



Public Comment Appendix for

Case 2023-011-IG-UA, 2023-012-FB-UA, 2023-013-FB-UA

Case number

Case description

These cases concern three content decisions made by Meta, two on Facebook and one on Instagram, which the Oversight Board intends to address together. For each case, the Board will decide whether the content should be allowed on Facebook or Instagram. The three pieces of content, all relating to abortion, were posted in March 2023 by different users in the United States. Meta removed the three posts for violating its [Violence and Incitement policy](#), but later determined all were removed in error.

In the first case, a Facebook user posted an image with a caption in a public group which describes itself as supporting traditional values and the “sanctity of human life” while opposing, among other things, the “liberal left.” The image shows outstretched hands with a text overlay titled “Pro-Abortion Logic.” It continues, “We don’t want you to be poor, starved or unwanted. So we’ll just kill you instead.” The caption states “Psychopaths...”

In the second and third cases, users posted news articles reporting on a proposed bill in South Carolina that would apply state homicide laws to abortion, making people who get abortions eligible for the death penalty.

In the second case, an Instagram user posted an image with a caption. The image shows another Instagram post with an image of a news article headline stating, “21 South Carolina GOP Lawmakers Propose Death Penalty for Women Who Have Abortions.” The caption references being so pro-life “we’ll kill you dead if you get an abortion.”

In the third case, a Facebook user posted a link to an article titled “South Carolina GOP lawmakers propose death penalty for women who have abortions.” The caption asks for clarity on whether the lawmakers’ position is that “it’s wrong to kill so we are going to kill you.”

The enforcement processes for these cases were similar. In all three cases, a hostile speech classifier, an automated system to identify potentially violating content, identified the post and sent it for human review. In each case, a human reviewer determined the post violated the [Violence and Incitement Community Standard](#), specifically the provision prohibiting death threats. All three users appealed the removal decisions.

In the first and second case, the case received one additional human review that upheld the removal for violating the Violence and Incitement policy. In the third case, on appeal the human reviewer found the content was non-violating, which led to the post being reviewed for a third time. This reviewer, however, found the content violated the prohibition on death threats and Meta therefore upheld its initial decision to remove the content.

The three users then appealed the cases to the Board. As a result of the Board selecting these cases, Meta determined that its previous decisions to remove the

three pieces of content were in error and restored the posts. Meta stated that, while the policy prohibits threats that could lead to death, when viewed holistically, none of the pieces of content included a threat.

The Board selected these cases to assess whether Meta's policies or its enforcement practices may be limiting discussion about abortion. They fall within the Board's [strategic priority](#) of gender.

The Board would appreciate public comments that address:

- Meta's moderation of content on Facebook on Instagram related to abortion.
- How Meta's Violence and Incitement policy should treat content that uses the word "kill" while discussing abortion and its legality.
- How Meta's enforcement practices may impact current political discussions about abortion in the United States and other contexts.

In its decisions, the Board can issue policy recommendations to Meta. While recommendations are not binding, Meta must respond to them within 60 days. As such, the Board welcomes public comments proposing recommendations that are relevant to these cases.



Public Comment Appendix for

Case 2023-011-IG-UA, 2023-012-FB-UA, 2023-013-FB-UA

Case number

64

Number of Comments

Regional Breakdown

4	5	6	4
Asia Pacific & Oceania	Central & South Asia	Europe	Latin America & Caribbean
0	0	45	
Middle East and North Africa	Sub-Saharan Africa	United States & Canada	

Case 2023-011-IG- PC-12001 United States &
UA, 2023-012-FB- Canada
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Jor-El

Godsey

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Heartbeat
International

Yes

Organization

Response on behalf of
organization

Full Comment

Meta's should be minded that abortion is more than just a political or philosophical conversation. It is a decision being made by individuals who need to know their are many voices, not just the abortion industry, that can help her.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12002	Central & South Asia
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Case number

Public comment number

Region

Yaghub

Mardookhi

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

I agree with the law of the United States that abortion and these things that will end up killing people are inhumane in the eyes of the general public in the world and you should punish these people. I live in Iran and I am the CEO of the company and I support your decisions. I will and I will play my role in this regard

Link to Attachment

[PC-12002](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12003	United States & Canada
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Case number

Public comment number

Region

Mary

Cronquist

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

Public debate is a bedrock of a democratic society. Facebook and its affiliates must not put its hands on the scales, and limit speech- this is dangerous to our freedom.

Abortion elicits, a lot of emotion during comments, and I fully support a social media company's obligation to limit un lawful speech – direct, physical threats from one member to another. However, I vehemently insist that my right to say “abortion takes the life of an innocent human” be protected.

I also urge the board to apply the limiting of unlawful speech unbiasedly! When someone you agree with is threatened, you must stand up to protect them, but just as quickly, if someone you disagree with us threatened, you must stand up to protect them.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12004	United States & Canada
Case number	Public comment number	Region
Robert	Nalewajek	English
Commenter's first name	Commenter's last name	Commenter's preferred language
Centesimus Annus Pro Pontifice, Inc (CAPP-USA)		Yes
Organization		Response on behalf of organization

Full Comment

As a “public square” Facebook and Instagram should allow and even promote civil dialogue on key social issues. With Gallup reporting in 2022 that 50% of the country say abortion should be “Legal only under certain circumstances” abortion is clearly a “key social issue”.

The over 50-year judicial suspension of democratic processes on this topic in the USA stunted the public debate that informed the subject in most European countries - where abortion is not a critical litmus test as it is in the USA.

We will have to now work this out over time and suppressing discussion would not be conducive to civilly achieving consensus.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12005	United States & Canada
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Case number

Public comment number

Region

Riley

Johnson

English

Commenter's first name

Commenter's last name

Commenter's preferred language

The Catholic
Voice

Yes

Organization

Response on behalf of
organization

Full Comment

Meta's platforms are important conduits for organizations like mine to publicize news about topics such as abortion, where there may be information presented from multiple vantage points. Meta's algorithms should allow for civil discussion between those who disagree on abortion, and in an era where rhetorical tactics such as sarcasm are employed regularly, Meta's post regulating algorithms and its human post monitors should maintain an openness that allows for both sides to employ that tactic as can be seen in one of the cases at hand. Killing is the verb inherent in discussion of the abortion - as elective abortion ends the life of the fetus in utero. Discussion of the morality of such an act must allow for the speaker to use plain language in concert with their viewpoint. Meta's human monitors should be able to differentiate a post that threatens actual violence with posts that simply describe the violence that occurs in abortion. Meta should remain conscious of its responsibility to foster engagement between people of differing opinions on major societal topics. Silencing only those of one side of the debate is unfair, strips people of the power to build community and stifles Meta's ability to bring the world closer together.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12006	United States & Canada
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Case number

Public comment number

Region

Grady

Connolly

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Social Thomist

Yes

Organization

Response on behalf of
organization

Full Comment

I am deeply disturbed that there is questions as to whether content surrounding abortion should be allowed on social media platforms. Social media has become the primary resource of this next generation in consuming information. With that, media platforms like Facebook and Instagram should without a doubt allow the free discussion of topics facing our country and world. Without freedom to share information, social media loses its value and provides no room for community building – a value that you supposedly promote. This is a disgrace and as the president of a Catholic social media company, I strongly encourage the freedom to engage in civil discourse online. For those who are not comfortable with the topic. there is no requirement for them to consume that type of content.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12010	United States & Canada
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Case number	Public comment number	Region
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Victor	Rodriguez	nan
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Commenter's first name	Commenter's last name	Commenter's preferred language
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DID NOT PROVIDE	No
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Organization	Response on behalf of organization
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Full Comment

All of the comments are acceptable. They are not threatening actual violence. The first is a bold literary face slap to folks that state an abortion (extinguishing the life of the baby) is better than letting the child be born into poverty. It is simply restating in stark terms the logic that certain abortion rights advocates espouse. When you look at it from that perspective, the sentiment of killing someone so they won't have a bad life is psychopathic. The second comments seems to report an actual bill being considered. It puts the death penalty in stark terms. The state (aka "we") do the killing when the death penalty is allowed. The third is reporting the same as the second and actually seems to be against all killing by showing the irony of killing someone (in the proposed case with the death penalty) because they killed another human through abortion.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12011	United States & Canada
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Case number

Public comment number

Region

Daniel

Vandenberg

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

nan

Link to Attachment

[PC-12011](#)

Case 2023-011-IG- PC-12012 United States &
UA, 2023-012-FB- Canada
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Judith

Hansel

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

6/13/23 I worked with abortion patients in a women's hospital.

I became anti-abortion as a result of my experiences there.

I post photos of aborted babies that regularly get covered up by FB. The act of abortion is violent and gory. The facts of abortion procedures have been kept from the public adding to the false notion that abortion is simple and easy. Fetus is a Latin

Medical term translated as "young one." People cannot make a decision based on half- truths or covered up facts.

Abortion is the most violent act on earth. It needs to be shown

Link to Attachment

OSB has refrained from publishing the picture because of its graphic content.

Case 2023-011-IG-
UA, 2023-012-FB-
UA, 2023-013-FB-
UA

PC-12013

United States &
Canada

Case number

Public comment number

Region

Alison

Centofante

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

Thank you for opening this up for discussion and input. As a free speech advocate and a mother, I take the balanced approach of wanting to protect free speech and protect personal safety. I understand META is in a hard position as you look at much content. I feel your current policies and standards are written in a way to allow human reviewers to clearly distinguish between casual content and content focused on direct and credible threats to individuals. In the conversation around big topics like abortion, police brutality, capital punishment, Black Lives Matters, etc. we will need to be prepared to see more use of words like "KILL" because the conversations involve human life. In the situation of abortion, those on the pro-life side will talk about the killing of children, on the pro-choice side individuals will often talk about the killing of mothers who can't get abortions. In looking at these cases I think they fall into the category of "awful but lawful." They are not nuanced, particularly helpful, or productive, but they are not violating the death threat policy. They harm no one directly. In a free society there has to be room for silly speech. Political satire. This doesn't fit the policy rationale of a credible threat to public or personal safety.

I think of a Democrat Rep. John Rogers saying a few years ago "some kids are unwanted so you kill them now or kill them later." He was a Democrat talking about abortion policy. No one censured that speech. That was his opinion on abortion.

META should teach its human reviewers to allow debated topics to continue to thrive or else FB threatens to lose serious conversation and be a platform allowing the free sharing of ideas.

In researching past cases, I find it fascinating and oddly inconsistent that "Death to Khomeini" would be allowed to stand but not a vague "abortion kills" post. Death to Khomeini is a very direct death threat. Conversations like those used here as examples around abortion are discussing a policy issue and not threatening death to individuals for their views.

[Link to Attachment](#)

No Attachment

Case 2023-011-IG-
UA, 2023-012-FB-
UA, 2023-013-FB-
UA

PC-12016

United States &
Canada

Case number

Public comment number

Region

Craig

Crawford

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

Opinions should always be acceptable on social media but physical threats of killing and violence should not! Threatening to murder someone should be a one strike and your out! Threats of violence (excluding talking about past crimes and wars) should be immediately removed and the persons account privileges revoked.

Link to Attachment

No Attachment

Case 2023-011-IG- PC-12019 Latin America &
UA, 2023-012-FB- Caribbean
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Lewis

Lehman

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

Abortion is the same as taking the life of a defenseless human being. Life starts at the conception, so Abortions is in fact taking away a life. For this reason abortion is in fact killing a human being. The law maker, in a democracy, has the right to propose penalty for a crime. As I stated above, abortion is the assassination of an unborn human being. I oppose death penalty for any crime. However the law maker has the right to express his idea freely. Nowadays our liberty of expression has been chalanged by minority groups who want to impose their ideas over the majority. This is not democratic and is a direct attack on our freedom of free speech.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12021	Asia Pacific & Oceania
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Case number

Public comment number

Region

Karen

Forstaff

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

I am so sick of fact checkers deLeting Public comments. We are smart enough to make our own diecisions. We make our own political decisions. It is not your job to censor what we see politically .advertising the left is control. If you are putting one side of a political debate out , that is coercion and shutting down our discussion could be detrimental to democracy. Peaceful Protests against our government are the only way the people get heard. Its all controlled in sectet meetongs behind closed doors. We live in a tyrannical world now. These are facts ,so stop falsifying the truth. The people are fighting back so we are not controlled. Free speech for all. Its our basic human right. You are a platform for all to speak up, nothing more. Do NoT control the narrative or be controlled by a political agenda. Just stop NOW. We choose freedom of speech. Get out of our lives.

Link to Attachment

No Attachment

Case 2023-011-IG-
UA, 2023-012-FB-
UA, 2023-013-FB-
UA

PC-12022

United States &
Canada

Case number

Public comment number

Region

Wendy

Johnson

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

There must be dialog about abortion. I am a health care professional who is very familiar with this subject and have helped women seeking abortion. It is an absolutely necessary procedure that MUST be legal, easily accessible and SAFE! The government has no business being involved with this very difficult decision. No woman I have ever worked with has chosen abortion on a whim. Accurate, non-faithbased, medical information MUST be the standard for Meta when allowing Posts to be shared. My example:

is an honest exchange that I experienced when calling Senator Robert Clements and spoke to his Aide. What the Aide said to me IS hate speech, misogynistic and ugly. People need to have such information when deciding whom to vote for...it's called informed decision making. Thank you for your time.

Wendy Johnson, RN, BSN

Sent from AOL on Android

Link to Attachment

No Attachment

Case 2023-011-IG- PC-12023 Europe
UA, 2023-012-FB-
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Andrea

La Veglia

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

I do not think there is anything violent in the posts in question. I think it should remain permissible to say that abortion is murder, at most that it is provable philosophically and scientifically. The debate on these issues must be free.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12024	United States & Canada
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Case number	Public comment number	Region
Kim	Gilmore	English
Commenter's first name	Commenter's last name	Commenter's preferred language

DID NOT PROVIDE	No
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Organization	Response on behalf of organization
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Full Comment

This is in reference to the Oversight board referencing removing abortion related posts as they had the word "Kill" in the post. It is well known that Facebook regularly removes posts with the word "Kill" and restricts the users access to the platform. I specifically commented on a post on a huge wolf spider my friend posted and replied "KILL IT" and was immediately restricted from posting for 30 days and the comment was removed as violent. Another commenter on that post commented "Burn your house down" and was also restricted and the comment was removed as violent. I know there are regular words the Facebook algorithms restrict. Kill, Die, Death, Murder, Beat, Hurt, Cut are a few of the words that I have seen are automatically restricted. I posted an image on January 6, 2021 of the rioters at the capitol with a quote about "Death to traitors" and was also immediately given a 30 day restriction and the post was removed as violent. A third example; a friend posted an image of a badly designed Victorian home. I commented that the long dead architect should be dug up and beaten with a stick over the monstrosity of a house. This was a joke, but immediately I was given a 30 day restriction and the comment was removed as violent.

Meta is not just limiting discussion about abortion. They are limiting the use of specific words, no matter how you use them.

Link to Attachment

No Attachment

Case 2023-011-IG- PC-12025 United States &
UA, 2023-012-FB- Canada
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Michael

Morris

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Media Research
Center

Yes

Organization

Response on behalf of
organization

Full Comment

<https://www.newsbusters.org/blogs/free-speech/heather-moon/2023/06/08/we-can-save-them-time-bozell-rips-facebook-oversight>

‘We Can Save Them Time’: Bozell RIPS Facebook Oversight Board, Preempting Abortion Case Reviews

Bozell RIPS Facebook Oversight Board, Preempting Abortion Case Reviews

The Oversight Board for Facebook and Instagram parent company Meta plans to announce three abortion-related posts that have been censored, looking at whether pro-abortion Meta platforms are stifling debate about the issue. But it doesn’t require any scrutiny to know the answer.

The Meta Oversight Board has invited the public to comment on three cases involving the censorship of posts related to abortion discussions in the United States. The announcement claims that this will help it “look at whether Meta’s enforcement practices may be limiting discussion about abortion in the U.S.” The Oversight Board’s invitation to submit comments will close on Thursday, June 29.

MRC President Brent Bozell said no comment period is necessary and that the Oversight Board doesn’t need to review whether Meta’s enforcement practices are limiting discussion on abortion in the U.S. “We can save them time,” said Bozell. “Facebook hates the pro-life movement.”

The 18 documented cases (12 Facebook, 6 Instagram) recorded in MRC Free Speech America’s exclusive CensorTrack database illustrate Bozell’s point. For example, Facebook flagged a video posted by both Alliance Defending Freedom and SBA Pro-Life America that explained a lawsuit filed against the U.S. Food

and Drug Administration (FDA). The lawsuit alleged harms caused by common abortion pill drugs. The platform slapped a warning on the post, claiming the post contained “partly false information” and that “Independent fact-checkers say this information has some factual inaccuracies.” The PolitiFact fact-check, written by staff writer Samantha Putterman, relied on the statements of Dr. Daniel Grossman to rebut claims in the lawsuit. But Grossman, a professor of obstetrics, gynecology and reproductive sciences at the University of California, San Francisco, is actively working to expand access to the abortion drugs in question according to pro-life activist group Live Action, an obvious conflict of interest.

