



The Real Facebook Oversight Board

Facebook Quarterly Harms Report **1st Quarter 2023**

Following the conclusion of Facebook's first quarter in this financial year, the Real Facebook Oversight Board is publishing our Quarterly Harms Report. The report is a compilation of the harms that investors have facilitated through their ownership of shares – a documentation of the so-called externalities of Facebook's business, with a focus on human life, privacy, and democracy.

The harm highlights in Q1 were:

- Meta's role as a hub for disinformation about abortion rights, and the reckless invasions of women's privacy across platforms.
- Replatforming former President Trump just as his rhetoric reached a new level of racism and antisemitism. The reinstatement showed the irrelevance of Meta's Oversight Board, whose breathless "ban" of the former President was never a ban - just disinformation delayed.
- Meta's continued failure to protect human rights in India and elsewhere.
- Blacklisting whistleblowers in Kenya who came forward with concerns about Meta's content moderation.
- 21,000 layoffs, 30% of the workforce gone, devastated morale and a lack of direction.



As Facebook tallies its Q1 dollars, Meta shareholders have made a sizable investment in the anti-abortion movement, President Trump's re-election campaign and the continued evisceration of global human rights across Meta's platforms.



Putting Women's Privacy and Abortion Access at Risk

A Penny for your Pixel

Since the US Supreme Court overturned *Roe v. Wade* on June 24th, 2022, Meta has been at the nexus of ongoing women's data privacy concerns. The platform is complicit in collecting the health information of millions of users—without their knowledge—through partnerships and advertising tools like the “Meta Pixel.” **The result is that, in a post-Roe world, the digital trail of women who use menstrual trackers, access crisis pregnancy centers, or explore birth control avenues online, can be used as evidence in states where abortion procedures are outlawed.**

Facebook [says that it filters out sensitive health information](#) from its apps and partner websites in order to protect user privacy. Laudably, its policy specifically outlines reproductive health, medical procedures, and biological cycles as protected categories. In truth, however, little evidence supports the company's claims. Ultimately, Meta's WhatsApp, is currently the only product to use message encryption as a default. As for Facebook and Instagram, users need to physically activate end-to-end encryption in their settings—a process which is not immediately detailed.

Facebook announced in January 2023 it will continue to work on ensuring their apps all have default protections but it is unclear when this feature will be rolled out to the entire general public. Unfortunately, however, the consequences of Facebook's inaction and the lack of end-to-end encryption, manifests itself in how women's data is used. For example, in the spring of 2022, [police in Norfolk, Nebraska, charged 18-year-old Celeste Burgess and her mother, Jessica, with violating the state's abortion law.](#) The compelling evidence in the case was Facebook messages between the mother and her daughter, alluding to the use of abortion pills. Yet, according to the company's own policies, the exchange should have never been stored and thereby used as evidence.

The data collection, however, doesn't end there. One analytical tool, the Meta Pixel, has been implemented in the code of [more than 13 million websites](#) to quietly collect the demographic information, interests, form data use, and activity of its users—whether they opted in or not. The data is then traditionally used to help inform advertisers' decisions, increase SEO optimization, and create targeted ad campaigns for a selected audience. Unfortunately, the implications, however, for women's health data have been far grimmer.



An investigation conducted by Reveal and The Markup illustrated Facebook’s failures to secure data privacy and to filter out highly-personal information, such as medical histories, photos, and previous pregnancies, for users. The study reached [three key conclusions](#):

- Information about “pre-termination screenings” or “abortion consultations” were shared with Facebook by one-third of the 2,500 investigated crisis pregnancy centers,
- Facebook retained the sensitive health information of a freshly created user who scheduled an appointment with a Pregnancy Resource Center in a state where abortion was banned.
- Facebook continues to collect data from sources that clearly contain sensitive health data, such as websites with the words “post-abortion,” “i-think-im-pregnant,” and “abortion-pill.”

The consequences don’t end there. **Anti-abortion clinics can then utilize data collected by the Pixel to target specific groups of users through misinformation in advertising.** For example, in 2021, Facebook promoted ads on an unsound medical procedure labeled as an abortion “reversal” with highly graphic imagery over 18 million times according to a [report](#) from the Center for Countering Digital Hate. Furthermore, in states where bills are being passed to ban abortion, law enforcement agencies can [potentially find data](#) such as which users made appointment requests at Planned Parenthood through these website trackers, further threatening access to abortion access. Facebook historically has complied with most government requests for its user data.

Despite its porous data privacy policy, Facebook has continually refused to comment and enact change on this situation. Meta continually claims it does not collect data on healthcare matters but these website trackers show otherwise.

A Global Issue

[An investigation from #ShePersisted](#) found many examples of disinformation and misinformation campaigns used to perpetuate misogyny and authoritarianism against women leaders globally on Facebook.

