

# Q2 2023 Transparency Report

# **Transparency Report for Second Quarter of 2023**

This Transparency Report for the second quarter of 2023 (April 1 – June 30, 2023) sets out key statistics on cases submitted by users and selected by the Board during this period, as well as the decisions and recommendations we made.

We also include new data on the wider impact of our recommendations on Meta's systems and policies, and how that benefits the people who use Facebook and Instagram.

Highlights of these key findings include:

• Recommendations from our policy advisory opinion on Meta's Cross-Check Program are leading to key changes in how the program operates.

#### **Enforcement Exemption List Reduced by More Than Half**

- o In October 2021, coverage in the *Wall Street Journal* about Meta's cross-check program raised questions about how the company was treating its most powerful users. This included a practice described as "allowlisting" or "whitelisting," which exempted certain content from enforcement for specific policies. Meta refers to this practice as "technical corrections."
- o In response to our recommendations, Meta has now established clear criteria around these practices, including who should benefit from them. This new approach has already led to an immediate decrease in the overall size of the technical corrections list by more than half (55%).

### **Outstanding Backlogs Cleared for Content From Users on Meta's Cross-Check Lists**

- o If a post from a user on Meta's cross-check lists is identified as breaking the company's rules, it remains on the platform pending further review. This means that, because of cross-check, content identified as breaking Meta's rules is left up on Facebook and Instagram when it is most viral and could cause harm. As the volume of content selected for cross-check can exceed Meta's review capacity, in the past the program has operated with a backlog, which delays decisions on such content.
- o In our policy advisory opinion, we called on Meta not to operate crosscheck at a backlog. Meta now reports that it has cleared all outstanding

backlogs in its cross-check review queues dedicated to potentially violating content from entities on its lists. A smaller backlog means that Meta can review and take enforcement action against potentially violating content faster. This, in turn, helps the company reduce the risk of users being exposed to violating content while it is awaiting review.

- Meta has fully implemented a key recommendation from our policy advisory opinion on Sharing Private Residential Information. This has removed an exception, which would have allowed users' addresses and related imagery to be shared on its platforms if it was "publicly available" elsewhere.
- The largest-ever jump between the publication of quarterly reports in the number of recommendations fully or partially implemented by Meta, rising from 44 in our Q1 2023 report to 60 in this Q2 report.
- The continuing impact of our Punjabi Concern Over the RSS in India decision, which urged Meta to translate its Community Standards into all languages widely spoken by its users. Since we made this recommendation in April 2021, Meta has translated Facebook's rules into languages spoken by more than a billion people worldwide.

#### Key activities in Q2 2023 include:

- The submission by users of close to 100,000 cases, with almost 25% from Instagram users, the highest-ever proportion recorded from this platform.
- The Board publishing decisions on six cases: three standard decisions (Armenian Prisoners of War, Brazilian General's Speech and Cambodian Prime Minister), and three summary decisions, which examine cases in which Meta reversed its original decision on a piece of content after the Board brought it to the company's attention.
- The Board publishing a policy advisory opinion on the Removal of COVID-19 Misinformation.
- A total of 30 recommendations being made to Meta by the Board during this quarter.

• Ahead of the deliberations on our three standard cases and one policy advisory opinion (summary decisions do not consider public comments), 259 public comments being sent to the Board.

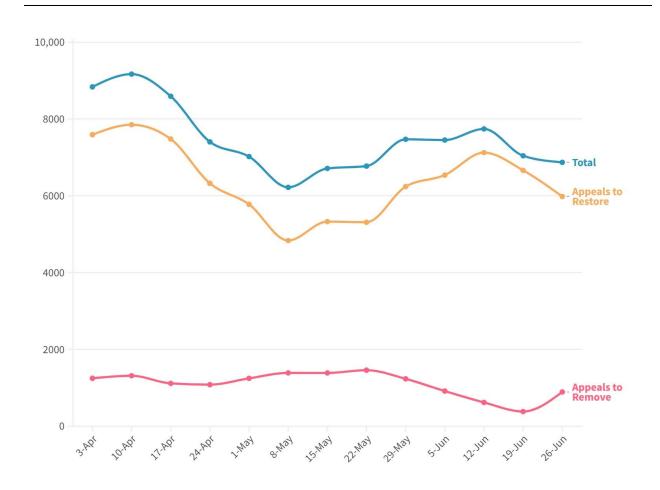
For the convenience of readers, a glossary of terms used in this report is located at the end of this report.

## **Q2 2023 Submitted User Cases**

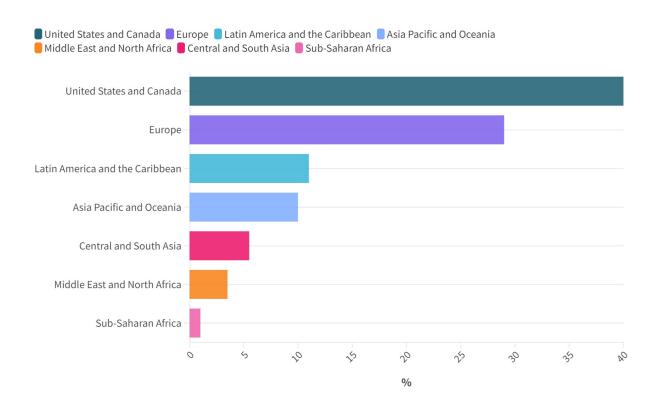
When users have exhausted Meta's appeals process, they can challenge the company's decision by appealing eligible content to the Oversight Board.