In another case, former U.S. Ambassador to the U.N. and Republican presidential primary candidate Nikki Haley and former Housing and Urban Development (HUD) Secretary Ben Carson and his wife Candy posted a screenshot of a Lila Rose tweet criticizing a Colorado abortion law that explicitly allowed abortion up to the moment of birth in April of 2022. Facebook flagged the two posts, applying fact-checks produced from biased fact-checkers Lead Stories and PolitiFact, ultimately reducing the reach and engagement of the posts.

Some of the other prominent cases where Meta platforms have censored pro-life content include when Instagram suspended the account of the Students for Life chapter at Auburn University Oct. 13, 2022, according to purported screenshots. The platform cited its "Community Guidelines on business integrity," but did not explain how the account violated this rule.

Both Facebook and Instagram also censored a post by MRC quoting then-HUD secretary Dr. Ben Carson on Planned Parenthood’s founder Margaret Sanger’s racist views. The two Meta platforms applied a PolitiFact fact-check to claim that the MRC post was “missing context,” but the fact-check applied to the MRC post was from 2015 and appeared to be referencing an entirely different Ben Carson quote.

In another outrageous case of censorship, Instagram found the iconic 1999 image of an in-utero baby’s fingers holding the fingers of the surgeon saving its life to be “sensitive content.” Instagram placed a sensitive content filter over the image, requiring users to click a small link in order to view the image.

There’s really no doubt about where Meta stands on the abortion issue, and it's completely ridiculous for the Oversight Board to treat the matter like it’s still an open question.

Conservatives are under attack. Contact your representatives and demand that Big Tech be held to account to mirror the First Amendment while providing transparency, clarity on so-called hate speech and equal footing for conservatives. If you have been censored, contact us at the Media Research Center contact form, and help us hold Big Tech accountable.

[Link to Attachment](#)

[PC-12025](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12026	United States & Canada
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Case number

Public comment number

Region

Withheld

Withheld

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Withheld

No

Organization

Response on behalf of
organization

Full Comment

The comment posed no threat to anyone and stated the intent of the law. I support the comments as is.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12027	United States & Canada
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Case number

Public comment number

Region

Tommy

Tucker

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

Free speech must remain protected, particularly in the United State when it is constitutionally protected! While I'm personally not comfortable using words like we will kill you if you have and abortion, I do think saying you could be charged with a death penalty crime would be acceptable.

This indicates it more of semantics that subject matter. As long as threats to harm or kill aren't directed at a specific individual, it should be allowed under free speech. If the recipient is offended they may simply delete the post and or block the sender. Problem solved!

Link to Attachment

No Attachment

Case 2023-011-IG-
UA, 2023-012-FB-
UA, 2023-013-FB-
UA

Case number

PC-12029

Public comment number

United States &
Canada

Region

Craig

Commenter's first name

Parshall

Commenter's last name

English

Commenter's preferred language

American Center
for Law and
Justice

Organization

Yes

Response on behalf of
organization

Full Comment

nan

Link to Attachment

[PC-12029](#)

Case 2023-011-IG- PC-12030 United States &
UA, 2023-012-FB- Canada
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Shireen

Shakouri

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Reproaction

Yes

Organization

Response on behalf of
organization

Full Comment

Since the Supreme Court ruling in *Dobbs v. Jackson Women’s Health* Organization removing the federally protected right to abortion, people with the capacity for pregnancy have not only been stripped of their full body autonomy but face grave repercussions at the hands of politicians proposing and passing increasingly punitive laws regarding abortion. It is clear, both from a decades’ long history of these kinds of proposed bans as well as the flurry of proposed regulations immediately following *Dobbs*, that their ultimate goal is full criminalization of abortion and punishment (including jail time) for those who seek abortions, perform abortions, or assist in helping people receive abortions. During this time, social media platforms have taken it upon themselves to overzealously censor and remove factual content related to abortion while allowing disinformation to flourish. Based on Reproaction’s own research, we know that thousands of people are not finding vital information on how and where they can receive an abortion – a time-based medical procedure – while instead anti-abortion disinformation is allowed to flood feeds, and even making it into some of the egregious laws that anti-abortion politicians propose.

Social media platforms, including Meta, must be proactive in enacting policies that target and remove mis- and disinformation while allowing science-based, health care-informed, accurate and proven data on abortion to be found by those that desperately need it. Nobody should be censored for stating facts about abortion, including its long track record of safety and it’s powerfully and overwhelmingly positive effects on the lives of those who are able to choose and access it. And, at the same time, nobody seeking information about abortion should be forced to wade through proven falsehoods – and, in fact, those falsehoods should be able to be commented on and removed.

Meta should enact policies that not only protects abortion information but

allows for full freedoms to comment on the egregious, punishing policies being proposed.

Link to Attachment

No Attachment

Case 2023-011-IG- PC-12031 United States &
UA, 2023-012-FB- Canada
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Joe

Szalkiewicz

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Yellow Line
Digital

Yes

Organization

Response on behalf of
organization

Full Comment

My name is Joe Szalkiewicz and I am the President of Yellow Line Digital, a digital advertising agency that often uses Meta platforms on behalf of our clients. We serve purpose-driven organizations who are focused on doing good in the world, some of whom work directly with women affected by abortion. I am writing on behalf of my team and as an active Meta advertiser to encourage Meta not to censor the abortion topic on its social channels.

On Meta's moderation of content on Facebook and Instagram related to abortion:

Meta exists for users to engage with content that spans the spectrum of entertainment, newsworthy and current affairs, and personal relationships. We understand that Meta has a vested interest in protecting community members from both online and offline violence and incitement to violence. It is an admirable goal and we fully support the good stewardship of the platform enforcing guidelines to ensure this.

That being said, abortion is a hotly debated topic that is both of a newsworthy nature and a public affair about which information should not be censored. News-related articles, clips, and content should be permitted on Meta channels to keep the American public informed of legislative updates in regards to abortion. In the same way, there is value in users being permitted to share their unique personal stories, experiences, and opinions as members of this digital community.

Organizations on both sides of the abortion debate use social media to connect with their audience to offer mental and physical support, compassion, and community for women who have had abortions and those otherwise impacted.

And in the same way, users can find community among people who have had similar experiences to them, who share the same beliefs and values, or who are looking for resources and need advice. From Planned Parenthood to Catholic Charities, we believe that social media channels have the responsibility to let these organizations share their messages about abortion on Facebook and Instagram. In the same way, users should be permitted to share their thoughts and experiences so that the broader community can be made aware of all information and resources, even from those who hold an opposing view.

On how Meta's Violence and Incitement policy should treat content that uses the word "kill" while discussing abortion and its legality:

The basis of the debate on using the word "kill" while discussing abortion is rooted in the question of whether the act of an abortion is violent or violence against another. On one hand, those in favor of abortion have determined that the act of having an abortion does no harm to the fetus, called "fetus" to reinforce the idea that the pre-born are not human and if they are, that they do not have priority as unique individuals and therefore the consequences of the abortion are irrelevant during the post-abortion care for the mother.

On the other hand, those who oppose abortion believe that the act of terminating a pregnancy by any means is an act of violence against a human child who has constitutional rights, who is a unique individual deserving of the same protections as other citizens, and who has value as a living, created being. To make this point clear, this side of the argument has to use language that acknowledges violence to the unborn. If Meta were to censor the abortion topic based on use of the word "kill" in certain posts they would be consciously censoring one half of a debate arguing the fundamental belief our society has about violence and the inherent value and rights of its people.

How Meta's enforcement practices may impact current political discussions about abortion in the United States and other contexts:

The abortion issue is highly political because of these larger implications of societal morals and norms. Censoring the entire issue or one side would have a great impact on the dissemination of information from political candidates and parties who need to solicit feedback from their communities to properly establish new laws and legislation.

The heart of Meta's function is to connect people to others.

We ask that Meta does not remove abortion related content, even that which uses unsavory language, and we advocate that Meta foster dialogue on both sides of the argument so that users can be exposed to both sides of the issue and discern the truth.

[Link to Attachment](#)

[PC-12031](#)

Case 2023-011-IG- PC-12033 Asia Pacific &
UA, 2023-012-FB- Oceania
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Withheld

Withheld

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Withheld

No

Organization

Response on behalf of
organization

Full Comment

The first case - Delivering a child or not is a choice that the woman has to make. Of course she has limitations. For example, it would be very hard and dangerous to abort a pregnancy of 28 weeks. But until the limited times allowed by the medical bodies after research, this is the woman's choice. Case closed. The argument around killing the embryo can differ from place to place, community to community, and region to region. This is a personal matter and nobody should be pressuring anyone on the decisions or beliefs. As a content, if the discussions around the content are openly allowed, the content can be on the platform for discussion. But as a platform, Meta can stay neutral, and do not disturb the discussions.

The second and third case were a threat to pro-choice communities. They might not be a direct threat but they are threatening from the community level. Abortion is not killing. That's a fact. Threatening to kill, on the other hand, is intended to kill. Same goes for asking death penalties for a basic human right.

The use of the word "kill" should be monitored and filtered in discussions around abortion. But healthy discussions around abortion should be allowed as Meta has become the place where largest group of people in the world operates in. But in my personal opinion, there's not much to discuss. Abortion is the woman's choice. It is never an easy way out. It is never a good feeling. It is never a release. And men should be out of the way for this discussion if they are not supportive. No uterus, no opinion!

Link to Attachment

No Attachment

Case 2023-011-IG- PC-12035 Europe
UA, 2023-012-FB-
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Louise

McCudden

English

Commenter's first name

Commenter's last name

Commenter's preferred language

MSI Reproductive
Choices

Yes

Organization

Response on behalf of
organization

Full Comment

nan

Link to Attachment

[PC-12035](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12036	United States & Canada
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Case number	Public comment number	Region
Withheld	Withheld	English
Commenter's first name	Commenter's last name	Commenter's preferred language

Withheld	No
Organization	Response on behalf of organization

Full Comment

We know that marginalized genders have historically faced discrimination and that Meta must rectify past failures in addressing power dynamics and privilege.

The majority of Americans support the right to abortion. Therefore, algorithmic and moderation policies should avoid disproportionately favoring anti-abortion rhetoric or cisgender men's perspectives, as they create unnecessary controversy and hinder speech and debate.

Cases 2 and 3 showcase state-endorsed gender-based violence and emphasize the need for inclusive discussions that differentiate between hate speech and violence and advocate against hate speech and violence.

Furthermore, medical disinformation about abortion, especially medication abortion, poses a direct threat to life and demands urgent attention and using ableist hate speech perpetuates harmful stereotypes and undermines efforts to combat mental health stigmas.

Meta can foster a welcoming platform that encourages debate without promoting gendered hate and violence by addressing these issues.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12037	United States & Canada
Case number	Public comment number	Region
Withheld	Withheld	English
Commenter's first name	Commenter's last name	Commenter's preferred language
Withheld		Yes
Organization		Response on behalf of organization

Full Comment

Executive Summary

The examination of these cases through a gender lens reveals several key points: Marginalized genders have historically faced discrimination, requiring the protection of their human rights.

Meta must rectify past failures in addressing power dynamics and privilege.

The majority of Americans support the right to abortion.

Abortion is not uncommon: Nearly one in four women in America will have an abortion by age 45.

The Board should prioritize the needs of marginalized communities.

Case 1 highlights the need for posts that equate abortion with murder to be labeled hate speech. Labeling abortion as “murder” overlooks the systemic barriers and inequalities that affect marginalized communities’ access to comprehensive reproductive health care.

Cases 2 and 3 showcase state-endorsed gender-based violence and emphasize the need for inclusive discussions that differentiate between hate speech and violence and advocating against hate speech and violence.

Medical disinformation about abortion, especially medication abortion, poses a direct threat to life and demands urgent attention.

Ableist hate speech perpetuates harmful stereotypes and undermines efforts to combat mental health stigmas.

By addressing these issues, Meta can foster a welcoming platform that

encourages debate without promoting gendered hate and violence.

Examining these cases through a gender lens

Throughout U.S. history, genders that do not conform with cisgender masculinity have been and are marginalized. Women, transgender, and nonbinary people are still severely underrepresented in positions of power in government and business leadership. They make less money than their cisgender men counterparts, giving them less influence on law and politics through the use of “money as a form of speech.”, Any attempt to take away bodily autonomy and rights from these groups is not a matter of political opinion--it is about basic human rights and dignity. In fact, more than 200 human rights groups have urged the United Nations to intervene in the U.S. based on its recent abortion policies

In the past, Meta has failed to account for power dynamics and privilege when dealing with gender discrimination. It banned a comedian who commented “men are trash” on her friend’s post about the experience of receiving threats of violence and rape from numerous men., In this case, the men who made the threats should have been removed/banned, not the friend who commented to offer support.

Similarly, these identified cases should not be viewed in isolation but rather within our society’s gendered systems of power and privilege. The Board must question whose voice Meta is amplifying, and who is being silenced. The Board must prioritize the needs of the impacted community--pregnant people and people who could become pregnant, especially those who are BIPOC, disabled, LGBTQ+, low income, or immigrants. Accordingly, the Board must focus on creating a nuanced set of recommendations that center the needs of the impacted community. Specifically, the Board must recommend policies that remove and ban violence, hate speech, threats, or incitement against abortion seekers, activists, providers, or their friends and family, while allowing room for users to advocate against hate and violent legal policies. Moderation policies must have a nuanced set of criteria to differentiate hate speech and harmful or violent content from content that is explaining or advocating against hate and violence.

Case 1: Equating abortion to murder

The Board should consider banning posts that label abortion as “murder” or use similar terms as a form of violence or hate speech that targets the marginalized group of people who get abortions. As previously established, people who are capable of becoming pregnant lack the societal power and privilege to influence laws, courts, and election in the same way cisgender men can. Calling abortion murder is not only factually incorrect but also deeply harmful to the people who get abortions as well as to the majority of Americans who support the right to abortion.

Calling abortion “murder” dismisses the fundamental right of individuals, especially women and marginalized communities, to make decisions about their bodies and reproductive health. It undermines their agency and autonomy,

disregarding their right to make decisions about what happens to their bodies.

Labeling abortion as “murder” overlooks the systemic barriers and inequalities that affect marginalized communities’ access to comprehensive reproductive health care. Calling abortion “murder” contributes to the shaming and stigmatization of individuals who have had abortions or are considering them. This rhetoric perpetuates harmful narratives that equate reproductive choices with criminal acts, creating a hostile environment that further marginalizes and silences those seeking reproductive health care. Abortion is not uncommon: Nearly one in four women in America will have an abortion by age 45.

There is no other circumstance where people are expected to sacrifice their body for someone else and where failing to do so would be considered murder. For example, failing to throw yourself into oncoming traffic to stop someone else from being hit by a car is not considered murder. Organ donor programs require that the life of the donor is saved and prioritized—doctors are not expected to give up trying to save someone because they have another patient who needs a kidney, yet this is not considered murder or criminal.

It is essential to consider the language used when discussing reproductive rights. The framing of abortion as “murder” relies on emotionally charged rhetoric that aims to manipulate public opinion. Engaging in respectful debate about reproductive rights and choices does not mean intentionally stigmatizing an entire group of people and accusing them of crimes. Banning posts that label abortion as “murder” as a form of violence or hate speech is necessary to create a respectful environment for discussions or debates about reproductive health care.

Case 2 and Case 3: Differentiating between posts that are advocating for and against violence and hate

Case 2 and Case 3 involve posts discussing proposed laws that equate abortion to murder and seek to punish abortion patients with death. Both cases are examples of how moderation and algorithmic policies need to differentiate between hate speech and violence and those advocating against hate and violence or providing educational resources. Meta’s policies must allow users to raise awareness, provide educational materials, and organize against policies promoting violence, as in both Cases 2 and 3. By carefully evaluating posts and considering the intent and context behind them, Facebook can promote healthy discussions, encourage productive dialogue, and stop the spread of extremism and violence.

Social media platforms have become powerful tools for social activism and raising awareness about important issues. By permitting posts that condemn hate and violence, Facebook enables users to voice their opinions, share educational resources, and mobilize communities against harmful ideologies.

Distinguishing among posts that advocate against hate and violence and those promoting them is crucial for combating online radicalization and extremism. Extremist groups often use social media platforms to recruit and spread their ideologies of hate and violence. Meta has a responsibility to remove content that

disseminates harmful and dangerous ideas that can lead to real-world harm. Hate speech and violent content can have severe consequences, including inciting real-world violence, fostering discrimination, and causing emotional harm.