- Head of Tunisia’s Individual Freedoms and Equality Commission, Bochra Belhaj Hmida, was targeted on Facebook by campaigns looking to portray her as corrupt and a false feminist. Hmida faced death threats, such as from an Islamist who called for her public stoning in a Facebook post, and disinformation; she alleges she alleges a government member has kept a Facebook page in her name leading to confusion about her work.
- Facebook content accused the leader of the Hungarian opposition party Agnes Kunhalmi, who is also a vocal critic of Orban’s leadership, of lying about her COVID-19 hospitalization.
- One member of India’s parliament Priyanka Chaturvedi faced a threat from a troll account who threatened the rape of her 10-year-old daughter after a fake online quote claimed she had defended a rapist because they were Muslim.
- Manuela D’Avila ran as part of a ticket against Jair Bolsonaro in the 2018 elections. She was targeted in gendered disinformation campaigns with fake stories about a fake trip to buy luxury goods in Miami and grim threats like a rape threat against her 5-year-old daughter, Laura.
- Former Italian minister of education Valeria Fedeli received attacks for her sponsorship of a bill on gender-responsive education. Online misinformation campaigns claimed the bill would teach young children about sex explicitly by showing porn to preschoolers. Other online hate campaigns labeled Fedeli as an uneducated monster.

All of these examples show Facebook’s failure in protecting marginalized communities from misinformation and disinformation campaigns.



Meta Gives Donald Trump His Bullhorn Back

What We Said

On January 25th, 2023, Facebook's President of Global Affairs, Nick Clegg, released a statement ending the suspension of former Donald Trump on the platform. We responded [with our own release](#) reminding the community about the clear and present danger the former President had incited. Our response made several key conclusions,

- Trump has repeatedly used his platform to amplify hate groups, spread misinformation, and propagate claims of election fraud.
- His influence has international impact, with politics around the world following his model of election fraud—most notably with Jair Bolsonaro supporters in Brazil
- The former president has demonstrated a pattern of undermining the US election process, disrupting peaceful transfer of power, and the unrestrained utilization of lies and promotion of violent behavior with his follower base.
- One of our board members and CEO of Common Sense Media put it best when he argued that “permitting [Trump] to return now would be a serious affront to our democracy and Meta's own publicly declared standards.”
- [Another RFOB board member added](#) by affirming that, “Letting Trump back on Facebook sends a signal to other figures with large online audiences that they may break the rules without lasting consequence.”

We weren't alone in our claims either. Without a doubt, experts have been both unified and obstinate in the consequences they believed that replatforming Trump would have.

- [Angelo Carusone, president of Media Matters for America](#) insisted that “When Trump is given a platform, it ratchets up the temperature on a landscape that is already simmering — one that will put us on path to increased violence.”
- “I worry about Facebook's capacity to understand the real world harm that Trump poses: Facebook has been too slow to act” according to [Laura Murphey, an attorney that audited Facebook.](#)
- [Accountable Tech postulated that](#) “more than 35 of his [Trump's] Truth Social posts would have violated Facebook's rules, including posts amplifying the conspiracy theory QAnon and pushing false claims of election fraud.
- Yaël Eisenstat, Vice President of the Center for Technology and Society at the Anti Defamation League, [corroborated Accountable Tech's statement by adding](#) that “Trump's recent posts on Truth Social... reflect a continuation of his reckless behavior, including making direct threats against Jews, slinging racist anti-Asian slurs at his political enemies, embracing QAnon, and singling out election officials for his followers to harass.”



What Facebook Did

Facebook, amid the cacophony of dissent over the replatforming of Trump, has defended their decision by arguing that [users should be informed—regardless of the consequences—about what politicians are saying](#), so that they can make knowledgeable choices when at the ballot-box. However, [Facebook violates its own Community Standards](#) by replatforming Trump, who repeatedly breached guidelines on the promotion of misinformation, violence and incitement, coordinating harm and promoting crime, and fraud and deception—although, the company has acknowledged. Facebook’s own CEO, Mark Zuckerberg, at the time that Trump was being de-platformed, rightly stated that the former president had been consistently using the platform [as a means to incite violence and reject the democratic process](#). Without a doubt, Facebook, even in 2021, has had a clear understanding of the stakes involved with giving a volatile public figure a platform to amass an enormous following.

What’s more is that Facebook permitted Trump to fundraise and advertise on the platform, despite being banned. [An investigation conducted by Politico in 2021](#), found that the former president’s PAC had spent more than \$3,000 on Facebook advertising that promoted his rallies and encouraged donations. Facebook retorted that associated groups are permitted to post on Facebook, so long as “they are not posting in his voice.” Yet, ads on the platform persisted in pushing Trump’s language.

- Some stated “STOP SLEEPY JOE.”
- Still others warned, “After just a few months in office, it’s clear that Biden is nothing more than a washed-up, career politician who has no clue what he is doing. There is a CRISIS at our border, gas prices have SKYROCKETED, and America is in DECLINE! Please donate now to show President Trump what you REALLY think about Joe Biden.”

In short, even while Trump was purportedly banned from the platform, Facebook still profited off his damaging rhetoric at the expense of its users. On March 17th, 2023, the company quietly replatformed the former President.