In Q2 2023, **97,012 cases** were submitted by users. In total, users have submitted close to 2.7 million cases to the Board since it started accepting cases in October 2020.

# Estimated number of cases submitted to Oversight Board by week Number of cases

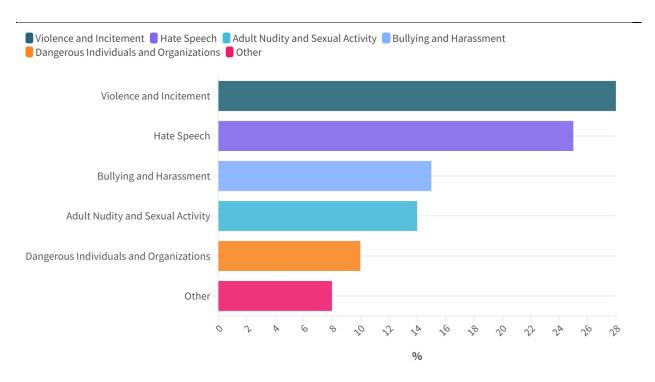


The week commencing April 10 saw the highest number of cases sent to the Board in Q2 2023, with around 9,170 cases. While the majority (85%) of cases submitted to the Board during this period were appeals to restore content, 15% of cases were appeals to remove other users' content.



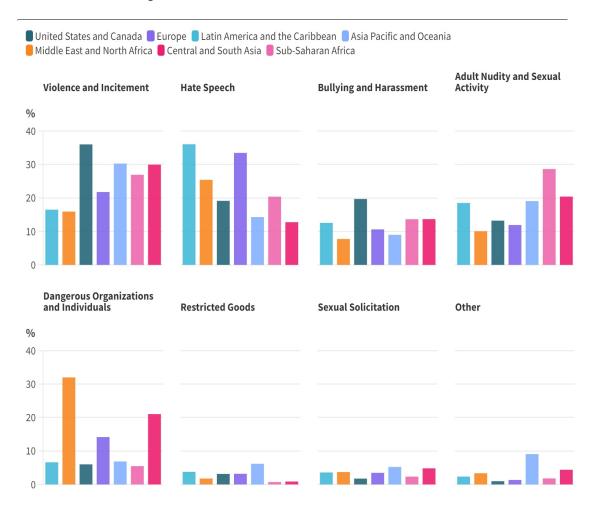
Around 40% of cases submitted to the Board in Q2 2023 came from the United States and Canada. Both Europe and Central and South Asia generated the highest share of appeals from their respective regions in the history of the Board's quarterly reporting (up from 23% to 29% for Europe and 3% to 6% for Central and South Asia compared with the same quarter in 2022). The United States and Canada still generates the highest share of appeals and Sub-Saharan Africa the least. For the remaining regions, Latin America and the Caribbean generated 11% of appeals, Asia Pacific and Oceania 10%, and Middle East and North Africa 4%.

# Estimated appeals to *restore* content to Facebook/Instagram by Community Standard Percent



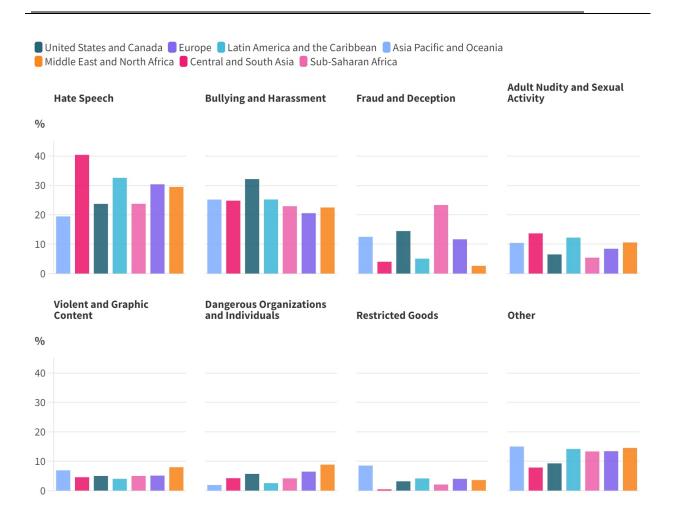
Users primarily submitted appeals to restore content that Meta removed for violating its policies on Violence and Incitement (28%), Hate Speech (25%), Bullying and Harassment (15%), and Adult Nudity and Sexual Activity (14%).

# Proportion of all-user submitted appeals to restore content by Community Standard in each region (Percent)



In this quarter, Hate Speech was the Community Standard most frequently cited in user appeals to restore content in Europe and Latin America and the Caribbean. Violence and Incitement was the most frequently cited in Asia Pacific and Oceania, Central and South Asia, and the United States and Canada. For Sub-Saharan Africa, it was Adult Nudity and Sexual Activity while in the Middle East and North Africa, it was Dangerous Individuals and Organizations.

# Proportion of all user-submitted appeals to *remove* content by Community Standard in each region (Percent)



In this quarter, Hate Speech was the Community Standard most cited in user appeals to remove content in Central and South Asia, Europe, Latin America and the Caribbean, Middle East and North Africa, and Sub-Saharan Africa. Bullying and Harassment was the most cited in Asia Pacific and Oceania, and the United States and Canada.