Case 2 and Case 3: State-endorsed gender-based violence

Case 2 and Case 3 shed light on the gravity of state-endorsed gender-based violence and the need for robust moderation and algorithmic policies. Both are advocating against the death penalty for abortion, but there are posts on Meta platforms supporting these policies. Any post advocating for these policies must be taken seriously and promptly removed. Advocating for such policies is tantamount to endorsing genocide and should be recognized as a grave violation of human rights. It is important to note that these policies would disproportionately affect marginalized communities, sending low-income individuals, BIPOC communities, immigrants, disabled individuals, and LGBTQ+ individuals to prison or a state-mandated death sentence. These individuals often lack the necessary resources and support to protect themselves or access alternative options, compounding the human rights violation. Legitimizing violence against abortion patients through these discussions could lead to direct threats and an increase in violence against abortion providers and patients at a time when both are already on the rise. Advocating for abortion patients to be killed cannot be divorced from the context of gender-based violence. Any type of violence directed toward women or transgender people cannot be taken lightly because it encourages and feeds into the ongoing epidemic of gender-based violence. Statistics show that in the U.S.: 1 in 7 women compared to 1 in 25 men have been injured by an intimate partner; 1 in 5 women compared to 1 in 71 men have been raped in their lifetime; 19.3 million women compared to 5.1 million men have been stalked. In 2021, the Human Rights Campaign tracked a record number of violent fatal incidents against transgender and gender non-conforming people--with 50 fatalities documented.

Case 2 and 3: Related uses of killing and violence against abortion patients, providers, and supporters

The Board must also consider content that advocates for criminalizing or promoting harm toward patients, providers, advocates, caregivers, friends, and nonprofit organizations assisting patients. The criminalization of health care providers and the targeting of those involved in providing health care services pose significant dangers to individuals and society as a whole. Calling for criminal charges against patients, helpers, patient advocates, and providers only exacerbates the issue and undermines access to safe and compassionate health care.

The Board also needs to consider broader examples of how “killing” and related terms (murder, execute, assassinate, electrocute, put to death, slay, poison, etc.) are used against abortion patients, providers, activists, etc. Posts suggesting that abortion seekers, providers, or activists should be killed should be removed as inciting violence even if not a direct threat to one person. While this issue is not explicitly present in the cases mentioned, it is related to the use of “killing” and similar terms.

Violence against providers, patients, advocates, and their friends and family has dramatically increased in recent years, and any post advocating more violence furthers this problem. According to the National Abortion Federation (NAF), which has been tracking these incidents for over 45 years, since 1977, there have been: 11 murders, 42 bombings, 200 arsons, 531 assaults, 492 clinic invasions, 375 burglaries, and thousands of other incidents of criminal activities directed at patients, providers, and volunteers. For example, in 2009, George Tiller, an abortion doctor in Kansas, was murdered while attending church in Wichita. In 2015, a gunman opened fire at a Planned Parenthood clinic in Colorado Springs, killing three people. In 2022 alone NAF found that: Stalking increased by 913% (from 8 in 2021 to 81 in 2022); obstructions increased by 538% (from 45 in 2021 to 287 in 2022); bomb threats increased by 133% (from 3 in 2021 to 7 in 2022); burglaries increased by 100% (from 5 in 2021 to 10 in 2022); and assaults and batteries increased by 29% (from 7 in 2021 to 9 in 2022).

The Board must recognize the broader implications of language that promotes violence or harm, prioritize the safety and well-being of health care providers and patients, and implement policies that foster an environment of education, awareness, and advocacy against violence.

Disinformation can be life-threatening

Medical disinformation about abortion, particularly medication abortion, must be addressed on Meta platforms, because it creates a direct threat to life by encouraging people to take steps that have sent women to the emergency room. UltraViolet and dozens of medical professionals raised this urgent issue directly to Meta staff in 2022.. For example, abortion “reversal” is a non-medical term used by those who are anti-abortion to describe a medically unproven protocol. In December 2019, the results from the first randomized control study (the highest level of scientific study) on abortion “reversal” were published. This study had to be ended early because of significant safety concerns, namely heavy bleeding that in some cases required blood transfusion and even emergency surgery. Notably, the American College of Obstetrics and Gynecology (ACOG), which publishes practice guidelines for OB-GYN care, including abortion, does not recommend the practice, stating that “claims of medication abortion reversal are not supported by the body of scientific evidence, and this approach is not recommended in ACOG’s clinical guidance.” This is not a political issue. It is about the inherent and potentially life-threatening dangers of allowing false medical information to overrun Meta platforms, undermining patient safety and the authority and trust of the FDA, especially amid an ongoing global pandemic. Any medical disinformation is a threat to public health and safety. Allowing this information to continue unchecked and even profiting from paid advertisements is not only irresponsible corporate behavior-- it is a breach of Meta’s policies prohibiting the promotion, sale, or use of unsafe products or inappropriate use of regulated products. We urge the Board to take immediate action to limit the spread and reduce the harms of medical disinformation about mifepristone and misoprostol: Remove disinformation, link to accurate medical information, and expand disinformation policies to include a ban on medical disinformation.

Case 1: Psychopath as ableist hate speech

The comment in Case 1 that refers to an entire group of people as “psychopaths” must be removed immediately for its hateful and discriminatory nature. Clinical terms, such as “psychopath,” should not be casually used to label behaviors, let alone an entire group of people. These terms have specific meanings and are utilized by professionals for diagnostic purposes, not as slurs. Using words like “psycho” or “crazy” is a common way to target women, particularly Black women., It is not a coincidence that this language is being used in the context of abortion, as its purpose is to cast women as mentally unstable and undermine their autonomy and decision-making.

Carelessly throwing these words around harms people with mental health disorders. Clinical psychologist Scott Bea, from the Center of Behavioral Health at Cleveland Clinic, emphasizes that this kind of language trivializes mental health and can have a profound impact on those who live with these conditions. Approximately one in five Americans experiences a mental illness, according to the National Alliance on Mental Illness (NAMI). Labeling someone as “crazy,” “sicko,” or “psycho” perpetuates the misconception that individuals with mental illness are dangerous. In reality, evidence shows that people with mental illness are more likely to be victims than perpetrators of crimes.

Moreover, misusing psychiatric illness as a means of insult only serves to perpetuate stigmas and discourage people from openly discussing their struggles and seeking help. Sarah Petersen, assistant professor of psychology at the University of Pittsburgh, affirms that this misuse further hinders progress by creating barriers to addressing mental health issues.

“Psychopath” is not listed in the Diagnostic and Statistical Manual of Mental Disorders (DSM), the authoritative guide used by mental health professionals for diagnosis. This derogatory comment must be recognized as hate speech and promptly removed.

Link to Attachment

[PC-12037](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12038	United States & Canada
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Case number	Public comment number	Region
Andrea	Trudden	English
Commenter's first name	Commenter's last name	Commenter's preferred language

DID NOT PROVIDE	No
Organization	Response on behalf of organization

Full Comment

It is important to have an open and respectful conversation on social issues. While there are times when certain words may trigger flags and require another set of eyes to ensure no threat or harm, it is important to look at the context behind such verbiage. In this case, using terms like "kill" to describe an abortion. The Oxford Dictionary defines "kill" as

/verb

1. cause the death of (a person, animal, or other living thing).
2. put an end to or cause the failure or defeat of (something).

This accurately describes the act of abortion and therefore should not be censored.

Passions run high on most social issues, which is why it is important to allow for debate on such topics. The topic of abortion is very personal and invokes very different emotions depending on which side of the debate you land. Open and honest conversations that offer differing views helps offer an understanding as to why someone has a particular perspective and allows an opportunity to challenge another's view on the same matter. This helps advance a cause and invites new support and therefore should not be hindered so long as it does not promote violence.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12039	United States & Canada
Case number	Public comment number	Region
Marjorie	Dannenfelser	English
Commenter's first name	Commenter's last name	Commenter's preferred language
Susan B. Anthony Pro-Life America		Yes
Organization		Response on behalf of organization

Full Comment

Dear Members of the Oversight Board,

On behalf of our more than one million members from all 50 states, I write to urge you to uphold the right to free speech on Meta’s platforms.

We are encouraged to see the Oversight Board reviewing posts related to abortion. While the three posts currently under review are not posts we would have published, none of them meet Meta’s criteria for violence and incitement.

Simply discussing an act of violence in the first post – which is what abortion is – is not itself an act of violence. Abortion is inherently violent. No honest discussion of it can avoid that fact.

The hostile speech classifier may not be able to distinguish between the use of the word “kill” and an active threat, which raises the question: is it actually useful? However, it is more disturbing that human reviewers were unable to distinguish between the two and that so many appeals were required to achieve justice.

Unfortunately, our posts, specifically ads and peer-reviewed research, have suffered similar censorship. Meta has been suppressing our posts since at least 2018, when informational videos telling the stories of Micah and Charlotte who were born at 22 weeks and 24 weeks, respectively, were removed from the platform. Just this year, Politifact issued a misleading “fact check” on peer-reviewed data – data that is validated in the fact check itself.

1. The Charlotte and Micah posts were cited for “sensational/graphic content.” The content in question depicted babies in the NICU and the lifesaving care they received at a young age.

2. A 2019 educational campaign highlighting the benefits of adult stem cell transplants, which consisted mostly of interviews with doctors and patients, received the same citation. The capacity of modern medicine to treat these patients is remarkable, but to call it sensational denies the skill of the medical professionals involved.

3. In 2020, during the critical final weeks of the election campaign, Meta banned two of SBA Pro-Life America's ads exposing Joe Biden and Kamala Harris's support for late-term abortion in the key battleground states of Pennsylvania and Wisconsin, based on a factually incorrect third-party "fact check" from The Dispatch. Even after The Dispatch issued an apology and retracted its "partly false" rating on October 16th, Meta still did not remove the label until October 29th, after multiple inquiries from our team. Meta's actions severely limited SBA Pro-Life America's ability to reach voters with important facts in the days and weeks leading up to election day.

4. Most recently, in March 2023, Politifact issued a "fact check" – sourced primarily from statements of a prominent abortion activist. By enabling such biased "fact checks," Meta is taking sides and stifling the national conversation on abortion. Facebook should rectify this situation and review their fact-checking process immediately.

In 2019, the Hon. Marilyn Musgrave, Vice President of Government Affairs at SBA Pro-Life America, testified before the Senate Judiciary Committee about the censorship of the "Charlotte" and "Micah" videos; our adult stem cell research series, and our political ads. She also spoke about censorship we have faced on other platforms like Google and Twitter. What she said then still holds true:

"Once or twice could arguably be written off as a mistake – but as our experience shows and as one writer for the Wall Street Journal pointed out, it's a "mistake" that keeps happening over and over and demonstrates a pattern of censorship toward the pro-life viewpoint specifically."

While we are encouraged to see the Oversight Board taking steps in the right direction, there is still work to be done.

We appeal as Americans to the right to free speech, and as human beings to the right to tell the truth in defense of the powerless. And we urge Meta to avoid the temptation to act as the "arbiter of truth," but rather to allow free and thoughtful discussion around difficult – but important – issues such as abortion.

Attached, please find a timeline of Meta's censorship of SBA Pro-Life America and our sister organization Charlotte Lozier Institute's posts. We urge you to hold Meta accountable and keep Facebook open as a platform for free and fair debate.

Sincerely,

Marjorie Dannenfelser

President

Susan B. Anthony Pro-Life America

Timeline

October 2018: candidate ads and “Charlotte,” “Micah” ads removed.

- Facebook censors Charlotte Lozier Institute educational video on late-term abortion, featuring Micah Pickering, who was born at 22 weeks old.

Facebook cited violation of its policy against promoting sensational/graphic content.

- Facebook censors Charlotte Lozier Institute educational video on late-term abortion, featuring Charlotte, who was born at 24 weeks old.

Facebook cited violation of its policy against promoting sensational/graphic content.

- Facebook censors SBA Pro-Life America’s “Charlotte” ad for the second time, citing violation of its policy against promoting sensational/graphic content.

February 2019:

- Facebook censors an SBA Pro-Life America/Charlotte Lozier Institute education campaign highlighting the benefits of adult stem cell transplants, stating that the video included “shocking, sensational, or excessively violent content, which could create an unexpected experience for users.”

October 2020:

- Facebook bans two of SBA Pro-Life America’s ads exposing Joe Biden and Kamala Harris’s support for late-term abortion in the key battleground states of Pennsylvania and Wisconsin, based on a factually incorrect third-party “fact check” from The Dispatch.

The Dispatch retracted its “partly false” rating on SBA List’s ads on October 16th.

Facebook, however, did not remove the label until October 29th, following multiple SBA Pro-Life America inquiries.

March 2023:

- Facebook and Politifact “fact check” Alliance Defending Freedom and SBA Pro-Life America’s posts about abortion pill complications, rating them “partly false,” despite the fact that the Politifact affirms the statistic in its own article:

Researchers reported that about 20% of the women who took medication for their abortions experienced what the paper described as adverse events or complications.

[Link to Attachment](#)

[PC-12039](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12040	United States & Canada
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Case number	Public comment number	Region
Christian	Nunes	English
Commenter's first name	Commenter's last name	Commenter's preferred language

National Organization of Women	Yes
Organization	Response on behalf of organization

Full Comment

There are real-world consequences to the cavalier use of incendiary language like “kill” or “murderer” in the context of a political debate. As Iris Luarisi, Chair of a working group of the Council of Europe on the digital dimension of violence against women, wrote,

“Online violence is a continuation of the violence that occurs against women and girls on a daily basis. It is amplified, extended, and aggravated by using the internet and digital devices.”

Using violence to achieve political goals is on the rise, particularly regarding abortion. Meta’s Violence and Incitement policy and enforcement practices must recognize the rise of inflammatory speech and where that speech can lead.

In the years following Roe v. Wade decision, anti-abortion extremists waged a campaign that included stalking, intimidation, and violence against doctors who provided abortion care. As a result, the state of Mississippi went from 14 clinics in 1981 to only one remaining clinic at the time of the Dobbs decision--the Jackson Women’s Health Organization. At this clinic, anti-abortion extremists masquerade as clinic volunteers, wearing decoy “escort” vests and taking down license plates to further harass clients.

In a recent national clinic violence survey by Feminist Majority Foundation, 52 percent of responding clinics experienced targeted threats and intimidation, including stalking, harassment, and more. According to the National Abortion Federation, violent incidents at abortion clinics more than doubled in just one year, from 521 incidents in 2016 to 1,081 in 2017. In 2019, the most recent year complete figures were published, there were 1,724 acts of violence at abortion

clinics.

From 1977 to 2019, acts of anti-abortion violence included 12 murders, 26 attempted murders, at least 756 threats of harm or death, 620 stalking incidents, and four kidnappings. Crimes directed at clinic facilities included 42 bombings, 189 arsons, 100 attempted bombings or arsons, and 662 bomb threats.

The hateful abuse to which women are subjected to online, including using words like “kill,” cause many women to withdraw from participating online, including on social media networks – even those designed to build community and create a safe space for topical and political conversations.

What’s more, if someone uses a “forbidden” word in a post about abortion, or some other controversial topic, that user could see their post flagged, or the user can be put in “Facebook jail” and have their posting privileges taken away. The recent announcement that Facebook will issue a warning for a first violation, instead of an immediate ban, is an evasion, not a solution. The algorithm must be fixed—not the consequences to users who inadvertently trigger it.

Meta states “that aim to prevent potential offline harm that may be related to content on Facebook,” There is ample documentation of actual harm that can be related to content on Facebook. Your community standards must match your own policy rationale.

Link to Attachment

[PC-12040](#)

Case 2023-011-IG- PC-12041 United States &
UA, 2023-012-FB- Canada
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Martha

Dimitratou

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Women on Web

Yes

Organization

Response on behalf of
organization

Full Comment

The online abortion provider Women on Web and the feminist legal organization Women's Link Worldwide would like to submit the following public comments for Meta's Oversight Board consideration when assessing whether Meta's policies or its enforcement practices may limit the discussion about abortion.

Meta's moderation of content on Facebook and Instagram related to abortion.

There is no democracy without equality, non-discrimination, and the guarantee of human rights and fundamental freedoms. These principles, rights, and freedoms are not respected when half of the population has little or no exercise in their sexual and reproductive rights and autonomy. A democracy is only as healthy and strong as the status of women's and girls' rights. There is a correlation between democracy and the quality of the debates around abortion and people's access to reliable, scientific, and truthful information about reproductive health, autonomy, and abortion. Protecting the right to access healthcare information is an effective way of fighting mis and disinformation. On the other hand, content moderation has been disproportionately affecting abortion advocates such as Women on Web, severely limiting the scope and quality of the discussion about abortion.

