## Re: Lahore High Court YouTube case

We appreciate the opportunity to comment further on the ongoing YouTube ban in Pakistan. YouTube is a video-sharing platform used by millions of people around the world every day to exchange content and ideas, and also as a platform for economic, cultural and educational initiatives; in fact over 100 hours of video is uploaded to the site globally every minute. We regret, therefore, the unavailability of YouTube.com to users in Pakistan, and very much hope that the ban will be lifted as soon as possible. This will enable the people of Pakistan to access and contribute content to the site once more as well as benefit from the many opportunities and resources YouTube offers.

With respect to your questions, YouTube operates under transparent global Community Guidelines, found <a href="https://example.com/here">here</a>, which set out the rules as to what is acceptable or not acceptable content on the site. If we are notified of the specific urls of any videos that appear to breach these guidelines (and there is the possibility for anyone to flag any concerns they have below each video on the site), our reviewers will assess each reported url on a case-by-case basis and remove those specific urls where the content is deemed to be in breach of these rules.

In some cases, content may not breach the global guidelines but may still be flagged as particularly sensitive for some viewers. This is the case, for example, with the 'Innocence of Muslims' video. In this case, we add a warning interstitial page that users see before they accept to continue through to the video itself. The warning states: "The following content has been identified by the YouTube community as being potentially offensive or inappropriate. Viewer discretion is advised". It was on the basis of this interstitial page that the Government of Bangladesh, for example, lifted its earlier ban on YouTube.

In some countries, YouTube has additional functionality and customisation that allows for the highlighting to users of local content within a country. You can see a list of these countries in the 'country' menu at the bottom of a YouTube page. The decision as to whether to offer this service is a business, legal and commercial decision, and takes into consideration, for example, whether there is adequate legal certainty and protections for the provision of such online services in the country. We have been discussing this in the context of the need for intermediary liability protection for online platforms and a clear notice-and-take-down mechanism in Pakistan to bring these provisions into line with international best practice (such as the OECD guidelines). For example, any notice-and-take-down requirements should be based on legal process, address individual video urls as opposed to requiring broad general monitoring and pre-emptive removals, and allow for counter-notice from content owners. Whilst, without prejudice to any jurisdictional argument, we are grateful for any offer to provide additional legal certainty and protections, we believe that only a legislative change such as a clarification within appropriate legislation would ensure the necessary consistency across multiple judicial bodies and address the international best practice requirements above. The provision of such legal certainty would also, we respectfully suggest, open up the broader exciting opportunities of the digital economy to Pakistan.

We remain sincerely yours,

Google, Inc.