Percent	
Facebook	77%
Instagram	23%

While Facebook still accounts for the majority of cases (77%) submitted to the Board by users, Instagram continues on an upward trend, now accounting for almost a quarter of all cases.

# **Q2 2023 Longlisted User Cases**

In this period, **83 user-submitted cases were longlisted** for the Case Selection Committee's consideration. These were chosen using the selection criteria set by the committee, including the 'overarching criteria for case selection' available <u>here</u>.

These cases covered 53 pieces of content on Facebook and 30 pieces of content on Instagram, while 36 were to restore content and 47 to remove content.

#### Longlisted cases by region and affected country<sup>1</sup>

Number of cases

Asia Pacific and Oceania	4
Indonesia	1
Taiwan	1
Thailand	2
Europe	50
Armenia	3
Austria	1
Belgium	2
Bosnia and Herzegovina	3
Croatia	1
Czech Republic	1
Finland	1
France	3
Georgia	1
Germany	2
Italy	4
Lithuania	1
Poland	3
Russia	6
Serbia	2
Sweden	1
Turkey	3
Ukraine	9
United Kingdom	3
United States and Canada	25
Canada	3
United States	22
Sub-Saharan Africa	3
Ethiopia	1
Kenya	1

<sup>&</sup>lt;sup>1</sup> "Countries Affected" is a user-selected field in the Board's appeal process and users can select multiple countries. For this reason, 83 user-submitted cases were longlisted but a tally of 115 countries is listed here. While the user selects the relevant country in the first instance, the Case Selection Team also have the ability to change the country to improve accuracy.

Somalia	1
Central and South Asia	14
Afghanistan	1
Bangladesh	1
India	5
Myanmar	1
Pakistan	6
Latin America and Caribbean	13
Argentina	2
Bolivia	2
Brazil	1
Cuba	1
Dominican Republic	1
Mexico	2
Paraguay	1
Peru	2
Uruguay	1
Middle East and North Africa	6
Iran	2
Lebanon	1
Libya	1
Morocco	1
Syria	1
Total	115

Of the 83 cases longlisted by the Board in this quarter, 47 concerned content that had been left up on Facebook or Instagram and had not been deemed to have violated Meta's rules. As such, they have not been assigned a Community Standard below, and are included under "undefined." Of those cases where the content had been deemed by Meta to violate its rules, the most common Community Standards were Dangerous Individuals and Organizations (9), Violence and Incitement (8), and Hate Speech (7).

#### Longlisted cases by Community Standard

Number of cases	
Adult Nudity and Sexual Activity	4
Child Sexual Exploitation, Abuse and Nudity	3
Coordinating Harm and Publicizing Crime	2
Dangerous Individuals and Organizations	9
Hate Speech	7
Restricted Goods	2
Sexual Solicitation	1
Undefined <sup>2</sup>	47
Violence and Incitement	8

<sup>&</sup>lt;sup>2</sup> For content still live on Facebook and Instagram and reported by users, the applicable Community Standard violated is undefined because no Community Standard is purportedly violated.

## **Q2 2023 Shortlisted User Cases**

The Case Selection Committee identifies a shortlist of cases from the longlist to consider for selection, selecting cases by majority vote.

In this quarter, the Case Selection Committee reviewed and shortlisted cases on three occasions, shortlisting 44 cases in total.

The shortlist is sent to Meta's legal team to review for eligibility as, per the Bylaws, certain cases are not eligible for review by the Board due to legal restrictions. While this eligibility review does not include a rereview on the merits, in practice, Meta has also assessed whether its original decision on a piece of content was correct or not. In many cases, it then decides to remove content that it incorrectly left up on its platforms or restore content that was incorrectly removed. This does not affect the eligibility of the content under review.

Of the 44 cases shortlisted in this period, all were confirmed as eligible by Meta's legal team and a decision review was completed by Meta for 27 of those cases during this period. Meta determined that its original decision on the piece of content was incorrect in 18 out of the 27 cases for which it completed this decision review. In 15 of these cases, Meta found it had incorrectly removed content and subsequently restored it. In three cases, it found it had wrongly left up content and subsequently removed it.

While this is only a small sample, and the Board intentionally seeks out difficult and challenging cases, it is noted that Meta found its original decision to have been incorrect in 67% of cases the Board shortlisted, for which Meta completed decision review in Q2 2023. This is similar to Meta's error rate in 2022. The Board continues to raise with Meta the questions this poses for the accuracy of the company's content moderation and the appeals process the company applies before cases reach the Board.

# Cases for which Meta identified that its original decision on content was incorrect

Number of cases			
Community Standard	Facebook	Instagram	Total
Adult Nudity and Sexual Activity	1	1	2
Suicide and Self-Injury	1	0	1
Dangerous Individuals and Organizations	2	3	5
Hate Speech	1	2	3
Violence and Incitement	4	3	7
Total	9	9	18

## **Q2 2023 Cases Submitted by Meta**

In addition to appeals from users, Meta can also refer significant and difficult cases to the Board for consideration. Meta submitted 12 cases to the Oversight Board during this period. Meta removed the content in four cases, one of which related to the Violence and Incitement Community Standard. The remaining eight cases concerned content that the company had left up on Facebook.