Right to access information

Because of the inherent imbalance between individuals and the states or large private entities, the right to access information has developed a crucial role in countering power and control. The public's right to information has three components: to seek, receive, and impart information. Governments are obliged to provide adequate access to accurate information as prescribed by international human rights law, including information related to health.

Guaranteeing the right to access information –e.g., about abortion–ensures access to other rights, such as the right to healthcare, and contributes to the accessibility of health services and to people’s ability to make free, well, and fully informed decisions about their body and their sexual and reproductive health—intimate aspects that relate to their personality and their private and family life. Additionally, the right to access information has been recognized as an essential requirement for democracy, as a means for citizens to adequately exercise their political rights.

Sexual and reproductive health rights and its connection with the right to access information

The right to sexual and reproductive health, as an integral part of the right to health, is recognized in Article 26 of the American Convention of Human Rights (“ACHR”), which includes the right to access sexual and reproductive services and the right to reproductive autonomy. The right to sexual and reproductive health is fundamentally linked to the enjoyment of many other human rights, including the rights to education, work, and equality, as well as the rights to life, privacy and freedom from torture, and individual autonomy.

The right to access information in all health-related matters is an essential part of sexual and reproductive rights. The Inter-American Court of Human Rights (“IA Court HR”) has affirmed that “[t]he right to sexual and reproductive health right is related, on the one hand, to autonomy and reproductive freedom, in terms of the rights to make autonomous decisions about their life plan, their body and their sexual and reproductive health, free from violence, coercion, and discrimination. On the other hand, it refers to access to reproductive health services as well as to information, education, and the means to enable them to exercise their right to decide freely and responsibly the number of children to have and the interval between births”.

Characteristics of the information on sexual and reproductive health rights

According to the IA Court HR the right to access information must be granted from a “maximum disclosure”, meaning that all information must be accessible, and the exceptions should be a limited system. Access to information on sexual and reproductive health rights must be granted in a framework of equality and non-discrimination, and “all individuals and groups should be able to enjoy equal access to the same range, quality and standard of sexual and reproductive health facilities, information, goods and services, and to exercise their rights to sexual and reproductive health without experiencing any discrimination”. For this purpose, an intersectional and gender approach must be considered.

The Inter-American Commission on Human Rights (IACHR) has stated that “it is not possible for women to attain the full enjoyment of human rights without timely access to comprehensive healthcare services, as well as to information and education in this area, so that they can make free, informed, and responsible decisions regarding reproduction.” For this reason, it is essential that information on reproductive matters is “timely, complete, accessible, reliable and proactive”, and should be understandable, up-to-date, and use accessible language.

How Meta's Violence and Incitement policy should treat content that uses the word "kill" while discussing abortion and its legality.

Right to freedom of expression

The right to freedom of expression plays a similarly important role as the right to access information for developing democracies. The IA Court of HR characterized this right as “a cornerstone upon which the very existence of a democratic society rests. It is indispensable for the formation of public opinion (...)” and “it represents, in short, the means that enable the community, when exercising its options, to be sufficiently informed”. “Consequently, it can be said that a society that is not well informed is not a society that is truly free”.

Freedom of expression has a double dimension: 1) the individual dimension, which refers to the possibility to speak or write one’s own opinions, including “the right to use whatever medium is deemed appropriate to impart ideas and to have them reach as wide an audience as possible”, and 2) the collective dimension which involves “the right of each person to seek to communicate his own views to others, as well as the right to receive opinions and news from others.” In this connection, the right to freedom of expression also entails the right of access to information.

The promotion and protection of the right to freedom of expression must be combined with efforts to combat discrimination, intolerance, incitement to violence, and hate speech.

Limitations to the right to freedom of expression

The UN High Commissioner for Human Rights has developed a threshold test to distinguish speech acts that amount to incitement to hatred, the so-called Rabat Plan of Action. The purpose of this six-part test is to assist judicial authorities in defining restrictions on freedom of expression to identify cases where a speech act can amount to incitement to hatred and may be punished by criminal law.

Even under normal circumstances, freedom of expression is not an absolute right. Countering hate speech and fighting mis and disinformation have been two reasons often argued to curtail and limit freedom of speech and information. However, there are very strict requirements on how freedom of expression and information can be restricted, which involve a three-step test: “(i) the restriction must be provided by law, (ii) pursue a legitimate purpose and, (iii) be suitable, necessary and proportional”.

Rather than imposing restrictions, States are encouraged to promote and protect free and independent media and to maximize transparency and access to information to build trust in public institutions, governance, and processes. They should encourage public participation at all levels and enable meaningful dialogues and debates. Some States have implemented digital and media literacy programs to enable more resilient and meaningful online participation. Such initiatives promote critical thinking skills that empower people to identify, dispel and debunk disinformation. States should also invest in tools and mechanisms that support independent fact-checking with the participation of

journalists and civil society.

The use of the word “kill” in the context of access to abortion creates stigmatization that puts people who advocate for reproductive rights at risk and limits the debate.

Stigmatization is a deeply contextual, dynamic social process; stigma from abortion is the discrediting of individuals because of their association with abortion. Research by the Guttmacher Institute has described three groups affected by abortion stigma: (i) women who have had abortions, (ii) individuals who work in facilities that provide abortion, and (iii) supporters of women who have had abortions, including partners, family, and friends, as well as abortion researchers and advocates. The research discusses five causes of abortion stigma, including the violation of female ideals of sexuality and motherhood, attributing personhood to the fetus, legal restrictions, the idea that abortion is dirty or unhealthy, and the use of stigma as a tool for anti-abortion efforts.

Anti-abortion forces have helped to increase stigma by using fetal images (many of which were not alive or in utero as implied by the photos) and interpreting them in ways that suggest abortion is equivalent to murder. These images have effectively erased pregnant women from view, decontextualizing the fetus and overstating its independence from the woman who carries it and the social circumstances of her life. Abortion stigma is affected both by legislative initiatives that establish fetal personhood and gestational age limits and by discourses that influence cultural values. By constructing the fetus as a person and abortion as murder, antiabortion forces argue that women or providers –or both—should be seen as murderers.

Stigmatization fosters hostility against abortion supporters, incentivizes online harassment against them and polarizes the abortion debate. There needs to be a public debate about the legality of abortion that is open and not censored. It is in the public interest to have such a debate, and it is a public interest debate. Posts stigmatizing abortion services and healthcare can easily escalate, allowing for intimidation and forms of online and offline harassment and incitement to violence. This contributes to silencing women and abortion advocates and supporters. For all these reasons, using the word ‘kill’ when referring to the interruption of pregnancies is unsuitable for a healthy and democratic debate. According to the UN Special Rapporteur for Freedom of Expression and Opinion, any legitimate restriction of hate speech needs to reconcile the protection of open debate in a democratic society and the personal autonomy of individuals. The hateful expression targeting vulnerable group members can lead to social stigma, reinforce racial stereotypes, and encourage discriminatory treatment against them. While not every form of hate speech falls outside the margins of protected speech, the potential collective harm such expression can cause may still be significant for its targets, especially when the debate around abortion is heated and polarized in the US. In an uncertain environment, the stigmatization fueled by misinformation and disinformation could deepen discrimination against women and abortion supporters.

Corporate responsibility to respect and uphold human rights when doing content moderation

Tech companies must uphold corporate due diligence in content moderation derived from internationally recognized guidelines such as the OECD Guidelines for Multinational Enterprises and the United Nations Guiding Principles on Business and Human Rights (UNGPs). These standards hold significant weight as various stakeholders globally endorse them, including businesses, governments, and civil society. The essence of these obligations lies in companies demonstrating their commitment to respecting human rights within their operations, activities, and business relationships.

According to the Special Rapporteur on the right to health, “businesses are expected to take several measures, including ... putting in place an effective human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights and have in place processes to enable the remediation of any adverse human rights impact they cause or to which they have contributed or been linked”. Similarly, the Special Rapporteur on the protection of freedom of opinion and information has highlighted the complexity of legal compliance when local laws are vague or inconsistent with human rights norms. As a solution, she suggests adopting a human rights framework and highlights how “(t)he Guiding Principles and their accompanying body of “soft law” provide guidance on how companies should prevent or mitigate government demands for excessive content removals. But they also establish principles of due diligence, transparency, accountability and remediation that limit platform interference with human rights through product and policy development. Companies committed to implementing human rights standards throughout their operations—and not merely when it aligns with their interests—will stand on firmer ground when they seek to hold States accountable to the same standards. Furthermore, when companies align their terms of service more closely with human rights law, States will find it harder to exploit them to censor content”.

When aligning content moderation practices with these international standards, tech companies should adopt a gender lens to respect human rights, minimize discriminatory practices, and create a safer and more inclusive online environment for all individuals. The UNGPs gender dimension report emphasizes the importance of developing and evaluating gender-sensitive and gender-responsive policies, identifying overlapping vulnerabilities, and assessing the gender sensitivity of grievance mechanisms. In the context of content moderation, decisions must extend beyond takedowns. The UNGPs can help bridge self-governance gaps by establishing a more explicit link between companies and the specific risks and impacts women and other marginalized groups face. Adopting a holistic approach is crucial to effectively consider gender, vulnerability, and intersectionality when analyzing the harmful impacts of content moderation.

Examples of impacts of content moderation on Women on Web’s healthcare information.

Meta frequently takes down Women on Web’s (also other organizations working in digital repro spaces) accounts and removes posts that share health information on safe abortion. At the same time, disinformation around abortion

is spreading freely on a platform that values engagement over accuracy.

Despite multiple appeals to Meta, accounts often remain disabled for extended periods. The reason for the suspension, according to Meta, is typically that our accounts have gone against their ‘Community Guidelines’ by inciting people “to purchase, sell, raffle, gift, transfer, or trade certain goods and services on our platform” or against “Community Standards on guns, drugs and regulated goods.” Accounts have been permanently removed for sharing information on abortion on these same grounds.

It is also not lost on us that often the blocking coincides with politically charged times like for example, in 2020 when all our Polish accounts were disabled when the Polish Constitutional Court ruled that the law allowing for abortion due to fetal impairment was unconstitutional.

Specific impacts on Ads: Half of Women on Web’s ads are take down, and our Meta business account has been restricted since 2021 and is at risk of being permanently shut down at any time. Since early 2021, we have attempted to run around 140 ads through Meta. Of those, 90 were rejected at first submission. Even after we appealed the rejections, only about half were allowed to run.

It is known that Meta has the ability and has previously muted speech and removed content (even if allegedly, too late) during the Capitol Hill riots, for example. This serves as an example that a more nuanced content moderation that relies on evidence-based information is possible. Still, there seems to be no or little political will for it. Meta and other tech companies hide behind the tech and algorithms as if tech alone has agency. However, it is people who are behind the technology.

Women on Web has had so much of their content removed and not restored that it’s shocking to learn that the posts to be reviewed were restored. This indicates disparate content moderation by Meta and how it’s disproportionately impacting abortion advocates and providers, ultimately limiting the discussion about abortion. The disparate way in which platforms moderate online content and behavior, often with the stated aim of creating safe online spaces, can function to exacerbate existing or create new harms. An example is the over- and under-removal of specific content or shadow banning. Crucially, the creation or continued existence of these harms as a result of content moderation is not equally distributed among different groups and disproportionate harm marginalized communities. This disparate impact is visible throughout the whole of content moderation policies and systems as they determine who is protected and who is considered a threat to ‘online safety’. On the one hand, there is clear evidence that over-removals disproportionately harm marginalized groups such as sex workers or Black people. Similarly, a range of qualitative research documents confirms the experiences of marginalized groups such as LGBTQ+, people of color, or non-binary people with platform policies and content moderation enforcement mechanisms that disproportionately target them and their content. On the other hand, extensive research shows how content moderation systems and policies are not equipped to deal with, or even biased against the online harms faced by marginalized groups, such as racist hate speech, or the harassment of women online. The early-internet-optimism

about the equalizing effect of online communication has, by now, given way to the realization that not only social media but also how content is moderated can both reflect and exacerbate existing inequalities.

Link to Attachment

[PC-12041](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12042	United States & Canada
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Case number

Public comment number

Region

Meridian

Baldacci

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Family Policy
Alliance

Yes

Organization

Response on behalf of
organization

Full Comment

We would like to comment specifically on this sentence in the first case: "We don't want you to be poor, starved or unwanted. So we'll just kill you instead." The word "kill" here is not used as a threat of violence toward someone else. Instead, it is being used to make an argument highlighting an implicit assumption of some common arguments for abortion. It is very common to hear a pro-abortion advocate express concern about an unplanned child facing poverty, rejection, or other hardships. These challenges are presented as a reason for an abortion, which is at its core the intentional ending of a human life (hence the use of the word "kill.") The post expresses a valid perspective that it is worse to kill someone because of potential challenges in their life than to let them live and help them meet and solve those challenges. While not everyone may agree with this perspective, it is a valid and non-violent expression of thought that should be allowed to help promote open dialogue on Meta's platforms. Thank you for the opportunity to weigh in on this important discussion.

Link to Attachment

No Attachment

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12043	United States & Canada
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Case number

Public comment number

Region

Jane

Eklund

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Amnesty
International USA

Yes

Organization

Response on behalf of
organization

Full Comment

Please see attachment for full comment.

Link to Attachment

[PC-12043](#)

Case 2023-011-IG- PC-12044 Latin America &
UA, 2023-012-FB- Caribbean
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Lincoln

Machado
Domingues

English

Commenter's first name

Commenter's last name

Commenter's preferred language

LDomingues
Advogados

Yes

Organization

Response on behalf of
organization

Full Comment

Greetings,

Recently, the BOARD stated that it would be receiving, up to 06/29/2023, public comments on United States posts discussing abortion. According to information obtained directly from the BOARD's website, public comments regarding the following topics would be appreciated:

- META's moderation of content on FACEBOOK and on INSTAGRAM related to abortion.
- How META's Violence and Incite policy should treat content that uses the word "kill" while discussing abortion and its legality.
- How META's enforcement practices may impact current political discussions about abortion in the United States and other contexts.

Therefore, as INSTAGRAM users (@lincoln.domingues and @matheusguerios) and as lawyers and partners at LDOMINGUES ADVOGADOS (a Brazilian Law Firm that is active in abortion discussions), we would like to submit public comments regarding such topics. There is no opposition from ourselves regarding the publicity of our comments and identities, which can be made public by the means the BOARD deems useful.

META's moderation of content on FACEBOOK and on INSTAGRAM related to abortion.

In an INSTAGRAM post from 06/08/2023, the BOARD mentioned the selection of three cases to assess whether META's policies or its enforcement practices may

be limiting discussion about abortion. In addition to that, this post says that “as a result of the BOARD selecting these cases, META determined that its removals of all three posts were incorrect.”

Firstly, it is clear that META was right to determinate that its removals from such posts were incorrect. Such clearness is perceived in all the three posts.

In the first case, that consists in a FACEBOOK post stating – among other things – that the “pro-abortion logic” consists of a sense that “we don’t want you to be poor, starved or unwanted. So we’ll just kill you instead”, there was no reason at all to repute such post as a death threat, due to the fact that the term “kill” was not used, by any mean, to pose any offline threat to a specific person or group. Actually, the aforementioned term was just designated to express, under the regular limits of freedom of speech, a perspective that abortion can be seen, among many other things, as an instrument of social eugenics.

It is relevant to mention that such point of view was not “only” manifested in the use of freedom of speech, but also based in a perspective that is not isolated at all, since abortion has already been reputed as something able to put eugenics in practice . That said, the first case mentioned in the aforementioned post was not only legit under a freedom of speech and non-violent perspective, but also under a reasonability perspective, since it only manifests a different outlook of an existing postulate (abortion can be made for eugenics reasons).

In the second and third cases, the users’ posts were not violent at all (and therefore should have never been removed), since the references to the act of killing were only made in a comment regarding a proposed bill in South Carolina that would apply state homicide laws to abortion. Therefore, the references to killing are only connected to the proposed legal consequence of abortion in that state: the death penalty, which is executed by means of one person killing another.

How META’s Violence and Incite policy should treat content that uses the word “kill” while discussing abortion and its legality.

According to the TRANSPARENCY CENTER, META’s Violence and Incite policy rationale is to “prevent potential offline harm that may be related to content on Facebook.”

That said and comprehended, it is clear that, under a teleological perspective, the purpose of META’s Violence and Incite policy is not to forbid the use of the word “kill” in discussions regarding abortion and its legality or any other topic, since such term is usually employed by pro-life users in order to state that abortion should be seen (according to their opinion) as a form of killing babies, and not to pose a death threat to anyone in an offline circumstance.