Since March, with some posts reaching more than 2 million interactions, Trump has continued to maintain that the 2016 election was fraudulent, promoted the use of hate-speech, and incited his follower-base to violence. Recent tweets insist:

- “...the Radical Left Democrats - the enemy of the hard-working men and women of this Country - have been engaged in a Witch-Hunt to destroy the Make America Great Again movement... The Democrats have lied, cheated and stolen in their obsession with trying to ‘Get Trump,’ but now they’ve done the unthinkable - indicting a completely innocent person in an act of blatant Election Interference.” (March 30th)
- “So our Movement, and our Party - united and strong - will first defeat Alvin Bragg, and then we will defeat Joe Biden, and we are going to throw every last one of these Crooked Democrats out of office so we can MAKE AMERICA GREAT AGAIN.” (March 30th)

Meta, and the Oversight Board with its half-measure decision, have failed democracy. As 2024 approaches, we need to continue to press for oversight and accountability to limit the reach of autocrats like President Trump on Meta’s platforms.



Continued Failure to Protect Rights In India

Back in August 2020, Facebook announced it would [commission](#) an independent Human Rights Impact Assessment (HRIA) for India to assess its role in the spread of hate online. After nearly a two year wait, in July 2022, it [released](#) a “highly summarized” and watered down version of this report, drawing sharp criticism from civil society organizations. In response, many civil rights organizations including India Civil Watch released a demand for the HRIA report and the establishment of an early process for the 2024 India General Election.

Facebook handed this job to a law firm called Foley Hoag, which produced detailed findings about Facebook’s shortcomings in India based on interviews with 40+ civil society representatives. Not only did Facebook not detail the findings, it also failed to disclose the recommendations that the law firm made to it in response to their discoveries. Instead, the company gave a list of measures they claim to have already implemented in India in a highly sanitized 4 page report.

The commissioning of this HRIA report came in the light of the deadly 2020 Delhi riots/pogrom. Since the violent unfoldings in early 2020, civil society stakeholders have continued to raise alarms over [Facebook’s role](#) in the violence. But Facebook did not give out any details on assessments in regard to this crucial event. Instead they simply [state](#) that

“assessors did not assess or reach conclusions about whether such bias existed.”

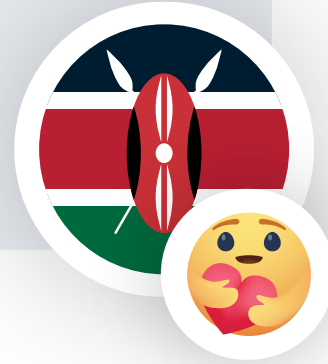
In India, Facebook has also kept a list of leaders who do not need to be fact-checked, some of whom have contributed to increased vitriol against Muslims. The company has only [dedicated resources](#) to combating hate speech in Hindi and Bengali when there are 22 official languages.

Time and again, despite the growing number of reports pointing to their failure to tackle anti-Muslim hate speech, along with concerns regarding them colluding with the BJP in India (the Hindu nationalist party in power), Facebook has failed to take any real and appropriate action beyond defending themselves. And in the one instance it did promise to act (that is, produce this “independent” human rights report), it has failed to come through. As of today, civil society organisations are still demanding the HRIA - and waiting for transparency from Meta.

These misinformation campaigns are not unique to India but part of a larger deficit in the distribution of resources globally. The [majority](#) of the company’s global budget for time spent on classifying misinformation is earmarked for the United States, while only 13 percent is set aside for the rest of the world despite how only 10 percent of Facebook users are in North America.



Brave Whistleblowers Force Meta to Court in Kenya



In 2022, whistleblowers came forward to reveal violations of labor rights and human rights for 43 Facebook content moderators, and the atrocious acts of outsourced content moderation vendors like Sama and Majorel. Former Facebook content moderator Daniel Motaung shared his story of trauma, poverty wages and alleged union busting inside a Facebook content moderation center in Kenya:

It was “Emotionally and mentally devastating,” he says. “I went in ok and went out not ok. It changed the person I was.”

After a long battle, Meta may finally face their day in court. A judge in Kenya’s Employment and Labour Relations Court [has ruled the company can be sued](#) for their layoff of all 260 Facebook content moderators at Meta’s Nairobi hub, run by Sama, and for various rights abuses. The case has been supported by RFOB partner Foxglove, and [was the subject of an RFOB event last Spring](#).

Meta shareholders in Q1 2023 can add another investment to their ledger: massive legal costs to cover up the abuse and mistreatment of hundreds of content moderators.

Still A Good Investment?

“Raise your hand if you know who is getting fired?” a Meta employee wrote in an online chat group for the company’s engineers this month. “Fire emoji if you think it’s a dumpster fire.”

[The New York Times](#) exposed the sinking morale and cratering culture at Meta earlier this month.

With Meta’s algorithm still driving disinformation and hate, the only question left for shareholders is: Why?

Meta’s “Year of Efficiency” at a Glance

4 Rounds of layoffs

21k People laid Off

5k Open positions closed

30% of the Meta’s workforce gone

43% drop in the Meta’s stock price in 19 mos



“Fire emoji if you think it’s a dumpster fire.”