#### Meta referrals submitted<sup>3</sup>

MCta referral	is submitted.					
Case ID	Name	Meta's decision	Platfor m	Language	Community Standard	Countries <sup>4</sup>
N/A	N/A	Leave up	FB	Portuguese	N/A	Portugal
N/A	N/A	Take down	FB	Russian	N/A	Russia, Ukraine
N/A	N/A	Leave up	FB	Arabic	N/A	Yemen
N/A	N/A	Leave up	FB	Arabic	N/A	Tunisia
N/A	N/A	Leave up	FB	English	Violence and Incitement	UK
N/A	N/A	Leave up	FB	English	N/A	UK
N/A	N/A	Leave up	FB	English	N/A	South Africa
2023-018- FB-MR	Video of Communal Violence in Indian State of Odisha	Take down	FB	Odia	Violence and Incitement	India
N/A	N/A	Take down	FB	Arabic	N/A	Sudan
N/A	N/A	Take down	FB	Bengali	N/A	Bangladesh
N/A	N/A	Leave up	FB	French	N/A	Congo, Namibia
N/A	N/A	Leave up	FB	English	N/A	South Africa

<sup>&</sup>lt;sup>3</sup> Cases that are not selected for assignment do not have a Case ID, Name, etc.

<sup>4</sup> Countries listed do not necessarily align with countries assigned in longlisted cases above as a more thorough review is done at this stage of the appeals process to identify the principal countries concerned.

# **Q2 2023 Selected Cases**

The Case Selection Committee selects cases for review, which are then announced publicly on the Board's website. In Q2, the Committee selected eight cases.

Case ID	Name	Date announced	Platf orm	Source	Community Standard	Countries
2023-006- FB-UA	Image of Gender-Based Violence⁵	27 April	FB	User appeal (to remove content)	Bullying and Harassment	Eritrea
2023-007- FB-UA	Political Dispute Ahead of Turkish Elections	25 May	FB	User appeal (to restore content)	Hate Speech	Turkey
2023-008- FB-UA	Political Dispute Ahead of Turkish Elections	25 May	FB	User appeal (to restore content)	Hate Speech	Turkey
2023-009- IG-UA	Political Dispute Ahead of Turkish Elections	25 May	IG	User appeal (to restore content)	Hate Speech	Turkey
2023-010- IG-MR	Promoting Ketamine for Non-FDA- Approved Treatments	25 May	IG	Meta referral	Restricted Goods and Services	United States
2023-011- IG-UA	United States Posts Discussing Abortion	8 June	IG	User appeal (to restore content)	Violence and Incitement	United States
2023-012- FB-UA	United States Posts Discussing Abortion	8 June	FB	User appeal (to restore content)	Violence and Incitement	United States
2023-013- FB-UA	United States Posts Discussing Abortion	8 June	FB	User appeal (to restore content)	Violence and Incitement	United States

<sup>&</sup>lt;sup>5</sup> This case announced on April 27 was added to a case (2023-002-IG-UA) that had already been announced by the Board on March 9, with the title being changed from "Violence Against Women" to more accurately reflect both posts.

# **Q2 2023 Published Case Decisions and Policy Advisory Opinion**

After cases are selected, the Board assigns them to a panel of Board Members. Members of the panel include at least one member from the region implicated in the content and a mix of gender representation. The panel examines whether Meta's decision is consistent with the company's content policies, values and international human rights responsibilities. The Board's decisions are binding, and Meta must implement them within seven days of publication. In this period, the Oversight Board issued three standard decisions. It upheld Meta's original decision in one case and overturned the company's original decision in two.

#### Standard decisions

	iara accision						
Case ID	Name	Platform	Source	Language of content	Community Standard	Countries <sup>6</sup>	Outcom e
2023- 004- FB- MR	Armenian Prisoners of War Video	FB	Meta referral	English, Turkish	Coordinating Harm and Promoting Crime	Armenia, Azerbaijan	Upheld
2023- 001- FB- UA	Brazilian General's Speech	FB	User appeal (to remove content)	Portuguese	Violence and Incitement	Brazil	Over- turned
2023- 003- FB- MR	Cambodian Prime Minister	FB	User appeal (to remove content) and Meta referral	Khmer	Violence and Incitement	Cambodia	Over- turned

In the second quarter of 2023, the Board started publishing summary decisions. After our Case Selection Committee, which is comprised of Board Members, has identified a list of cases to consider for selection, Meta sometimes determines that its original decision on a post was incorrect and reverses it. So far, Meta has reversed its original decision in this way for around 130 cases that we have brought to its attention. In most of these cases, this meant that Meta restored the content in question.

The fact that Meta reverses its original decision does not prevent the Board from reviewing these kinds of cases. These have led to some of our most important decisions, including <a href="Breast Cancer Symptoms and Nudity">Breast Cancer Symptoms and Nudity</a> and <a href="Öcalan's Isolation">Öcalan's Isolation</a>. As a Board, we want to examine more of these types of cases because we believe they have a positive impact on users and can help Meta learn crucial lessons for the future.

<sup>&</sup>lt;sup>6</sup> Countries listed do not necessarily align with countries identified in the metadata of longlisted cases above as a more thorough review is done at this stage of the appeals process.

As such, our Case Selection Committee is selecting some of these cases to review as summary decisions. They set out why we consider the case to be significant and discuss why Meta might have made this error in the first place. Just like our standard decisions, summary decisions are binding on Meta. They are drafted and voted on by the Case Selection Committee, rather than the full Board, and do not consider public comments. Additional details about our decision types, including summary decisions, can be found in our <u>bylaws</u>.