Actually, under pro-life user’s opinion, referring abortion as a form of killing babies is a mean of deterring abortion and – therefore – killing. Therefore, the use of the word “kill” in discussions related to abortion and its legality may clearly be helpful to the rationale of META’s Violence and Incite policy, specially when employed by pro-life users.

In addition, it should be noted that, since the association of abortion to the act of unlawfully killing is of great importance to pro-life users' ideas, forbidding such association would harm the balance of the abortion debate in INSTAGRAM and FACEBOOK, since pro-life users would not be able to express one of their most basic opinions. Just in order to compare, forbidding pro-abortion users to use the word "choice" while discussing abortion and its legality would be just as harmful to the balance of the debate as forbidding the word "kill", since one of the most basic perspectives of pro-abortion users is that abortion should be reduced to a simple choice.

Therefore, the use of the word "kill" should not be forbidden while users discuss abortion and its legality, except in specific cases in which pro-life and pro-choice users employ the word "kill" in order to pose a threat of offline harm to other users.

How META's enforcement practices may impact current political discussions about abortion in the United States and other contexts.

It is notorious that META's platforms are used worldwide as a means for political discussions. In reality, FACEBOOK and INSTAGRAM make political debate greater and accessible to people that, due to several reasons, would never be able to engage in such form of discussion if not by FACEBOOK and INSTAGRAM

Due to this fact, it is clear that META's enforcement practices will continue to impact political discussions about abortion in the United States and other contexts (countries included).

Taking that under consideration, and since freedom of speech is protected by THE CONSTITUTION, META's only concern should be to guarantee the right of manifestation of ideas and opinions to all users in relation to abortion, since anything different than that would only be harmful to such a basic freedom.

In addition to that, it should be noted that any other intervention in the aforementioned political discussions would be harmful to democracy itself, because FACEBOOK and INSTAGRAM are two of the most relevant social media platforms that are used in political discussions about abortion (and many other topics). Therefore, the way META's enforcement practices are established is crucial to ensure that such discussions are made in an equal and impartial environment, and not a biased one.

Yours sincerely,

Lincoln Domingues and Matheus Guérios.

Link to Attachment

[PC-12044](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12046	United States & Canada
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Case number	Public comment number	Region
Melissa	Fowler	English
Commenter's first name	Commenter's last name	Commenter's preferred language

National Abortion Federation (NAF)	Yes
Organization	Response on behalf of organization

Full Comment

As the Chief Program Officer of the National Abortion Federation (NAF), I have worked for many years to support providers of abortion care. NAF is the professional association of abortion providers; NAF's mission is to unite, represent, serve, and support abortion providers in delivering patient-centered, evidence-based care. In my time at NAF, there have been two fatal attacks on our members. I also supervise NAF's Security program, which makes me well-positioned to speak to the impact that extremist anti-abortion rhetoric and misinformation have on health care workers who provide abortion care and their patients. That impact has been devastating, and deadly. We fully support public discourse in which people can share diverse opinions; however, that discourse must not include lies and misinformation that incite violence.

Since 1977, NAF has compiled invaluable statistics on anti-abortion violence, allowing us to track patterns and trends. In May, we released our 2022 violence and disruption statistics, which are available at: <https://naf.news/2022stats>. Since 1977, there have been 11 murders, 26 attempted murders, 42 bombings, 200 arsons, 531 assaults, 492 clinic invasions, 375 burglaries, and thousands of other criminal incidents targeting abortion patients, abortion providers, and abortion volunteers. NAF's 2022 violence and disruption statistics show increases in major incidents like arsons, burglaries, death threats, and invasions overall; a sharp increase in violence and disruption in states that are protective of abortion rights; and anti-abortion centers ramping up efforts to deceive and obstruct patients seeking abortion care. In 2022, our members reported 218 death threats or threats of harm, up from 182 in 2021; stalking increased 229%, from 28 incidents in 2021 to 92; burglaries rose 231%; and arsons increased 100%. What's more, we know that misinformation about providers and anti-abortion

rhetoric stokes this violence. In our work to protect abortion providers and document threats against them, we have seen firsthand how lies that demonize providers and safe medical care can contribute to an environment where some people think it is justifiable to harm abortion providers, and this propaganda can incite people to commit acts of violence. Lying as a form of public discourse is not only immoral and corrosive to democracy—it is also the source of a decades-long reign of terror for those who provide abortion care. That is the reality. Given Meta’s role in the realm of our public commentary, its policies must reflect that reality.

At the heart of the three cases the Oversight Board is considering is the use of the word “kill”. In the first case subject to this review, a Facebook user posted an image of outstretched hands with a text overlay titled “Pro-Abortion Logic” and text, “We don’t want you to be poor, starved or unwanted. So we’ll just kill you instead.” This post inaccurately and dangerously characterizes a safe, legal health care procedure as killing and spreads misinformation. Meta’s Community Guidelines state that: “We remove misinformation where it is likely to directly contribute to the risk of imminent physical harm.” This post is an example of such misinformation.

Language targeting abortion providers that inaccurately accuses them of “killing” or labels them as murderers is calculated to incite violence and physical harm against providers and has done so for decades. In the 1980s and 90s, politicians looking to raise funds began spreading misinformation and lies about abortion providers that extremists still echo today. This language went unchecked, and extremists—having been told that violence was necessary and justified to stop those who were themselves “killing”—targeted abortion providers. People chained themselves in an attempt to block clinic doors. Clinics were set on fire. There were bombings. However, when these activities failed in stopping abortions, some in the anti-abortion movement began advocating for the murder of providers, and in 1993, Dr. David Gunn was murdered outside his clinic—the first abortion provider killed by an anti-abortion extremist.

There has also long been a significant online component to this extremist misinformation, labeling providers as “murderers” and a safe health care procedure as “killing”. For example, Dr. Gunn was featured in an online “WANTED” style poster before his murder, as were other now-slain abortion providers. Since Dr. Gunn’s murder, there have been 10 more murders and 26 attempted murders, most recently in Colorado Springs in 2015, when the online posting of heavily and deceptively doctored videos directly instigated an attack on a clinic mentioned in the videos, resulting in the murder of three people.

Just last year, we saw “WANTED” style posters used by an anti-abortion extremist who stood outside a NAF member clinic with a flaming torch, holding a photo of one of the clinic’s abortion providers including his full name, personal information, and the word “WANTED” printed on it. Through a megaphone, they shouted details about his family: his wife’s name, how many children he had. They then posted a video of these threats on a public social media page, ensuring that their incitement to violence reached a wide audience.

Prior to his assassination in 2009, NAF member Dr. George Tiller was repeatedly

demonized and called “Tiller the Killer” by FOX News personality Bill O’Reilly. This moniker no doubt fomented hate toward Dr. Tiller and other abortion providers—the kind of hate that would prompt an extremist to take a gun into a church and take the law into his own hands.

After decades of tracking threats and violence, we know that such language sparks anti-abortion extremists to take violent action. In the internet age, when misinformation can spread to an unlimited audience in a matter of seconds, Meta must ensure that anti-abortion extremist rhetoric does not go unchecked. The violence must stop.

The online spread of extremist anti-abortion rhetoric and misinformation has led directly, time and time again, to violence, including fatal violence, against abortion providers and their patients. Meta’s content regulation decisions on this topic must take into account this decades-long history and take extremely seriously its role in preventing further anti-abortion violence.

Meta plays a significant role in our society's communication of ideas, both productive and potentially dangerous. In our richly pluralistic society, striving to live up to the ideals of democracy, we should all value the ability to voice conflicting opinions. But Meta must not let extremists use our commitment to speech as a cover for incendiary lies that render public discourse meaningless and inspire and justify violence.

Link to Attachment

[PC-12046](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12047	United States & Canada
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Case number	Public comment number	Region
Jeanne	Mancini	English
Commenter's first name	Commenter's last name	Commenter's preferred language

March for Life Education and Defense Fund	Yes
Organization	Response on behalf of organization

Full Comment

June 29, 2023

Dear Members of the Oversight Board,

On behalf of March for Life Education and Defense Fund and the millions of pro-life Americans who march to end abortion, I am writing to respectfully submit the following public comments on Meta's content moderation policy related to public discourse on abortion and how Meta's enforcement practices may impact current political discussions about abortion.

The March for Life has been at the forefront of uniting, educating, and mobilizing pro-life individuals for 50 years in the public square. Since our first March in 1974, millions of marchers have collectively gathered to highlight the importance of protecting human dignity and addressing threats posed by abortion.

While the March for Life has traditionally exercised the right to assemble and advocate for pro-life policies through physical gatherings, it is equally crucial that the digital public square remain a space for free, open, and honest dialogue around abortion.

That being the case, I write today with the following serious concerns 1) the science around nascent life, and pro-life viewpoints, are being arbitrarily stifled online, and 2) given the magnitude of the human rights issue of life, silencing such posts influences the consumer in a dangerous and manipulative fashion, and 3) some March for Life posts are being silenced or downplayed, despite our science-based approach and respectful tone.

First, on the question of when life begins, thousands of medical professionals nationwide hold that there are two distinct lives – mother and child – that must be treated and accounted for during a pregnancy with human life starting at fertilization. According to the National Institutes of Health (NIH), “biologists from 1,058 academic institutions around the world assessed survey items on when a human's life begins and, overall, 96% (5337 out of 5577) affirmed the fertilization view.”

According to the American Association of Pro-Life Obstetricians and Gynecologists (AAPLOG) Statement: “Abortion is not healthcare. As physicians and other healthcare professionals, we know that when we care for pregnant women, we are caring for two distinct patients. Our duty is to protect and preserve the lives of the patients whom we care for.... The science is clear – at the moment of fertilization, a new distinct, living and whole human being comes into existence. Abortion, which is an action whose sole intent is to end this life, clearly violates the basic tenets of medical ethics.”

Therefore, any mechanism, including human review and AI-powered detection tools, that effectively hinders or restricts the distribution of such expression, despite the scientific consensus on the beginning of human life, indicates a bias toward a particular viewpoint and should be subject to reassessment.

Second, Meta's content moderation also raises significant concerns regarding the broader landscape of dialogue around a human rights issue of this magnitude. Limiting posts of a certain view influences such a dialogue in an alarming manner, stymies freedom of speech, and respectful dialogue.

Abortion ends a human life and harms women; expectant parents and people of goodwill deserve to know this information and hear anecdotes sharing such stories.

Such suppression biases public awareness, limits education, and restricts access to vital information surrounding the right to life, the reality of abortion, and the humanity of the unborn child. While citizens and lawmakers engage in discussions about abortion policy, the indisputable truth remains that abortion ends a human life, and our nation's laws ought to reflect these self-evident truths. Women and children should be protected in our nation's laws, not subject to the harms of abortion.

Third, Meta's moderation of content on Facebook and Instagram related to abortion appears to have directly impacted the March for Life Education and Defense Fund's Instagram account resulting in a decrease in engagement on certain posts, stifling an open and honest dialogue. An example of such posts would include those that have used the hashtag #AbortionIsNotHealthcare.

The attached files show an overview of the performance of a video post featuring the hashtag #AbortionIsNotHealthcare. This post is noteworthy since Instagram's content moderation system (whether algorithmic or by human review) prevented it from being prominently featured on our audience's Instagram feed, including March for Life staff's personal account feeds.

In the image files titled M4L 23hrs and M4L 23hrs Insights, metrics show that 23 hours after the video went live, the post had only received 21 likes and 1,634 views. This performance stands out as a significant outlier when compared to other posts, as illustrated in the image files titled M4L Engagement Jan31 - Mar30 and M4L Views Jan 31-Mar30.

The data reveals that this particular post's engagement and views were comparable to days where no posts were made. Consequently, we deleted the post featuring the hashtag #AbortionIsNotHealthcare and reposted it without the hashtag, resulting in improved performance within our typical range of engagement.

As our organization holds a vested interest in contributing to an open and honest discussion about the right to life, protections for women, and educating the public on abortion, we would hope that social platforms such as Facebook and Instagram would act in good faith and be transparent and just with their community guidelines and enforcement practices, rather than influence and bias such conversation.

In conclusion, we recommend that Meta's Community Standards and content moderation practices first do no harm to public debate and second be intellectually consistent with the common understanding that life begins at fertilization, and abortion harms women and ends a human life.

We sincerely appreciate the Oversight Board's consideration of this important issue, and we thank you for your commitment to fostering an environment where truth can be sought through dialogue.

Should you require any further information or resources, please do not hesitate to reach out to us.

Respectfully submitted,
Jeanne F. Mancini

President

March for Life Education and Defense Fund

Link to Attachment

[PC-12047](#)

Case 2023-011-IG- PC-12048 United States &
UA, 2023-012-FB- Canada
UA, 2023-013-FB-
UA

Case number Public comment number Region
nan nan English
Commenter's first name Commenter's last name Commenter's preferred language

Center for Yes
Intimacy Justice
Organization Response on behalf of
organization

Full Comment

June 29, 2023

Center for Intimacy Justice (CIJ) welcomes the opportunity to submit guidance and expertise for the 2023-011-IG-UA, 2023-012-FB-UA, 2023-013-FB-UA Meta Oversight Board cases which regard posts in the United States that discuss abortion.

This public comment shares CIJ’s research findings that – well beyond Meta’s Violence and Incitement policy that is discussed in this Oversight Board’s case – Meta’s systems and enforcement of multiple Meta policies currently suppress health information. A number of Meta policies are cited by Meta in its removals or rejections of online information, including Meta’s: (1) Social Issues, Elections or Politics Ads Policy;(2) Prescription Drugs Policy;and (3) Adult Products Policy. The issue of Meta’s suppression of information regarding abortion spans even beyond the Violence and Incitement policy – and prevents access to health information to large numbers of people.

Center for Intimacy Justice is a non-profit organization leading research and investigations regarding algorithmic practices, and/or policies, by Big Tech platforms that block access to women and people of diverse genders’ sexual and reproductive health information. Given that CIJ’s expertise extends to content moderation of sexual and reproductive health, this public comment will address Question 1: “Meta's moderation of content on Facebook on Instagram related to abortion.”

Question 1: “Meta's moderation of content on Facebook on Instagram related to abortion”

Meta's current content moderation practices currently significantly limits access to vital information about health at a time when sexual and reproductive health service access (particularly abortion) are severely limited in the United States. Sexual and reproductive health services and information are being severely restricted across the United States due to federal and state policies, and wrongful rejection of sexual and reproductive health content that adheres to Meta's policies further contributes to existing disparities. The impact of Meta's content moderation policies, practices, and enforcement is also clearly in conflict with the Board's Strategic Priority of Gender which states a specific interest in the gendered obstacles women and LGBTQI+ people face in exercising their rights to freedom of expression, including the effects of gender-based distinctions in content policy.

In January 2022, Center for Intimacy Justice (CIJ) published its first report in the New York Times. Our data and analysis found that of the 60 sexual and reproductive health organizations and businesses CIJ studied that serve women's health and health for people of diverse genders, 100% of those studied had experienced Facebook and/or Instagram rejecting their advertisements. Meta platforms were also found to have suspended half (50%) of survey respondents' advertising accounts. Meta's current content moderation policies and practices discriminate against women and people of diverse genders' sexual and reproductive health information including abortion, menstrual health, menopause, endometriosis, pelvic pain, consent education, pregnancy care, and more – often misclassifying it as “adult” or inappropriate content, despite the content being straightforward health information and carefully following content policies. This phenomenon has occurred while Meta continues to permit suggestive ads regarding male sexual wellness (e.g. for erectile dysfunction). Meta's rejections include rejecting advertising from abortion services companies and organizations such Plan C and Wisp (the largest telehealth abortion provider in the United States).

A few months after CIJ's report release, Meta published wording additions to its Adult Products & Services (as well as Adult Nudity) advertising policies, stating that “advertisers can run ads that promote sexual health, wellness and reproductive products and services.” CIJ has continued to research this issue even after Meta's updated policies were published; however, many of the rejected ads that are a part of CIJ's research, including abortion-related content, continue to be rejected despite clearly adhering to Meta's advertising content policies. Providers and organizations such as MSI Reproductive Choices, Ipas, Hey Jane, Wisp, and others have faced countless rejections of advertising broad sexual and reproductive healthcare services. Importantly, there are a number of Meta's policies, beyond those referencing violence, that Meta systems are currently citing when suppressing abortion-related information – in the enforcement of Meta's policies. According to our research, sexual and reproductive health content (both posts, advertising, and other information), specifically including abortion, has been removed under the (1) Adult Products Policies, (2) Prescription Drugs Policy, and also the (3) Social Issues, Elections or Politics Ads Policy. The following section includes examples of content wrongfully removed and which policies were cited for their removal.

