditions and hierarchies, consolidate power among Global North technology companies, and promote technological fixes over more structural societal transformation; third, AI's entanglement in climate securitisation, in the form of both AI-driven surveillance practices aimed at suppressing the work of climate activists and the construction of AI-based climate walls that seek to stifle climate-induced migration; and finally, the impact of AI technologies in shaping climate discourse, whether through the amplification of climate mis/disinformation, or the concentrated power of AI companies to capture regulatory processes through corporate lobbying and advocacy campaigns.

Reflecting on these risks and concerns, Sander's article turns to critically explore three registers in which human rights law (HRL) may be harnessed to address these different intersections of AI and climate change: first, HRL as an argumentative practice, encompassing the ways in which the criteria and standards of rights-based frameworks may be relied upon to govern climate applications of AI; second, HRL as an aesthetic form, encompassing the ways in which the aesthetic features of the legal form of HRL may be harnessed to resist and disrupt multistakeholder forms of neoliberal governance at the intersection of climate change and AI; and finally, HRL as an affective regime, encompassing how emotional discourses within human rights activism may influence how climate change is understood and the means by which it should be addressed. Ultimately, the article concludes that the terms of rights-based struggles should be driven and informed by the communities most and disproportionately impacted by extractive practices across the entire AI lifecycle.

The final part of the special issue includes three contributions, which propose different ways of moving beyond human rights altogether, to consider alternative normative and discursive frameworks that could guide regulation and political struggles related to platformisation: whether through grassroots activism and advocacy framed in terms of data justice, decentralised community-based platform governance institutions, or a focus on human dignity as the guiding principle for AI regulation.

In *Rethinking Digital Humanitarianism in Rohingya Refugee Camps*, Suruchi Mazumdar illustrates how empirical perspectives of how vulnerable communities use digital platforms may complicate critical accounts. Mazumdar draws on digital ethnography of refugee-produced content in the Cox's Bazar region of Bangladesh to probe the tensions between the promises and risks of 'digital humanitarianism'. Cox's Bazar is one location where the UN has rolled out a system of biometric identity cards for refugee

populations—a system which it eventually aims to provide to the world's one-billion-plus population that currently lacks access to official documents. These digital IDs provide access to services, but also pose significant risks, including both increased surveillance of vulnerable populations and the possibility of sharing information with violent governments. Residents of Cox's Bazar navigate the tensions of being the 'data subjects' of institutions and organisations aiming to manage refugee populations, while at the same time finding uses for digital technologies to forge collective identity and affective ties to what Mazumdar terms 'digital homelands'.

Through close examination of refugee-produced videos and other content on social media websites, Mazumdar provides an important perspective on 'data justice' that goes beyond rights-based critique of digital humanitarianism. Focusing instead on the creative use of technologies to share stories of recipes from home, local soccer matches, and even painful evidence of past atrocities, she draws attention to affective relationships with technology. Mazumdar's ethnographic perspective reveals the limits of legal critique and the importance of attending to the ways in which the very technologies that often enable surveillance, so too can enable counter-hegemonic resistance, identity-building, and forging of new relationships to place—even amid the confinement of the harsh conditions of Cox's Bazar.

In *Platforms as Architects of AI influence: Rethinking Moderation in the Age of Hybrid Expression*, Dominique Carlon focuses on the increasing embedding of generative AI in the infrastructure and interfaces of social media platforms, and critically examines the dominant frameworks that platforms use to regulate it. Carlon argues that the use of generative AI on social media platforms leads to the emergence of a distinctive kind of expression that she terms 'synthetic expression', based on blurring the lines between human and machine authorship. This raises novel challenges for moderating online content.

Carlon argues that content moderation practices based on human rights principles, such as freedom of expression, are inadequate to govern the moderation of synthetic expression, since the aim of the human rights framework is to protect expression understood as a human activity. Extending it to the protection of synthetic expression could weaken the framework. Moreover, the challenge of synthetic expression is not so much about rights violations as it is about changing notions of what constitutes valuable and meaningful expression. Carlon identifies spam policies as an alternative regulatory framework, but argues that it is also lacking. Although spam policies are concerned with the quality of online content and thus could appear more adequate to govern synthetic expression, they give platforms significant discretionary power to moderate online content in a non-transparent manner and in accordance with their commercial interests shaped by the AI attention economy.

Given these downsides of the top-down approach, Carlon argues that decentralised approaches to moderation would be more suitable to determine what constitutes (non)valuable synthetic expression. Since the value of synthetic expression is highly contextual, it should be assessed by those who belong to involved communities in a participatory and public manner. Although such a framework is rarely and imperfectly used in practice, for instance, by Reddit, she argues that it could serve as a better model for the moderation of synthetic content.

Finally, in *Artificial General Intelligence Policy: Dignity over Transparency*, Liat Lavi also reflects on the limitations of human rights in governing emerging AI technologies, and problematises the increasing trend of anthropomorphising AI. LLM-based chatbots, such as ChatGPT, have been deliberately designed to trigger the ascription of subjectivity to algorithms, for instance, by using the first-person. This is coupled with the corporate capture of public discourse that proclaims the inevitable emergence of artificial general and artificial super intelligence. According to Lavi, such proclamations of metaphysical stance that machines could be subjects stem from business models that aim to maximise user engagement and profits by inducing emotional attachment to chatbots.

Against this backdrop, Lavi argues that the dominant approach in AI ethics and policy, including the EU AI Act—based on the principle of transparency and the right to information—is inadequate to regulate anthropomorphic design. Ultimately, the framework presupposes that humans are fully rational beings who can make autonomous decisions if they get enough information. Lavi finds this problematic in the context of anthropomorphising AI since technical information cannot capture the metaphysical nature of anthropomorphic chatbots. Moreover, the requirements are minimal since they can be easily satisfied by adding disclaimers such as ‘I’m not conscious’. Finally, they also overlook the emotional effects of anthropomorphic design, as well as the power of the corporate AGI narrative that leaves no possibility for users to opt out.

Lavi argues that regulators could have referred to a more fundamental and broadly accepted principle of respecting human dignity. This could have entailed more demanding regulatory requirements, such as prohibiting anthropomorphic design of AI as a manipulative social control practice. The dignity framework can capture the real harm induced by interacting with anthropomorphised AI—the infringement of individual autonomy. Namely, within the existing power structure, powerful AI corporations treat users as means rather than as ends and subject them to large-scale manipulation. Lavi concludes by pointing out a curious trajectory of the dignity framework in practice—although the principle of dignity played an important role in early policy recommendations, it has not been included in legislation across different countries and regions.

Ultimately, each of the contributions to this special issue extends the debate about human rights and digital platforms in various ways—whether in the form of novel disciplinary engagements, more diverse rights-based traditions, wider sets of platforms and rights, or directing attention beyond the default state-centrism of human rights. As the field of platform governance enters a critical juncture, our hope is that this special issue offers new fertile sites for further empirical and theoretical engagement for thinking with, against, and beyond rights-based approaches to governing digital platforms.

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