Summary decisions

Case	Name	Platform	Source	Language of	Community	Countries <sup>7</sup>	Outcome
2023- 015- FB-UA	Dehumanizing Speech Against a Woman	FB	User appeal (to take down content)	United States	Standard  Bullying and Harassment	United States	Meta reversal
2023- 016- FB-UA	Metaphorical Statement Against the President of Peru	FB	User appeal (to take down content)	Spanish	Violence and Incitement	Peru	Meta reversal
2023- 017- FB-UA	Anti-Colonial Leader Amílcar Cabral	FB	User appeal (to restore content)	French	Dangerous Organization s and Individuals	Senegal, Guinea- Bissau	Meta reversal

#### Policy Advisory Opinion on Removal of COVID-19 Misinformation

In the second quarter of 2023, we also published a **policy advisory opinion** on the Removal of COVID-19 Misinformation, which we accepted as a request from Meta in July 2022.

After conducting extensive investigation and public consultation, the Board concluded on April 20 that, as long as the World Health Organization (WHO) continued to declare COVID-19 an international public health emergency, Meta should maintain its current policy. That meant it should continue to remove COVID-19 misinformation likely to directly contribute to the risk of imminent and significant physical harm, given the company's insistence on taking a single, global approach on this issue. However, the Board also made 18 recommendations to press Meta to improve its expert and stakeholder engagement, publish information on government requests to remove COVID-19 content, take action to support independent research of its platforms, and examine the link between its platforms' architecture and misinformation.

 $<sup>^{7}</sup>$  Countries listed do not necessarily align with countries identified in the metadata of longlisted cases above as a more thorough review is done at this stage of the appeals process.

#### **Standard Decision Timelines**

According to our Bylaws, for standard decisions the Board aims to make its decision on a case 90 days from the date it announces a new case on its website.

For the three standard case decisions the Oversight Board published in this quarter, the average time from announcement of the case to publication of the Board's decision has been 98 days. This is expected to improve significantly in the third quarter of 2023, with the majority of cases hitting the 90-day target.

Case ID	Name	Beginning of 90-day period	Board's decision published	Number of days taken
2023-001-FB- UA	Brazilian General's Speech	03/09/23	06/22/23	105
2023-003-FB- MR	Cambodian Prime Minister	03/16/23	06/29/23	105
2023-004-FB- MR	Armenian Prisoners of War Video	03/22/23	06/13/23	85

#### **Questions for Meta**

To assist with making its decisions, the Oversight Board asks Meta questions. Of the 46 questions asked by the Oversight Board about decisions published in this quarter, Meta answered 44 questions (96%) and declined two (4%). This represents the highest-ever proportion of questions answered by Meta for decisions published in a given quarter.

In the Brazilian General's Speech case, the questions that Meta declined related to the relationship between political advertising and misinformation, and another concerning the number of removals of pages and accounts while the Election Operation Centre for the 2022 Brazil elections was in place.

#### Oversight Board questions answered by Meta

#### Number of questions

Case ID	Name	Answered	Partially	Did not	Total
			answered	answer	
2023-001-FB-UA	Brazilian General's Speech	13	0	2	15
2023-003-FB-MR	Cambodian Prime Minister	15	0	0	15
2023-004-FB-MR	Armenian Prisoners of War Video	16	0	0	16
Total		44	0	2	46

<sup>&</sup>lt;sup>8</sup> Two of the three standard decisions exceeded 90 days in this quarter. Both the Brazilian General's Speech and Cambodian Prime Minister cases were impacted by operational challenges and time required for translations.

#### **Public Comments**

The Oversight Board conducts a public comment process to assist in its decision making.

For the three standard case decisions and policy advisory opinion reviewed by the Board in Q2 2023, the Board received 259 comments, of which 181 were published. A total of 25 comments were submitted without consent to publish. 188 public comments (73%) came from individuals, while 71 comments (27%) came from organizations.

## Public comments received by publication status

Numbe	r of cor	nments

Case ID	Name	Comments published	Comments not published (no consent)	Comments not published (violated terms)	Total	Comments unattributed <sup>9</sup>
2023-001- FB-UA	Brazilian General's Speech	17	0	2	19	0
2023-003- FB-MR	Cambodian Prime Minister	12	3	3	18	5
2023-004- FB-MR	Armenian Prisoners of War Video	30	5	6	41	10
PAO-2022- 01	PAO on Removal of COVID-19 Misinformation	122	17	42	181	64
Total		181	25	53	259	79

## Public comments received by commenter type

Number of comments

Case ID	Name	Individual comments	Organizational comments	Total
2023-001- FB-UA	Brazilian General's Speech	4	15	19
2023-003- FB-MR	Cambodian Prime Minister	8	10	18
2023-004- FB-MR	Armenian Prisoners of War Video	23	18	41
2023-001- FB-UA	PAO on Removal of COVID-19 Misinformation	153	28	181
Total		188	71	259

 $<sup>^{9}\,</sup>$  Unattributed comments are published comments with the author's name redacted by request.

## Public comments received by region

Number of comments

Region	2023-001-FB- UA	2023-003-FB-MR	2023-004-FB-MR	PAO-2022-01	Total
United States and Canada	3	11	8	83	105
Europe	0	0	25	81	106
Asia Pacific and Oceania	1	5	1	8	15
Latin America and Caribbean	12	1	0	4	17
Sub- Saharan Africa	0	0	0	0	0
Middle East and North Africa	2	0	4	0	6
Central and South Asia	1	1	3	5	10
Total	19	18	41	181	259

Of the public comments received for decisions published in this quarter, 41% came from the United States and Canada; 41% from Europe; 6% came from Asia Pacific and Oceania; 6% came from Latin America and the Caribbean; 4% came from Central and South Asia; and 2% came from the Middle East and North Africa.