I. Examples of Wrongfully Rejected Content

Example 1 (Under Use of “Prescription Drugs Policy”): This example is a post from selfguidedabortion.com that was shared with Center for Intimacy Justice after the post was removed for being cited as violating Meta’s Prescription Drugs Policy. This, however, is inaccurate because according to Meta’s Prescription Drugs Policy “Promoting prescription drugs is not allowed without prior written permission from Meta. Eligibility is limited to online pharmacies, telehealth providers and pharmaceutical manufacturers. To apply for permission, you’ll need to complete the prescription drug advertiser application.” This advertisement is not promoting the sale of any medicated abortion pill and it is not promoting taking a medicated abortion pill; it is only advertising an informational resource for those who have questions about the medicated abortion process. In fact, selfguidedabortion.com does not sell or promote the sale of any prescription drugs and it only serves as a resource to learn about how to safely manage people’s own abortion after already having acquired the prescription drugs required to perform a medicated abortion.

Ipas has faced similar rejections for sharing purely educational content about medicated abortions. On April 27, 2023, they shared a post on Instagram detailing the removal of an education ad stating that the post was in violation of Instagram’s guidelines on sale of illegal or regulated goods.

Example 2 (Under Use of “Social Issues, Elections or Political Ads Policy”): MSI Reproductive Choices one of the world’s largest providers of sexual and reproductive health services (including abortion), shared with Center for Intimacy Justice earlier this year that:

“Facebook regularly removes or rejects advertisements for both our services, our fundraising, and raising awareness of reproductive health and rights. It is not always clear what the rationale or objection is for these decisions, making it impossible to plan content.”

This is a common occurrence amongst sexual and reproductive health service providers that the content they post is blocked – for advertising and other channels such as posts. A major reason is that abortion and reproductive health is often flagged as a social issue under Meta’s Social Issues, Elections or Politics Ads Policy and therefore it is taken down. Although we understand that sexual and reproductive health and rights is an important social and political issue in the United States, it is still, unequivocally, healthcare and should be allowed as long as it closely follows all other advertising and content policies. It is also worth noting that men’s sexual and reproductive health content does not face the same level of scrutiny under the Meta’s Social Issues, Elections or Politics Ads Policy. CIJ’s research has documented approved men’s health advertisements that include language such as “Get hard or your money back” while advertising erectile dysfunction medication. This is all to say that there appears to be a gender-bias in the determination of what is a social and political issue in sexual and reproductive health advertisements under this policy that has a disparate and profound impact on women and people of diverse genders.

II. The Board's Strategic Priority of Gender

The Oversight Board's Strategic Priority Area of Gender states that "The Board is interested in exploring gendered obstacles women and LGBTQI+ people face in exercising their rights to freedom of expression, including gender-based violence and harassment, and the effects of gender-based distinctions in content policy."

Comprehensively addressing Meta's current gender-biased content moderation policies, practices, and enforcement against sexual and reproductive health, including abortion, would further the Board's Strategic Priority of Gender in the following ways:

Enable information access for millions of women and people of diverse genders, who currently lack access to vital health information, rather than worsening the structural health inequities that are rampant along gender and sexuality lines.

Stop the stunting of technological development and innovation supports women and people of diverse gender's sexual and reproductive health (currently startups in this space are held back from investment due to not being able to advertise, which prevents them from growing).

Enable language and information that includes and allows sexual and reproductive health and wellbeing of women and people of diverse genders, through access to vital information being shared online.

III. Solutions

(a) For information currently wrongly blocked by Meta as "Adult":

Currently, Meta allows extensive men's sexual and reproductive health and wellness information online (in both advertisements and content). These ads often use far more explicit or suggestive language in their advertising – regarding male sexual pleasure. Yet many individuals, organizations, and brands – many of which closely follow Meta's Global Ads policies and other content moderation policies – that serve health for women and people of diverse genders are flagged as adult content. When it comes to sexual and/or reproductive health information (including information inside ads), which Meta's systems currently very frequently misclassify as "adult products" or "adult nudity," Center for Intimacy Justice recommends that: (1) Meta improve and change its algorithmic practices to majorly change and to reduce the amount of wrongful rejection of sexual and reproductive health information for women and people of diverse genders;(2) for those advertisers that still get flagged under the algorithms, despite their ads complying with Meta's policies already: Meta could create an equitable user verification system that enables advertisers for sexual and reproductive health and wellness (areas that Meta has commonly rejected the ads for, according to CIJ and other reporting), which Meta's systems have been shown to very frequently reject in enforcement) to share information without being misclassified as adult products or nudity under Meta's content moderation algorithms;(3) CIJ also recommends that Meta further revise its policies to be further inclusive of sexual health for women and people with vulvas. Meta should allow products such as vibrators, which – in

areas including those that Meta’s current policies say are allowed, such as “products that address symptoms of menopause” or “pain relief during sex” – provide medical and important benefits, and are disproportionately used (according to research by University of Indiana-Bloomington at the School of Public Health) for and by women.

(b) For reproductive health information currently blocked by Meta as “Social Issues, Elections or Political Ads Policy,” “Prescription Drugs Policy,” “Adult Products Policy,” and the “Violence and Incitement Policy”:

The enforcement of these policies, and the policies themselves, should be systematically reviewed, for systemic impact on rejecting and limiting information about abortion and access to reproductive rights and to reproductive health information. The enforcement of these policies, which limits access to critical sexual and reproductive health information – has disproportionate impacts that hurt many women and people who are not cisgender men (while extensive ads and information are allowed for men’s erectile dysfunction) – and disputes and stunts the goals illuminated and outlined in the Oversight Board’s Strategic Priority Area of Gender.

Link to Attachment

[PC-12048](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12050	United States & Canada
Case number	Public comment number	Region
Laurel	Sakai	English
Commenter's first name	Commenter's last name	Commenter's preferred language
Planned Parenthood Action Fund		Yes
Organization		Response on behalf of organization

Full Comment		
nan		
Link to Attachment		
PC-12050		

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12051	United States & Canada
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Case number	Public comment number	Region
Clare	Mathias	English
Commenter's first name	Commenter's last name	Commenter's preferred language

Center for Democracy & Technology; American Civil Liberties Union	Yes
Organization	Response on behalf of organization

Full Comment

29 June 2023

The Center for Democracy & Technology and the American Civil Liberties Union welcome the opportunity to provide comments on cases 2023-011-IG-UA, 2023-012-FB-UA, and 2023-013-FB-UA, regarding three users’ appeals to restore their posts related to abortion in the United States.

The three posts all involve using the word “kill” in reference to abortion policies or beliefs. The first post uses “kill” to reference an abortion itself, while the other two use “kill” as a reference to punishment proposed in state legislation for people who seek abortions. A Meta hostile speech classifier flagged all three posts before human moderators reviewed and removed each post under the Violence and Incitement policy. All three users appealed and after an additional 1-2 human reviews, Meta kept the posts down. Upon selection of these cases by the Oversight Board, Meta restored the posts, saying that the posts did not in fact contain threats or incitements to violence, and did not violate Meta’s policies.

As the reproductive rights landscape in the US rapidly changes, it is especially important that Meta allows users to engage in robust discussion and access information about abortion on its platforms. Abortion-related speech can be deeply personal and highly political—the type of speech that has typically received the highest protections under international human rights law and the First Amendment. The same is true for other political speech that may well

involve the word “kill,” including conversations about school shootings, police killing people, and the death penalty.

To remove political speech on the basis of its purported connection to violence, those strong speech protections require that there be a true threat, incitement to violence, or a direct threat of incitement to violence. The threshold test from the Rabat Plan of Action defines incitement as “an imminent risk of discrimination, hostility or violence”; the U.S. Supreme Court has defined a true threat as a “serious expression[] conveying that a speaker means to commit an act of unlawful violence” and incitement as speech intended and likely to produce imminent violence; and Meta’s own Violence and Incitement Policy requires “a genuine risk of physical harm or direct threats to public safety” to justify a removal. The three cases the Board now considers do not meet these high thresholds.

Both of our organizations support reproductive rights and believe it is important that all users can have frank conversations about abortion on Meta’s platforms. Patients should be able to speak freely about their experiences trying to obtain abortions, especially as that ability is further constrained across the US. Both people who have chosen to receive abortions and those who have not need to be able to talk openly about their choices in order to build community with others who have faced a similar decision. Both pro- and anti-choice activists exercising their right to freely assemble need to be able to express their opinions to mobilize action and respond to the wave of abortion-related legislation being introduced across the US. The scale and influence of Meta’s platforms makes it critically important for the company to protect abortion-related speech.

In this comment we explain why Meta should refine the hostile speech classifier and update its guidance to content moderators to ensure that speech around abortion and other political topics that involve the term “kill” but that do not incite violence are not removed. Ensuring that Meta’s content policies and practices protect speech about abortion, reproductive health, and other political speech that uses the word “kill” but that does not incite violence will improve users’ ability to engage in important discussions, including those about reproductive rights and abortion access, on Meta’s services.

Refine Hostile Speech Classifiers

One of Meta’s “hostile speech classifiers” first flagged the three posts in this case. A speech classifier is a blunt, automated tool that by its nature cannot take the context, motivation, or impact of a post into account when evaluating whether it violates Meta’s policies. We know little about the specific “hostile speech classifier” Meta employed. In the Tigray Communications Affair Bureau opinion (2022-006-FB-MR), the Board wrote that “hostile speech classifiers” are “machine learning tools trained to identify content subject to Hate Speech, Violence and Incitement, and Bullying and Harassment policies.” And, in response to the May 2021 Israel and Palestine Human Rights Due Diligence, we know that Meta launched a Hebrew “hostile speech classifier” to help “proactively detect more violating Hebrew content.” Meta already employed an Arabic hostile speech classifier. Meta did not publish the Human Rights Due Diligence Report on the conflict in Israel and Palestine, which makes it harder to

understand what these classifiers aimed to address or what makes a “hostile speech classifier” different from other classifiers.

The classifier employed here appears to be trained too broadly because it flags posts for removal that (as Meta agreed, once the Oversight Board selected these cases) do not violate Meta’s policies. This poses a serious risk to the ability of users to have conversations about abortion, abortion policies, and the personal experiences associated with abortion, and for people to access information related to reproductive health on Meta’s platforms. To improve the accuracy of this classifier, Meta should:

Not rely on the term “kill” alone as a trigger. The term “kill” alone is too common a term to ensure the accurate detection of violent speech. The Oversight Board itself has taken several cases that highlight the ambiguity and overbreadth of flagging the word “kill” on its own. The Board reversed Meta’s decision to remove a post that quoted “Kill him!” by Soviet poet Konstantin Simonov, which included the lines “kill the fascist... Kill him! Kill him! Kill!”; in the Wampum Belt case, the Board reinstated a post that included a picture of Indigenous artwork titled “Kill the Indian/Save the Man;” and the Board voted to reinstate a video clip from Global Punjab TV where the user “claimed the RSS was threatening to kill Sikhs.” Outside of existing Oversight Board cases, it is easy to imagine other situations where a user may post speech that uses the word “kill” but does not incite violence when discussing, for example, school shootings, police killing people, and the death penalty.

Instead, if Meta plans to continue using “kill” as part of its hostile speech classifiers to detect violative content, it should make the classifier more narrowly targeted to include other words that, combined with “kill”, have a stronger connection to threats or incitement to violence.

Exclude common reproductive terms as triggers. The risk of “kill” being overbroad as a term that flags posts for review is especially true in the abortion context given the view of some anti-choice activists that abortion involves “killing” a fetus, that some states are contemplating whether to treat obtaining an abortion as a felony that could be punished by the death penalty, and discussion by pro-choice activists about the risk that pregnant people may die without access to safe reproductive care. Accordingly, Meta’s classifiers should be calibrated so as not treat the word “kill” when used in proximity to “abortion” as an automatic trigger. Meta should similarly ensure that words used by some speakers as synonyms for abortion do not trigger the hostile speech classifiers in combination with “kill”, e.g. words like “induced miscarriages,” “aborticide,” and “termination,” because they would also encompass too much political speech.

Additionally, Meta should provide more information about how it is training its hostile speech classifiers in response to state legislation restricting access to abortion medication, particularly how it flags speech about abortion medication under the Restricted Goods policies in these states. Again, Meta should ensure that these classifiers are narrowly tailored, and do not lead to the removal of political or educational speech discussing medication abortions.

Conduct frequent reevaluation. As suggested in the Santa Clara Principles, Meta should also routinely evaluate the effectiveness of the hostile speech classifier that flagged these posts and ensure it is not disproportionately or incorrectly flagging abortion-related content. Meta should immediately evaluate whether the classifier is incorrectly flagging proportionally more abortion-related content today than it did prior to June 2022 and adjust the classifier accordingly. Going forward, Meta should conduct assessments of its classifiers quarterly and include a description of any changes it makes to the classifiers in its quarterly transparency report. Documenting these changes will provide greater transparency to users about the action Meta takes against their content and can be a helpful benchmark for small, less well-resourced platforms who may not have the capacity to closely track the evolving reproductive rights discourse.

Additionally, Meta should ensure that the classifiers it uses are trained on a diverse set of examples of sentences featuring terms they associate with “hostile speech” so they are better equipped to parse relevant and current cultural meanings of words and phrases. Even with better training, however, an automated classifier will have limited ability to assess context and determine how a specific term is used. Moderators should play that role when they subsequently review content that a classifier flags. However, as may have been the case here, moderators may err on the side of agreeing with the classifier whenever they find ambiguity in the post. As we discuss below, moderators should be trained to exercise independent judgment; even with improved moderator training, however, there is a risk that overbroad flagging by the classifier will translate into more erroneous moderator-approved removals. Thus, it remains vital for the classifier to be carefully trained and regularly updated to minimize overbroad referrals to moderators and automatic removals.

Provide more granular context about the moderation decision. As we suggested in 2023-001-FB-UA, moderators should have a way to record how they understood a post, which policy it violated, and why to better allow Meta, the Oversight Board, and at least in certain circumstances the public, to understand where the breakdown in applying the policy occurred. For example, it would be helpful to know if the human moderators reviewing these cases simply accepted the classifier’s recommendation, or if they misinterpreted the policy when conducting their own independent review. That, in turn, would inform the relevant policy recommendation: in the former case, the focus should be on improving the classifier and training moderators to make their own decisions, including taking into account factors that are more difficult if not impossible for blunt tools to consider; in the latter, the Oversight Board’s recommendations should include rewriting the policy to make it clear that speech about abortion, reproductive health, and other political speech that does not incite violence (even if it uses the word “kill”) is allowed.

Meta developed a more granular classifier for hate speech in response to recommendations from 2020-003-FB-UA (Armenians in Azerbaijan) and 2021-002-FB-UA (Zwarte Piet). According to Meta, this classifier allows Meta to notify the user about what type of hate speech it found in the content (although, as the Oversight Board noted, this is currently only available in English and needs to be

expanded to other languages). Meta should follow a similar model for the Violence and Incitement policy.

Improve Guidance to Human Reviewers

This case raises several questions about the guidance that human reviewers receive when evaluating posts about abortion and reproductive rights. We do not know from the case summary what guidance reviewers received in the Known Questions or Implementation Standards about abortion (which are “guidelines provided to content reviewers to help them assess content that might amount to a violation of one of Facebook’s Community Standards”). We also have no information as to why the reviewers found the content violated the Violence and Incitement Policy, or why Meta ultimately reversed the findings of its moderators once the Oversight Board selected this case.

Presumably, seven different moderators reviewed these posts and only one (who was later overturned) believed one of the posts should remain on the platform. The number of human reviewers involved in this case who, as Meta concedes, made the wrong decision speaks to the likelihood that there is a larger issue in the guidance the reviewers have when making decisions about abortion-related content. This could include the language of the Violence and Incitement Policy itself. And it could also reflect problems in the moderator training.

Information about moderator training. Meta has a mixed history with speech around abortion. Some abortion rights activists allege Meta has restricted posts about abortion for years by classifying the posts as “sensitive” and decreasing their visibility. The day after the Dobbs decision overturned Roe, Meta designated the abortions rights group Jane’s Revenge as a terrorist organization under the Dangerous Organizations and Individuals policy (purportedly because Jane’s Revenge advocated vandalism). Meta removed a post from Planned Parenthood sharing information about medication abortion in August 2022. And, while not on the platform, Meta banned employees from speaking about abortion following the Dobbs decision.

Especially given this history, Meta should publicly release information about how it trains its moderators to understand and evaluate political advocacy, including speech about abortion and related government policies. This training should include guidance about common tools or tactics of political advocates, including, for example, how they recruit volunteers and encourage others to attend protests, and how Meta understands its value of “expression.” Meta should also release information about any bias training it gives its moderators, including the potential for their decisions to be biased by the classifier that initially flags content for their view.

Provide detailed Known Questions about abortion. In addition, Meta should ensure that the Known Questions and Implementation Standards around abortion explicitly highlight the need to preserve political speech that is not threatening. The Known Questions are detailed guidance about specific topics provided to reviewers that go beyond Meta’s public content policies. The Known Questions are meant to give reviewers more specific criteria to help them assess whether a post violates one of Meta’s Community Standards.

