Facebook 'supreme court' begins daunting task on content disputes

December 1 2020, by Glenn Chapman, Julie Jammot

The indepedent panel created by Facebook to adjudicate content dispute has begun reviewing the first of the 20,000 cases on its agenda

Facebook's "supreme court" tasked with deciding on allowing or removing sensitive and harmful content has begun operations, with a

backlog of some 20,000 cases already piling up for the expert panel.

The independent panel, formally known as the Facebook Oversight Board, is considering cases involving Nazi propaganda, hate speech, nudity, pandemic misinformation, and dangerous individuals or organizations.

The board, created at the urging of Facebook founder Mark Zuckerberg with the authority to overrule him and other top executives, said it is prioritizing cases that have "potential to affect lots of users around the world, are of critical importance to public discourse or raise important questions about Facebook's policies."

Facebook has agreed to be bound by decisions on appeals, but rulings will only apply to cases at issue and will not set precedents.

But Julie Owono, a board member and the executive director of Paris-based digital rights group Internet Sans Frontieres, said she hopes the board can help establish "jurisprudence" which could set broader standards on content decisions.

Emotion trumps truth?

The board has steered clear of complaints directly related to misleading or disproven claims posted by US President Donald Trump or other high-profile figures commenting on the election.

It is, however, considering an appeal of a decision to remove a post crediting Nazi propaganda minister Joseph Goebbels with opining on the need to appeal to emotions and instincts instead of intellect and interest in the truth.

Yemeni Nobel Peace Prize winner Tawakkol Karman is among the members of the Facebook Oversight Board tasked with deciding on allowing or removing sensitive or harmful content on the leading social network

"The user indicated in their appeal to the Oversight Board that the quote is important as the user considers the current US presidency to be following a fascist model," a summary of the appeal said.

Another appeal being considered regards removal of a screenshot of tweets by former Malaysian prime minister Mahathir Mohamad that contended "Muslims have a right to be angry and kill millions of French people for the massacres of the past."

The person making the appeal contends it was meant to raise awareness

about his "horrible words," according to the board.

Breast cancer awareness

Six of the more than 20,000 appeals submitted to the board in October were selected for consideration, with one of the petitions made by the leading social network and the remaining five by users, according to a blog post.

An appeal out of Brazil challenged a decision to remove Instagram pictures of breasts showing cancer symptoms because they also revealed more nudity than is allowed by Facebook rules.

The Instagram photos were shared as part of a "Pink October" campaign for the prevention of breast cancer, according to the appeal.

The panel has also agreed to review a post in a group claiming the unproven combination of hydroxychloroquine and azithromycin is a cure for COVID-19.

Facebook founder Mark Zuckerberg proposed the creation of the independent oversight panel to make the most difficult content decisions for the social network used by nearly three billion people

Each appeal case has been assigned to a five-member panel that includes at least one member from the region implicated in the content, according to the board.

Decisions and action by Facebook in response to them were expected within 90 days.

The board is taking public comment on cases in an effort to tap into expertise of individuals or organizations on related topics.

The idea for the panel was first proposed by Zuckerberg in 2018, as an

independent body which could overrule decisions made by the company regarding what posts stay up and which come down.

Members come from various countries and include jurists, human rights activists, journalists, a Nobel peace laureate and a former Danish prime minister.

Facebook, which has set up an independent foundation to operate the board, said it has been working on software that allows members to review cases from anywhere in the world.

Critics of the social network have expressed skepticism regarding about the oversight board and whether Facebook will comply with content decisions that could curb use and, by extension, ad revenue.

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