#### Recommendations

In addition to providing decisions on appealed content, the Oversight Board also made 30 policy recommendations to Meta in Q2 2023.

Of these 30 recommendations, six related to content policy (clarification of or changes to rules), 11 related to enforcement (clarification of or changes to how rules are applied), and 13 related to transparency (on disclosure of information to the public).

The Board's recommendations seek to improve Meta's approach to content moderation, protect users and increase transparency. Recommendations made in Q2 2023 include:

- In the Brazilian General's Speech case, the Board recommended that Meta develop a framework for evaluating its election integrity efforts. The Board noted that this should include creating and sharing metrics for successful election integrity efforts, including those related to Meta's enforcement of its content policies and the company's approach to adverts.
- In the Cambodian Prime Minister case, the Board found that Meta should update its review prioritization systems to ensure content from heads of state and senior members of government that potentially violate the Violence and Incitement policy is consistently prioritized for immediate human review.
- In the Armenian Prisoners of War Video case, the Board called for Meta to commit to preserving, and where appropriate, share with competent authorities evidence of atrocity crimes or grave human rights violations, such as those specified in the Rome Statute of the International Criminal Court, by updating its internal policies to make clear the protocols it has in place in this regard. The Board stated the protocol should be attentive to conflict situations. It should explain the criteria, process and safeguards for (1) initiating and terminating preservation including data retention periods, (2) accepting requests for preservation, (3) and for sharing data with competent authorities including international accountability mechanisms and courts. There must be safeguards for users' rights to due process and privacy in line with international standards and applicable data protection laws. Civil society, academia and other experts in the field should be part of developing this protocol.
- In the Removal of COVID-19 Misinformation policy advisory opinion, on the issue of transparency, the Board recommended that Meta should add a change log to the Help Center page to provide the complete list of claims subject to removal under the company's Misinformation About Health During Public Health Emergencies policy.

#### Oversight Board recommendations to Meta

Number of recommendations

Case ID	Name	Content policy	Enforcement	Transparency	Total
2023-001- FB-UA	Brazilian General's Speech	0	1	1	2
2023-003- FB-MR	Cambodian Prime Minister	2	3	1	6
2023-004- FB-MR	Armenian Prisoners of War Video	1	1	2	4
2023-001- FB-UA	PAO on Removal of COVID-19 Misinformation	3	6	9	18
Total		6	11	13	30

#### The Board's assessment of Meta's responses to our recommendations

For the 30 recommendations made by the Board in Q2 2023, Meta's initial responses were 50% "comprehensive" (15 recommendations), and 40% "somewhat comprehensive" (12 recommendations). Three responses were "not comprehensive."

#### Board's analysis of Meta's implementation of Q2 recommendations

Of the 30 recommendations the Board made in Q2 2023 that Meta had responded to at the time of writing:

- Six were wholly or partially implemented, as demonstrated through published information. This included the fully implemented recommendation no. 3 from the Removal of COVID-19 Misinformation policy advisory opinion. This means Meta now clarifies that its Misinformation policy refers to false information according to the best available evidence at the time the policy was most recently re-evaluated. Recommendations no. 2, 4, 8 and 14 from the same policy advisory opinion were also partially implemented.
- Meta also reported that it had implemented recommendation no. 11 from the policy advisory opinion, but did not publish information to demonstration implementation. Meta says it has updated its Help Center to provide the complete list of COVID-19 related claims it continues to enforce in countries that remain under some form of public health emergency and to describe recent changes to policy, developed in consultation with public health experts.
- By far the largest category of responses, 16 of the 30 recommendations were classified as "progress reported." This means that Meta has committed to implementing these recommendations, but has not declared implementation to be complete, and the Board also has no evidence of implementation.
- Four recommendations were declined from the Removal of COVID-19 Misinformation policy advisory opinion, including recommendation no.1, and two were declined from the Cambodian Prime Minister case.

#### Board Response to Declined Recommendations in Cambodian Prime Minister Case

When Meta declined to implement our recommendation to suspend the Cambodian Prime Minister's Facebook page and Instagram account for at least six months, the Board expressed disappointment, stating it was hard to imagine a clearer case of a political leader using social media to amplify threats and intimidation. The video reviewed in this case shows Hun Sen threatening his political opponents with the "bat" and with attacks by his supporters. Our decision set out clear guidance to Meta to deter public figures seeking to exploit its platforms to incite violence. Meta's decision not to implement a second recommendation, in which we asked the company to clarify that its policy for restricting accounts of public figures apply to contexts in which citizens are under continuing threat of retaliatory violence from their governments, called into question the purpose of the policy and its ability to protect against harms.

Standing by our recommendations, we reiterated that Meta's decision would send the wrong message to political leaders who break the rules. Noting that this decision is not limited to the situation in Cambodia, we emphasized that Meta has not gone far enough to discourage others who may seek to abuse its platforms in a similar way, and urged the company to take meaningful steps to prevent this kind of misuse. With our priorities including the protection of elections and civic space, we will continue to push for accountability for any actors that compromise this space, including political leaders.