Without access to them, it is hard to evaluate the efficacy of the Known Questions provided to moderators in these cases. But the Oversight Board should ensure that the Known Questions (or Internal Implementation Standards, a document that plays a similar role) clarify Meta's standards for a true threat of violence or incitement to violence. The threat level could reasonably range from something as specific as naming a target or location or as broad as targeting a specific type of person (i.e. abortion provider), but Meta must set this standard so that moderators apply it consistently across content. Additionally, the Known Questions should explain how moderators should distinguish political speech that describes legislation or a speaker's views from speech that is a user's serious expression of intent to harm another person.

The Known Questions about abortion should also include information about words used as synonyms for abortion, medical terms that are commonly used within the context of abortion, and current cultural trends around reproductive terminology. And the Known Questions should instruct moderators to evaluate the post for potential satire or irony when using violence-laden terms or slurs.

Link to Attachment

[PC-12051](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12052	United States & Canada
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Case number

Public comment number

Region

Julie

Millican

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Media Matters for
America

Yes

Organization

Response on behalf of
organization

Full Comment

The Board has asked respondents for comments and recommendations on Meta’s abortion-related content moderation policies and the company’s enforcement practices. In effect, Meta’s lack of robust policies and poor enforcement have not only led to the prevalence of anti-abortion misinformation and harassment on Facebook and Instagram, but they have also suppressed accurate abortion information and allowed the company to profit off misinformation through ad revenue. Meta must better enforce and bolster these current policies to directly address such misinformation and harassment.

The three cases being deliberated by the Board — involving abortion-related posts from across the ideological spectrum — speak to Meta’s broader content moderation issues, which have continued to privilege right-wing misinformation at the cost of suppressing accurate information about reproductive health.

Meta has repeatedly chosen profit and positive press over the safety of its users. This is clear in Meta’s failure to prevent various types of misinformation on its platforms, including health (COVID-19 and vaccine) and election misinformation that has contributed to real-world harm — partially out of fear of relentless yet false claims from conservatives that they’re being censored. As a result, Meta has repeatedly bent its rules and given preferential treatment to right-wing media and politicians, while inaccurate and harmful content — typically from right-leaning pages — dominates on the platform.

The company’s failures with COVID-19, vaccine, and election misinformation have largely stemmed from its platforms’ inability to consistently and adequately enforce policies, as well as from loopholes that exempted key misinformers. But its failures with abortion misinformation and harassment are

threefold: (1) Meta does not have policies specifically addressing abortion content, (2) the broad policies that seemingly apply are not consistently enforced, and (3) there is evidence that platforms actually suppress accurate information.

Meta's current policies — and lack of consistent enforcement — fail to adequately address the prevalence of abortion misinformation and harassment. In the past year, abortion has been one of the top policy issues in the United States as the Supreme Court overturned *Roe v. Wade* and dozens of states have subsequently begun passing legislation restricting abortion rights. And yet Meta does not have adequate content moderation policies specifically regarding content posted on its platforms about abortion or reproductive rights, presenting a gaping hole in the company's oversight duties.

Meta mentions abortion or reproductive health only as part of its Violent and Graphic Content and Adult Products or Services Advertising policies. And while broader policies around misinformation, advertising, coordinating harm, and bullying and harassment may also apply to abortion-related content, Meta's lack of targeted policies specifically addressing the deluge of abortion-related content shared on Facebook and Instagram has allowed anti-abortion misinformation and harassment to proliferate on its platforms.

Prevalence of abortion misinformation

To assess the prevalence of abortion misinformation on Facebook, Media Matters compiled and analyzed nearly 370,000 posts related to abortion from U.S. news and politics pages since January 1, 2021, and found that right-leaning pages have dominated conversation about abortion rights — earning nearly half (46%) of total interactions on related posts. Comparatively, left-leaning pages earned nearly 30% of interactions on such posts, and ideologically nonaligned pages earned even less. Previous research by Media Matters has repeatedly shown that abortion-related Facebook posts from right-leaning pages (typically harmful and inaccurate) have overshadowed related posts from left-leaning and ideologically nonaligned pages.

When a draft Supreme Court decision foreshadowing the impending reversal of *Roe* was released in May 2022, misinformation about who could potentially be behind the leak spread widely on Facebook. Bloomberg News reported that nearly 200 far-right groups shared false conspiracy theories about members of “Antifa” colluding to leak the draft court opinion, with some claiming it was an attempt to intimidate Supreme Court justices. Such posts received 12,600 likes and shares and were viewed by up to 12.7 million users.

A Media Matters study when *Roe* was overturned last June found that on the day of the Supreme Court decision, posts from right-leaning pages, including those using grotesque language to describe abortion, earned nearly 7.7 million interactions — or nearly 52% of all interactions. This wildly overshadowed posts discussing the ramifications of *Roe*'s reversal, preventing users from seeing critically important, accurate information about abortion access.

Another study reported that right-wing misinformation made up the vast

majority of abortion news shared on Facebook in April 2019, including widespread lies about Democrats promoting “infanticide” and inaccurately tying fetal viability to cardiac activity. Facebook has also allowed content around so-called “partial-birth” abortions — a phrase coined by anti-abortion groups that has no scientific basis.

Media Matters has also found that false information on abortion has proliferated on Facebook as anti-abortion doctors leverage their professional credentials to spread dangerous medical misinformation. Videos from these doctors went viral days after Roe was overturned and included false claims that abortion restrictions would not affect individuals who miscarry or experience ectopic pregnancies.

A study by NARAL Pro-Choice America exposed a glaring trend of unmediated anti-abortion misinformation spreading among Spanish-speaking communities on the site. Researchers found that the Spanish-language articles shared on Facebook about U.S. abortion policy that received the most engagement “overwhelmingly lean anti-choice” and often pushed the false notion that abortion is unsafe or may lead to future infertility, depression, or breast cancer. This trend of rampant Spanish-language anti-abortion misinformation is especially concerning given the barriers to health care access and fact-checking resources faced by Latinos.

Meta has suppressed accurate abortion information

With the proliferation of right-wing misinformation on the platforms, Meta’s users face an increasingly difficult landscape to find accurate abortion information. Several news outlets have also reported on Meta’s tendency to suppress or remove posts coming from abortion advocates. In 2021, the abortion rights group ReproAction reported that Facebook removed posts that contained medically accurate graphics about abortion pills without addressing which community guidelines were allegedly violated or providing recourse for ReproAction upon the group’s appeal.

This issue only worsened when Roe was overturned. Just days after the Supreme Court’s decision, a report from NBC News found that Instagram limited the reach of at least two abortion-related hashtags with a pop-up from Instagram claiming that the tags “are hidden because some posts may not follow Instagram’s Community Guidelines” without any further detail. That same week, Facebook reportedly took down posts — and in some cases, banned users — offering to send abortion pills in the mail, while still allowing posts that offered to mail guns or marijuana. Similarly, Vice reported in August 2022 that Facebook removed a post from Planned Parenthood of Michigan that contained accurate information about the abortion pill despite the post in question seemingly not violating any platform policies, as it did not solicit any services outside of noting that the organization was proud to offer abortion medication.

Meta has also suppressed ads from pro-choice groups that contain medically accurate information. ReproAction and Self-Managed Abortion; Safe and Supported (SASS) ran ads in 2021 about self-managed abortion, but Facebook and Instagram took down the ads as violating guidelines (SASS’ ads were eventually restored).

Prevalence of anti-abortion harassment

Facebook has also allowed anti-abortion harassment on its platform that can cause real-world harm, including violent threats made against abortion providers and scare tactics to prevent pregnant people from accessing reproductive health care. Abortion clinics in the U.S. and abroad have historically been subject to intimidation and targeted violence by abortion opponents to prevent pregnant people from making and accessing their private health care decisions. Indeed, a yearly report from the National Abortion Federation shows that “since 1977, there have been 11 murders, 42 bombings, 200 arsons, 531 assaults, 492 clinic invasions, 375 burglaries, and thousands of other incidents of criminal activities directed at patients, providers, and volunteers.”

Abortion opponents have used Facebook as a vehicle for their harassment, posting pictures, addresses, and other sensitive information about abortion providers, patients, and clinic escorts. Groups like Operation Save America post clinics escorts’ names and pictures and call them “deathscorts.” In 2017, a Republican nominee for Alabama attorney general used Facebook Live to film outside an abortion clinic and stated, “I want to eradicate places like this.” He also targeted an individual doctor, “providing links to an anti-choice website with the doctor’s personal information—including an address to her other practice and photos presumably of the doctor’s vehicle and license plate.” In 2015, a member of the Facebook group Preborn Persons Deserve the Same Defense as Born Persons posted a picture of Paul Hill, who was convicted and executed by the state of Florida for killing an abortion provider, with the caption “Killed (and died) to Defend Preborn Babies.”

The data Facebook collects from users could also be used to harass patients. An investigation from Reveal in 2022 showed that Facebook was “collecting ultra-sensitive personal data about abortion seekers and enabling anti-abortion organizations to use that data as a tool to target and influence people online.” Anti-abortion organizations focus specifically on gathering data on people seeking abortion in order to dissuade them from exercising their own health care decision.

Meta has not been incentivized to address the issue. The company has actually capitulated to right-wing media, groups, and politicians and profited from ads with abortion misinformation.

Despite the abundance of anti-abortion misinformation and harassment on Meta’s platforms, the company has not taken serious action to address these issues. Instead, Meta has repeatedly capitulated to right-wing and anti-abortion groups’ false claims of censorship, and the company has actually profited from the misinformation through ad revenue.

In 2019, Facebook removed a medically accurate fact check that was added to a misleading video from the anti-abortion organization Live Action, which included the false claim that abortion is never medically necessary. Facebook originally tasked Health Feedback, a fact-checking site focusing on scientific

and health media coverage, to assess the video; in consultation with experts in obstetrics and gynecology, Health Feedback marked the video as inaccurate. However, Facebook later backtracked, taking down the fact check due to pressure from Republican lawmakers who baselessly complained that the fact check was “biased.”

Meta’s current policies have not only benefited right-wing and anti-abortion groups, but also allowed Meta to profit from ads filled with abortion misinformation. Media Matters and others have found that Facebook has earned tens to hundreds of thousands in revenue from anti-abortion organizations running ads on a dangerous and medically unsound procedure called “abortion pill reversal,” claiming the effects of the abortion medication mifepristone can be undone by ingesting progesterone. Anti-choice activists have pushed “abortion pill reversal” despite the concept having no factual basis, while also ignoring the possibility that the drug interaction in unsuccessful “reversals” could lead to birth defects. During the COVID-19 pandemic, Facebook also ran ads that falsely claimed Democrats were trying to use coronavirus funding “to take more lives through abortions.”

New Media Matters data reveals that Meta has earned at least \$700,000 on over 800 political ads from right-wing and anti-abortion Facebook pages since January 1, 2021, that contain abortion misinformation related to “late-term abortion” or “infanticide.” As abortion experts have noted, the phrase “late-term abortion” “has no clinical or medical significance,” and its meaning has been continuously changed by anti-choice activists in efforts to justify increasingly early abortion restrictions. Similarly, the term “infanticide” has been used to vilify abortion and pass off the extremely rare instance of late-gestation abortions resulting in live birth as the norm. Meta policies currently state that the company “prohibits ads that include content debunked by third-party fact checkers” in addition to “ads that include misinformation that violates our Community Standards.” While Meta ultimately removed some of the ads for violating its advertising policies, the over 800 ads have earned at least 37.6 million total impressions.

As the Board considers recommendations on Meta’s abortion-related policies, it must consider the prevalence and harm of abortion misinformation and harassment on its platforms. These harms require Meta to implement dedicated policies around abortion and to more consistently enforce its current policies, including ensuring that its platforms do not suppress accurate information on abortion.

Link to Attachment

[PC-12052](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12053	United States & Canada
Case number	Public comment number	Region
nan	nan	English
Commenter's first name	Commenter's last name	Commenter's preferred language
Institute for Strategic Dialogue		Yes
Organization		Response on behalf of organization

Full Comment		
Please see attached for full comment.		
Link to Attachment		
PC-12053		

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12054	United States & Canada
Case number	Public comment number	Region
Claire	Crossett	English
Commenter's first name	Commenter's last name	Commenter's preferred language
Women First Digital		Yes
Organization		Response on behalf of organization

Full Comment		
nan		
Link to Attachment		
PC-12054		

Case 2023-011-IG- PC-12055 United States &
UA, 2023-012-FB- Canada
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Shelley

Alpern

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Rhia Ventures

Yes

Organization

Response on behalf of
organization

Full Comment

June 29, 2023

Re: United States posts discussing abortion

Dear Members of the Oversight Board,

The undersigned represent social impact organizations and investors working at the intersection of reproductive healthcare and technology. We write this comment in response to the “United States posts discussing abortion” cases under appellate review by the Oversight Board. Specifically, we address the Oversight Board’s request for public comments that address Meta's moderation of content on Facebook and Instagram related to abortion and how Meta’s enforcement practices may impact current political discussions about abortion in the United States and other contexts.

Problems involving Meta’s moderation of abortion-related content have amplified since the U.S. Supreme Court overturned *Roe v Wade* in June 2022, empowering states to severely restrict or ban abortion. In addition to the three abortion content cases at issue in this appeal, there have been a number of documented cases involving the removal of posts related to abortion access for residents of abortion-restrictive states as well as instances where abortion misinformation was permitted by Meta. In issuing policy recommendations regarding the moderation of abortion content on Facebook and Instagram, we urge the Oversight Board to also consider these related issues, which similarly impact discussions about abortion in the United States.

Meta has continued to remove abortion-related content without providing sufficient transparency as to why it violates the company's community guidelines. Many Americans turn to Facebook and Instagram to post content about abortion access, such as sharing resources, offering to house individuals

who may need to travel out of their home states for the procedure, and publishing information on mailing abortion medication – a legal act pursuant to recent federal guidance. While Meta justifies the removal of such content under policies that prohibit the sale of certain items like guns, alcohol, drugs, and pharmaceuticals, it is unclear how many of these posts actually violate Meta’s community standards, given that the company does not provide users with details on their alleged violations. For instance, Abortion Finder, an online nonprofit platform that connects people to abortion services, had its Instagram account suspended in June 2022 after publishing a series of posts regarding access to abortion pills. Meta’s only explanation for suspending the account was that it violated its restricted goods policy, which prohibits “[a]ttempts to buy, sell, trade, co-ordinate the trade of, donate, gift or asks for non-medical drugs.” The account was restored only after Abortion Finder appealed the suspension and posted a viral tweet about the case.

There have also been inconsistencies in the application of Meta’s content moderation policies, enforcement of which seemingly targets abortion-related content more than blatantly impermissible content. For example, in June 2022, an Associated Press reporter tested Facebook’s policy by posting, “If you send me your address, I will mail you abortion pills.” Almost immediately, the post was removed and the reporter’s account was put on “warning” status for the post. This action was based on purported violations of Facebook standards regarding “guns, animals and other regulated goods,” which are motivated by federal and/or state laws regulating or prohibiting trade in these goods. However, when the reporter made the same exact post but swapped out the words “abortion pills” for “a gun,” the post was not flagged by Facebook or otherwise considered a violation. A post with the same exact offer to mail “weed” also remained untouched. Notably, mailing cannabis is always illegal under federal law, unlike medication abortion.

In turn, Meta has failed to stop anti-abortion misinformation from Facebook and Instagram users, thereby permitting false narratives about abortion to spread on these platforms. In particular, there are reported increases in false information around medication abortion and other reproductive health procedures and how they work. In one example, reproductive justice organization ReproAction and the Center for Countering Digital Hate noted that social media companies, including Meta, permit the circulation of anti-abortion groups’ dangerous “abortion pill reversal” conspiracy theory. To counter this misinformation, ReproAction posted on Facebook “graphics with medically accurate information about abortion pills,” and those factual posts were subsequently removed for violating Meta’s community standards. According to a ReproAction senior research analyst, Meta failed to “explain how or what guideline [ReproAction] had specifically violated” or to provide recourse for appeal.

Abortion misinformation from users in languages other than English has been especially problematic for Meta. According to a report issued by NARAL Pro-Choice America, Meta has allowed several anti-choice Facebook pages with millions of followers to “repeatedly spread medically inaccurate information about abortion” in Spanish. The NARAL report found that such Spanish-

language Facebook pages spread disinformation about the safety of abortion, with some falsely claiming that abortion leads to increased risk of breast cancer, infertility, depression, anxiety, and suicide. Some posts were viewed thousands of times with no fact-checking or intervention from Meta. Considering the documented and disproportionate spread of political misinformation in many non-English languages, it would not be surprising to find similar abortion misinformation circulating on Facebook and Instagram in other non-English languages like Mandarin and Hindi.

