



Oversight Board Public Comments: Account Ban for Targeting Public Figures

Deadline: 23:59 PST, February 3, 2026

Comments submitted by:

National Coalition Against Censorship and Don't Delete Art

PUBLIC COMMENT:

As an organization that has worked to protect freedom of expression for over half a century, the US-based National Coalition Against Censorship is particularly concerned about the way that private social media practices are limiting the expressive freedom of one of its core constituencies: artists. We are pleased that the Oversight Board has taken a case on Meta's approach to permanently disabling accounts – an urgent concern for the populations we serve. We welcome the intent to provide users with greater transparency on Meta's account enforcement policies and practices.

In the context of NCAC's work with artists, inclusive of censorship case intake NCAC oversees through its participation in Don't Delete Art (a project focusing on protecting artistic freedom online) it has come across a number of cases where an artist's account had been permanently disabled. For many artists who consider Instagram the primary platform through which to share their work with peers, patrons and audiences, and who spend years building a following, such an event often has far reaching financial and personal impact. While we understand that repeated violation of account integrity guidelines would give Meta a valid reason to remove an account, it has been our experience that, in half the cases that have come to us, these accounts have been erroneously disabled. To fix that error, artists have had to request intervention from NCAC and we have further appealed to Meta, as artists' direct appeals were not successful.

Admittedly, our sample of cases is limited to the reports that are brought to us, it remains of concern that 1. There appears to be a high error rate in disabling accounts 2. The takedowns seem to come without clear warning, and 3. The reason for the takedown is often not clear at all to the user and they are left guessing as to what prompted the takedown.*

*While many of the artists we work with in the online environment deal with nudity, they are usually well versed in and meticulously take into account the existing restrictions of photographic nudity, and the existing exceptions for political protest, breastfeeding, nudity in painting, male vs. female-presenting nipples, etc.

With that in mind, we would like to address two of the points the Oversight Board is bringing up, in relation to the problems faced by the artists we work with:

Ø How best to ensure due process and fairness to people whose accounts are penalized or permanently disabled.

We have long advocated for a clear notifications and appeals process, and, while there has been some progress, clarity and transparency as to how decisions are made are still lacking and the appeals process often fails.

Notifications:

- Users should receive notification if there is risk of permanent account deletion with explanation of the reason and a chance to appeal or alter posting behavior;
- Users should be provided details about how the specific content was identified as being in violation of platform guidelines;
- After deletion: users should be provided reasons for the actions taken, including the specific rule violated with a chance to appeal.

Appeals:

The appeals process needs to include:

- An opportunity to present additional information to be considered in the review;
- Review by a person or a panel that was not involved in the initial decision;
- Notification of the results and clear explanation, offered within a period of time not longer than seven days;
- Availability of a last instance review by an independent external oversight mechanism.

Ø Good industry practices in transparency reporting on account enforcement decisions and related appeals.**Transparency with regards to account removals, appeals, restorations:**

We would like to see reported the *number* of accounts deleted and what *percentage* are appealed and eventually restored. Erroneous or arbitrary account deletions, even if reversed at a later date, negatively impact artists and other cultural producers for whom Instagram is an essential visibility/business platform.

Accounts that do not pose a material threat to or implicate the safety of others should receive close and careful inspection before removal:

While we understand that accounts that may cause immediate harm to another's reputation or incite violence would be removed with more urgency and mistakes could be made, there is *no such justification* for removing artists' accounts for, say, the presence of a female-presenting nipple that could hardly be considered to cause an immediate threat.

We recommend that Meta make the distinction between types of violations of its content guidelines so as to not unnecessarily penalize artists.