#### **Board Analysis of Other Recommendations**

As part of this quarter's Transparency updates, we also received further information relating to two other policy advisory opinions and confirmation on more amendments to Meta's Community Standards. The updates are presented according to the Board's Strategic Priorities, and include two new impact metrics.

#### Treating Users Fairly

- In February 2022, the Board published a policy advisory opinion on Sharing Private Residential Information. Meta has now fully implemented two of its key recommendations (no. 1 and 4). First, the company has removed the exception that previously allowed the sharing of a person's residential information on its platforms if it was considered "publicly available" elsewhere. Second, as recommended by the Board, this change to Meta's Privacy Violations policy does not apply to publicly available residential information for official residences provided to a high-ranking public official or embassy, so that peaceful assemblies can still be organized in front of them.
- In continuing improvements to the number of languages in which Meta's Community Standards are available, the 59 translations by the end of 2021 had increased to 86 by the close of the second quarter in 2023. This is in direct response to our decision in the Punjabi Concern Over the RSS in India case.

• In response to our policy advisory opinion on Meta's Cross-Check Program, published in December 2022, Meta reports that by implementing an improved system of governance over its "technical corrections" list, the list has decreased by 55%. "Technical corrections" are automatic exceptions to content policy enforcement, so if a piece of content is protected by a correction included in these lists, it will be exempt from that specific enforcement, including any type of human review. As explained by Meta at the time, a "technical correction" applies only to a specific entity for a specific policy violation and does not serve to bar enforcement for other policy violations. Having recognized at the time that its "lack of governance over practices in the past, [...] inadvertently resulted in some entities not receiving many enforcement actions," Meta has been working to create clarity on the criteria of who should be included on the list, leading to a significant reduction in its overall size.

#### Automation

• Also in response to our cross-check policy advisory opinion, Meta reports that it has now cleared all outstanding backlogs in its Early Response Secondary Review (ERSR) queues. Meta's cross-check program aims to address incidences in which content is mistakenly removed from its platforms for violating its policies. The program does this by providing additional layers of human review for certain posts initially identified as breaking its rules. So, when users on Meta's cross-check lists post such content, it is not immediately removed as it would be for most people, but is instead left up, pending further human review. According to Meta, as a result of this backlog being cleared, the time taken for resolution (review and any subsequent enforcement) of potentially new violating content flagged under ERSR was reduced by 96% for 90% of the jobs created in the first half of 2023, compared with the second half of 2022.

#### Gender

• Meta has included an exception to the Adult Sexual Exploitation Community Standard for depictions of non-consensual sexual activity. In our India Sexual Harassment Video case, the Board recommended that Meta include this exception to allow for content to be shared to raise awareness, based on contextual analysis, and only when the victim is not identifiable, the content does not involve nudity and it is not shared in a sensationalized context. These conditions are in place to minimize any risk of harm to the victim. As per the Board's recommendation, the exception can only be applied at escalation stage, and Meta may include a warning label and restrict visibility of such content to people over the age of 18.

#### **Latest Update on Implementation of Recommendations**

Meta has committed to implement or implemented the majority of the Board's recommendations. The Board has assessed that 38 of the 240 recommendations it has made since January 2021 have been implemented fully, as demonstrated through published information, and a further 22 recommendations as partially implemented. Between the publication of our transparency reports in the first and second

quarters of 2023, the overall number of recommendations fully or partially implemented by Meta increased by 16. This increase from 44 to 60 represents the largest-ever jump between publication of quarterly reports.

Meta had also reported progress towards the implementation of 87 recommendations and we will continue to monitor implementation. On 34 recommendations, Meta has declined to implement the recommendation. For 44 recommendations, the company has reported implementation, or said it already does what the Board recommends, but has not published information to demonstrate this.

Additionally, the Board now evaluates the comprehensiveness of Meta's responses to recommendations on a quarterly basis, rather than only after Meta's 60-day response. This allows Meta to increase the comprehensiveness of its responses as part of its quarterly updates. The latest assessment of comprehensiveness is visible in the Table of Recommendations annex, which also includes a breakdown of our assessment of Meta's implementation of all 240 recommendations. The annex, which is up-to-date as of October 16, 2023, is published alongside this report.

Implementation Category	No. of recommendations 10
Implementation demonstrated through published information: Meta provided sufficient data for the Board to verify the recommendation has been implemented	38
Partial implementation demonstrated through published information: Meta has implemented a central component of the recommendation and has provided sufficient data to verify this to the Board.	22
<b>Progress reported:</b> Meta committed to implementation but has not yet completed all necessary actions.	87
Meta reported implementation or described as work Meta already does but did not publish information to demonstrate implementation: Meta says it implemented the recommendation but has not provided sufficient evidence to verify this.	44
<b>Recommendation declined after feasibility assessment:</b> Meta engaged with the recommendation and then decided to decline its implementation after providing information on its decision.	11
<b>Recommendation omitted, declined, or reframed:</b> <i>Meta will take no further action on the recommendation.</i>	34
Awaiting first response	4
Total Number of Recommendations	240

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<sup>&</sup>lt;sup>10</sup> This table is up-to-date as of October 16, 2023.

# Annex I – list of shortlisted cases in which Meta reversed its original decision in Q2 2023.

Below is a list of cases where Meta identified that its original decision on content was incorrect. As <u>announced on February 14, 2023</u>, some of these cases will be published as summary decisions and they have been noted as such in the table. Information for two of the 18 cases will be published in the transparency report for Q3 2023.

