

Facebook panel overturns 4 content takedowns in first ruling

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In this April 14, 2020 file photo, the thumbs up Like logo is shown on a sign at Facebook headquarters in Menlo Park, Calif. Facebook's quasi-independent oversight board issued its first rulings on Thursday Jan. 28, 2021 overturning four of five decisions by the social network to take down questionable content. (AP Photo/Jeff Chiu, File)

Facebook's quasi-independent oversight board issued its first rulings on Thursday, overturning four out of five decisions by the social network to take down questionable content.

But critics called the announcement largely irrelevant given the flood of misinformation, extremism and racism that remains on Facebook despite the company's efforts over the past years.

"The whole thing is kind of like putting new windows on a house in which the roof has caved in," said Gautam Hans, a Vanderbilt University expert on civil liberties and intellectual property. "The (oversight board) can't do very much—it selects a tiny percentage of potential cases—to fix a company with so many systemic and in my opinion unfixable problems."

Nonetheless, Hans said he respects the effort and believes "there are some clear distinctions" between what the oversight board thinks the standards should be and what the company does.

The social media giant set up the oversight panel to rule on thorny issues about content on its platforms, in response to furious criticism about its inability to respond swiftly and effectively to misinformation, hate speech and nefarious influence campaigns.

Facebook regularly takes down thousands of posts and accounts, and about 150,000 of those cases have appealed to the oversight board since it launched in October. The board is prioritizing the review of cases that have the potential to affect many users around the world.

In its [initial batch of rulings](#), the board ordered Facebook to restore posts by users that the company said broke standards on adult nudity, hate speech, or dangerous individuals.

One case, in which a [Brazilian user's Instagram post](#) about breast cancer was automatically removed because it included images of female nipples, should have been allowed because the platform makes an exception for breast cancer awareness, the board said.

A Myanmar user's Burmese-language [Facebook post about Muslims](#) that included two widely shared photos of a dead Syrian toddler was offensive but did not rise to the level of hate speech, it ruled.

The human rights group Muslim Advocates lambasted the decision, saying the board "bent over backwards to excuse hate in Myanmar—a county where Facebook has been complicit in a genocide against Muslims."

"It is clear that the Oversight Board is here to launder responsibility for (Facebook CEO Mark) Zuckerberg and Sheryl Sandberg," said Eric Naing, spokesperson for Muslim Advocates. "Instead of taking meaningful action to curb dangerous hate speech on the platform, Facebook punted responsibility to a third party board that used laughable technicalities to protect anti-Muslim hate content that contributes to genocide."

Facebook admitted in 2018 that it did not do enough to prevent its platform from being used to incite violence in Myanmar.

In addition, a post with a [quote falsely attributed to Joseph Goebbels](#), the Nazi propaganda minister, was cleared after the user told the board the intent was to compare the sentiment in the quote with Donald Trump's presidency.

The board said a fourth [post in French about COVID-19](#) that had been taken down because it breached standards on misinformation should be restored, saying it didn't pose imminent harm. Among other things, the

post called hydroxychloroquine combined with azithromycin a "harmless drug" that is being used to "save lives." Claims that hydroxychloroquine is effective in treating the coronavirus have been widely debunked by top health officials after several studies found it ineffective in serious cases of COVID-19.

The decisions are binding, meaning CEO Mark Zuckerberg can't do anything to change them.

The board agreed only with Facebook's decision to take down a [post with a slur used to describe Azerbaijanis](#), stemming from last year's conflict between Armenia and Azerbaijan over the disputed territory of Nagorno-Karabakh.

Still to come is the panel's most high profile case - the decision to indefinitely suspend former President Donald Trump's account. It will be the biggest test yet for the panel, which faces criticism that Facebook set it up primarily to stave off regulation or even an eventual breakup of the company as it faces antitrust scrutiny.

Co-chair Michael McConnell said the panel had started working on the Trump case but was only at an "extremely early stage."

"All this has happened extremely recently so they're at the very beginning of their work," he told an online press briefing.

The oversight board will start accepting public comments on the Trump case on Friday.

Facebook took down Trump's account after he encouraged his supporters to not accept the election result and they stormed the U.S. Capitol in a deadly assault on Jan. 6. But the company referred the matter to the oversight board for what it called an "independent

judgment" on upholding the decision.

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