#	Content	Platform	Meta's Original Decision	Meta's Final Decision after Shortlisting by the Board	Country	Policy
1, 2, 3	Assigned to panel as "United States posts discussing abortion" (2023- 011-IG-UA, 2023- 012-FB-UA, 2023- 013-FB-UA)	FB & IG	Take down	Keep up	United States	Violence & Incitement
4, 5	The Board intends to publish these cases as a bundled summary decision. The first case involved a comment comprising a photo of four different types of cervical mucus and corresponding fertility levels. The comment was in response to a post asking about Polycystic Ovary Syndrome, fertility issues and vaginal	FB & IG	Take down	Кеер ир	Argentina & United States	Adult Nudity & Sexual Activity

discharge. The second case involved a vide showing someone's has over a sink with vaginal dischargers. The caption underneath the video was writin Spanish and headline read "Ovulation – Into Recognize"	eo and th arge i's ne tten d the , How it?"				
6 The content contained a v featuring Mer. Akşener, leade Turkey's mair opposition parts opposition the politician spositician	al er of anty, and the he h	Take down	Кеер ир	Turkey	Violence & Incitement

7	The content contained a video showing some of Turkey's opposition coalition members sitting at a table, all of them being men. The background audio was from another video of some street interviews. It included phrases like "the man is superior to the woman" and "we are to work and care for women."	IG	Take down	Keep up	Turkey	Violence & Incitement
8	Assigned to panel as "Post in Polish Targeting Trans People" (2023-023-FB-UA).	FB	Keep up	Take down	Australia	Suicide & Self-Injury
9	The content contained an image of text in French that read, "Hetero men, you are everywhere but tonight we don't mix for you (but 99.9% of other clubs will let you in)." The caption underneath the image explained that the venue was hosting an evening that was specifically not for cisgendered	IG	Take down	Keep up	France	Hate Speech

	straight men, but for the "TransPédéBieGou ine" individuals and intersectional feminists to have a community and space for themselves.					
10	The content contained text discussing the conditions of Abdullah Öcalan's imprisonment and how it violated international human rights standards, saying, "Let's not stop asking for freedom for Öcalan." It also mentioned the names of three other prisoners in a similar situation.	FB	Take down	Keep up	Turkey	Dangerous Individuals & Organizatio ns
11	This was a post criticizing Santiago Peña, Paraguay's president-elect. It compared Peña to Adolf Hitler, saying that both were geniuses but morally flawed. The post claimed that Peña had stolen money from the country and engaged in fraud on public	FB	Take down	Кеер ир	Paraguay	Dangerous Individuals & Organizatio ns

	infrastructure projects.					
12	Published as "Corruption of Law Enforcement in Indonesia" (2023- 025-FB-UA).	FB	Take down	Keep up	Indonesi a	Violence & Incitement
13	Published as "Lebanese activist" (2023-027-IG-UA).	IG	Take down	Keep up	Lebanon	Dangerous Individuals & Organizatio ns
14	Published as "Hotel in Ethiopia" (2023-026-FB-UA).	FB	Keep up	Take down	Ethiopia	Violence & Incitement
15	The content was a comment denying that Germany had the ability to "kill and cremate millions of people during WW2." It claimed that this was "allied propaganda."	IG	Кеер ир	Take down	United States	Hate Speech
16	The content was a post written in French and a translation of a poem titled "I want a president" written by American activist and feminist Zoe Leonard. The poem started by saying that the poet wanted a president who was "a d*ke" and "a f*g", who was someone who had	FB	Take down	Кеер ир	France & United States	Hate Speech

not had health			
insurance, who			
had lost their last			
lover to AIDS, who			
was a Black			
woman, etc.			

# **Annex II - Glossary of terms**

**Annual report** – A report published each year by the Oversight Board that provides a summary of the cases it selects and reviews, as well as an overview of its operations.

Bylaws – <u>These</u> specify the Oversight Board's operational procedures.

Case Management Tool (CMT) – The platform created by Meta and used by the Oversight Board to receive and review case submissions, and collect and store case files.

Case Selection Committee – A sub-committee of the Board, which decides which cases the Board will review, out of thousands of user appeals and Meta referrals.

**Case Selection Team** – A team within the Oversight Board Administration that assists the Case Selection Committee with identifying cases for panel review.

Meta's content policies – Facebook and Instagram's content policies and procedures that govern content on the platforms (e.g., Community Standards and/or Community Guidelines).

Meta's legal review – A step in the case selection process by which Meta may exclude cases from the shortlist that are ineligible for review by the Board in accordance with the Bylaws. More detail about this stage can be found in the <u>Rulebook for Case Review and Policy Guidance</u> (page 8).

**Meta-referred case** – A case submitted to the Oversight Board by Meta. Meta has the ability to expedite cases for review.

**Longlist** – An initial list of cases drawn up by the Case Selection Team. This is based on selection criteria set out by the Case Selection Committee.

Oversight Board Administration – The full-time professional staff that supports Board Members and the day-to-day operations of the Board.

Panel – Members of the Oversight Board assigned to review a case.

**Recommendation/s** – A statement appended to an Oversight Board decision on a specific case that reflects policy considerations beyond the binding content decision.

**Shortlist** – A small number of cases chosen from the longlist by the Case Selection Committee to be considered for selection.

**User appeal** – An appeal submitted by a Facebook or Instagram user to the Oversight Board for review.