With respect to commercial speech, Meta has similarly permitted abortion misinformation to spread through misleading and false advertisements. For instance, it has been reported that Facebook permits ads with “inaccurate medical advice” while simultaneously rejecting ads from legitimate abortion providers. Some of these false or misleading advertisements promote the above mentioned “abortion pill reversal,” despite Meta’s ad policies against health misinformation. Crisis pregnancy centers – quasi-health clinics typically managed by religiously-affiliated organizations seeking to divert people from choosing abortion – have been documented as top advertisers of such false and misleading ads, using Meta’s optimization tools to target people around reproductive health clinics. These egregious advertising practices have received significant government attention, with some federal legislators seeking to ban such practices or otherwise regulate online advertisements platforms allowing misleading or false ads related to reproductive healthcare.

Finally, we note that Meta has failed to keep the general public well informed of problems arising from the enforcement of its content moderation policies. For instance, the company’s Community Standards Enforcement Report does not discuss content moderation regarding reproductive healthcare, even though it provides disclosures specific to other policy areas such as hate speech, restricted goods and services, and violence. Similarly, the company has failed to provide meaningful insight into how its artificial intelligence (“AI”) flags inappropriate content for human review. While the company recently published a general overview of its content removal AI in response to European Union regulation, such action falls short since the algorithms underlying the AI are kept private. Many privacy experts instead suggest that algorithmic transparency – that is, making the content removal algorithms open source – would allow for public scrutiny and input, thereby ensuring greater trust in the company’s content moderation mechanisms. With the currently available information, investors and users cannot ascertain the magnitude of problems involving abortion-related content or hold the company accountable for employing inappropriate AI in this arena.

In view of the foregoing, we urge the Oversight Board to include the following policy recommendations as part of its decision:

Adopt an abortion-specific content removal policy. YouTube rolled out a policy of this nature following the Supreme Court’s decision overturning *Roe v Wade*. Similarly, TikTok includes medical misinformation about vaccines and abortion in its integrity policies.

Increase the human review capacity of content moderation involving posts in

languages other than English.

Periodically train content moderators about updates on the legality of abortion procedures – especially medication abortion – in the United States.

Make the algorithms used to identify abortion content that may violate Meta’s policies open source and evaluate their performance through periodic independent third-party audits.

Make semi-annual public disclosures regarding content removals related to reproductive health, including abortion. The disclosures should include case studies and metrics about the number of posts deleted or accounts suspended by type of violation as well as the result of subsequent appeal decisions, where applicable.

Provide users with more information about the reasons underlying a post removal or account suspension as well as how to appeal a post removal or account suspension.

Periodically convene reproductive rights and civil liberties organizations for input on modifications to Meta’s community standards and policy enforcement actions.

We strongly believe that Meta’s implementation of these recommendations could ameliorate some of the problems concerning abortion content moderation that may limit or hinder informed discussion about abortion in the United States. By increasing public trust and expanding the company’s capacity to properly moderate abortion content in its social media platforms, Meta will simultaneously reduce its exposure to reputational, regulatory and other material risks that may affect its well-being.

Please feel free to contact us for further discussion at corporate.engagement@rhiaventures.org.

Sincerely,
Shelley Alpern, Associate V.P. and Director of Corporate Engagement

Antonio Pontón-Núñez, Legal Fellow

Rhia Ventures
cc: Arjuna Capital

OpenMIC

(Please see attachment for a copy of this comment letter, which includes footnotes with references.)

[Link to Attachment](#)

[PC-12055](#)

Case 2023-011-IG- PC-12057 Europe
UA, 2023-012-FB-
UA, 2023-013-FB-
UA

Case number

Public comment number

Region

Jillian

York

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Electronic
Frontier
Foundation

Yes

Organization

Response on behalf of
organization

Full Comment

Submission to Policy Advisory Opinion 2023L

By Jillian C. York and Virginia Kennedy, Electronic Frontier Foundation
Introduction

The automated removal of abortion related posts containing the word ‘kill’ fail to meet the criteria for restricting users’ right to freedom of expression. Meta has over-removed abortion related content, hamstringing its user’s ability to voice their political beliefs. The use of automated tools for content moderation leads to the over-removal of controversial language.

General Over-Removal of Abortion Related Speech

Following *Dobbs v. Jackson Women’s Health Organization* Meta began over-removing abortion related speech on their platforms. Shortly after the Supreme Court’s decision, multiple news outlets reported that Facebook and Instagram began systematically removing posts related to abortion. These actions went so far as to prompt Amy Klobuchar and Elizabeth Warren to call on Meta to address concerns surrounding the censorship of abortion related posts.

Posts reading, “DM me if you want to order abortion pills but want them sent to my address instead of yours,” and “I will mail abortion pills to any one of you. Just message me,” were removed within minutes of being posted. When an Associated Press reporter posted “If you send me your address, I will mail you abortion pills” to corroborate the claims, the post was removed within one minute. When the same reporter posted again with the same language but about

guns and marijuana instead of abortion pills, the posts were left up. Even abortion related posts that were factually accurate and fully compliant with Meta's policies were removed. Vice reported that a Facebook post stating "abortion pills can be mailed" was flagged within seconds of it being posted. On the other hand, a post stating, "painkiller pills can be mailed," was left up.

Activists who run Facebook groups have voiced their frustration with Meta's vague policies. The inconsistent removal of abortion related information makes it difficult for users to know what is or is not allowed on the site. Meta's Restricted Goods and Services Policy states that "Attempts to donate or gift pharmaceutical drugs" is prohibited and that "Asks for pharmaceutical drugs except when content discusses the affordability, accessibility or efficacy of pharmaceutical drugs in a medical context." In the wake of reports of Meta unjustifiably removing abortion related speech, Meta's spokesperson, Andy Stone, confirmed that content discussing the affordability and accessibility of prescriptions is allowed and that posts were incorrectly removed. This inconsistency in moderation chills legitimate political speech.

Use of the word kill and the necessity of contextualization in moderation

Abortion isn't the only context in which the word "kill" or other controversial terms may be subject to human or automatic removal due to a lack of context.

In one instance, the Oversight Board overturned a decision by Facebook to remove a post accusing Russian soldiers of acting like Nazis. The post contained quotes, including the lines "kill the fascist...Kill him! Kill him! Kill!" from the poem "Kill him!" by Soviet poet Konstantin Simonov. The Board found that removing the post, and later applying the warning screen, do not align with Facebook's Community Standards, Meta's values, or its human rights responsibilities. The Board additionally emphasized the importance of context in assessing whether content is urging violence.

In another decision from 2021, the Oversight Board overturned a decision by Facebook to remove a post from an Indigenous North American artist under the company's Hate Speech standard. The post in question contained an artwork entitled "Kill the Indian/Save the Man." In this instance, Meta's automated systems identified the content as potentially violating Facebook's Hate Speech Community Standard, while a human reviewer assessed the content as violating and removed it that same day. Meta concurred with the Board that the removal was an "enforcement error", a failure to take into account the context of the use of the word "kill."

A 2022 report by Janny Leung in Comparative Law and Language found that even though Meta does not have an explicit policy which favors literal meaning over intended meaning, both the company's automated systems and human reviewers seem geared toward literal meaning, and that Meta's policies also tend to default toward content removal.

As we've noted previously, members of groups often use words that are widely accepted as slurs to reclaim them. For example, members of the lesbian community use the word "dyke" and "dyke marches" take place during pride in

many large cities. Members of these already marginalized communities have found their accounts suspended and their posts removed for using the words they are attempting to reclaim. When flagging controversial terms such as “dyke” or “kill” social media platforms should take the context into account when making content moderation decisions.

The dangers of automated removal for “kill” and other controversial text

Poor content moderation has the potential to impose costs on society as a whole including the deprivation of public information and political speech. Automated tools for content moderation have limitations to their usefulness. These tools do not have the ability to recognize nuance or the context of statements. The lack of transparency only adds to the complexity of the issues. In a letter in criticizing the Global Internet Forum to Counter Terrorism (“GIFCT”), civil society organizations pointed out that it was unclear whether protected speech is being censored or if valuable evidence is being destroyed with their automated content moderation tools.

CDT demonstrated that both algorithmic and human-led content moderation includes some subjective (and thus biased) decisions. Given that detailed criteria for content moderation, including enforcement guidelines related to internal policies, are not disclosed, it’s difficult to assess the scale and contours of such bias. Additionally, because algorithms can only be trained on known examples, they are more likely to remove similar kinds of content and can be blind to others. The challenges of enforcement of content in languages other than English further exacerbates these issues. The UN Office of Counter-Terrorism (UN OCT) is even beginning to take notice of the limitations of automated content moderation. In a 2021 report, the UN OCT stated “a machine learning model trained to find content from one terrorist organization may not work for another because of language and stylistic differences in their propaganda.”

Meta has a responsibility to respect international human rights, consistent with the UN Guiding Principles on Business and Human Rights. Under international human rights law, restrictions to rights such as freedom of expression (art. 19 ICCPR) and freedom of assembly and association (art. 21 ICCPR) can only be justified if there’s a legal basis, a legitimate aim, and if they’re necessary and proportionate. However, blanket and automatic removal of content without adequately taking into consideration the context in which the word is used, cannot possibly satisfy the condition of proportionality. Indeed, over-broad efforts to remove content can inadvertently result in the suppression of legitimate content, thereby failing to meet the conditions to restrict freedom of expression, civic engagement and activism under international human rights law.

It is of vital importance that online speech is put into its appropriate context before it is removed from the platform. The Rabat Plan of Action provides guidance for companies seeking to remain in compliance with the UNGP’s. Meta should consider (1) the social and political context prevalent at the time the post was uploaded;(2) the user’s position or status in the society, specifically the individual’s or organization’s standing in the context of the audience to whom the post is directed;(3) the intent of the user in relation to their audience;(4) the

content of the post;(5) the extent of the post, taking into account the post's reach, its public nature, its magnitude, and size of its audience; and lastly (6) the likelihood, including imminence, of harm to result from the post.

Link to Attachment

[PC-12057](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12058	United States & Canada
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Case number

Public comment number

Region

Christina

Francis

English

Commenter's first name

Commenter's last name

Commenter's preferred language

American
Association of
Pro-life
Obstetricians and
Gynecologists
(AAPLOG)

Yes

Organization

Response on behalf of
organization

Full Comment

Comment for Meta OSB – submitted by the American Association of Pro-life Obstetricians and Gynecologists (AAPLOG)

Re: United States posts discussing abortion (3 cases from March 2023)

Esteemed members of the Oversight Board,

The American Association of Pro-life Obstetricians and Gynecologists (AAPLOG) submits these comments on behalf of our approximately 7000 members, who are women’s healthcare professionals who practice life-affirming medicine consistent with the Hippocratic Oath. As a non-sectarian professional medical organization, we aim to make known the evidence-based effects of abortion on women as well as the scientific fact that human life begins at the moment of fertilization, with the goal that all women, regardless of race, creed or national origin, will be empowered to make healthy and life-affirming choices.

We also are proponents of free and respectful discussion and debate about issues within the medical profession that are unsettled or changing based on developing evidence. Robust debate and consideration of various perspectives on a single issue are at the heart of scientific discovery. Prof. Robert George, McCormick Professor of Jurisprudence and Director of the James Madison Program in American Ideals and Institutions at Princeton University, regarding

not only how but why we should have respectful debate, said this: “...where there is a mutual commitment to truth, and truth-seeking, relationships can be built between religious believers and secularists, and they can indeed reason together and even collaborate on some important matters. The minimum condition is this: interlocutors, however wide and deep their substantive philosophical or other differences, need to share the conviction that business between them is to be conducted in the proper currency of intellectual discourse—namely, reasons, evidence, and arguments.” If we do not allow this kind of exchange in the public square, we will limit progress as a society. As such, we are concerned that it appears that the ability to have this debate on the issue of abortion within the public square of Meta’s platforms is limited.

On review of the information given on all three of the cases, it is clear to me that none of the posts were actively promoting or advocating for violence. In fact, the first and third cases were pointing out the fact that abortion kills a human being. Though the two posts appear to potentially have been written by people on differing sides of the abortion issue, they both point out the fact that abortion intentionally ends the life of a human being (i.e. kills). While it is understandable that the word “kill” would have triggered an automatic process of review for these posts (consistent with Meta’s “Violence and Incitement” policy), human review should have made it crystal clear that these posts were not calling for violence against anyone but rather were attempting to expose violence that is already being done (in the case of the first post) or would potentially be done (death penalty) in response to another act of violence (abortion).

Part of being able to have productive discussions surrounding any issue is being able to point out not only the facts that support one’s positions but also inconsistencies in the opposing viewpoint. These kinds of crucial conversations should not be summarily suppressed simply because someone has deemed the topic of abortion to be controversial or political. And I would argue that the issue of abortion is being treated differently. First, there have been other incidences where posts using the word “kill” have been allowed as they were considered to be legitimate rhetoric. Second, paid ads that involve abortion-related issues are regularly rejected by Facebook because they are deemed to be “political” ads (something our organization has dealt with on a regular basis despite trying to promote educational and evidence-based content).

I have a few questions for the OSB to consider:

1. Have similar posts related to other ethically contentious issues (death penalty, physician-assisted suicide) also been removed? Or are posts related to abortion being specifically targeted?
2. Does the word “abortion” trigger a process of automatic review and if so, on what basis? The fact that these posts seem to have been taken down despite not appearing to actually violate any policies would suggest to me that there was another factor involved in these posts being taken down.
3. Does Meta consider abortion to be a political issue? Though it is debated in political circles, it is not a political issue. Regardless of one’s feelings about

whether or not abortion should be legal or regulated in any way, it is ultimately a human rights issue. Human rights are fundamental to who we are not only as human beings but as a society. These most basic concepts should be able to be freely discussed. As a medical organization who represents medical professionals who care deeply about the health of our patients, we should be able to openly discuss our professional opinions on this issue, just as with any other issue that impacts the health of our patients. A poll AAPLOG helped draft last year (highlights attached) showed very clearly that when we are able to educate on the evidence of fetal development and abortion's impact on women's health, it helps people better articulate their position on the issue.

As an example of how we have seen medical information on the issue of abortion treated differently from other issues, I raise a baseless partial fact check of a Reel I posted to Instagram on June 26, 2022 – two days after the Dobbs decision by the US Supreme Court. After receiving countless text messages from friends and colleagues who were confused by the decision and hearing false information from the media as well as on social media platforms, I decided I had to do something. Other medical professionals were believing the lie that now that the Roe and Casey decisions had been overturned, we would no longer be able to treat conditions like miscarriages and ectopic pregnancy and that women would die as a result. Knowing this was blatant disinformation, I filmed a quick video after my 24 hour shift at the hospital to clear up the confusion. In the video, I discussed a couple important facts: 1) Treating miscarriage or ectopic pregnancies is NOT the same thing as an abortion (and has never been considered to be, even prior to the Roe decision) and 2) No state law regulating induced abortion would prevent the treatment of these or any other potentially life-threatening conditions in pregnancy. I clearly stated that in my career as an OB/GYN, I have always been able to treat my patients with these conditions despite having never done an induced abortion – and would continue to be able to do so.

The video quickly spread and within a few days, was “fact” checked by Science Feedback as partly false. Their claim? That I had stated abortion was never medically necessary – something I never said in the video. I simply clarified the fact that the treatments for miscarriage and ectopic pregnancy are NOT abortions – something that has never before been questioned by serious medical professionals. And yet, despite me appealing the fact check, the partial fact check is still in place over a year later. While this might seem to some as a mere inconvenience (after all, the video is still there), the American Board of Obstetrics and Gynecology (ABOG), who grants me the board certification that allows me to have hospital privileges, has now threatened that any board-certified OB/GYN found to be spreading mis- or disinformation about abortion could potentially have their board certification revoked. Losing my board certification would jeopardize my career and livelihood. And so a seemingly harmless “fact check”, when it accuses a board-certified physician of spreading misinformation, becomes an existential threat to our career. While I realize that the OSB does not deal with the fact checking process, I think this is applicable as it shows how abortion is singled out and treated differently than many other controversial topics (or at least the anti-abortion position). Now that this could potentially impact the ability of physicians to continue to practice, simply for

expressing their professional, evidence-based expertise, I think the process should be reviewed.

In order to ensure that Meta’s platforms, which impact countless numbers of people across the globe, can remain a platform where important issues can be freely discussed and important information can be shared, we encourage the OSB to recommend more transparency from Meta on content that is removed from the platform as well as in their fact checking process – especially on the issue of abortion which is arguably one of the most important issues facing our nation at this time (regardless of what “side” of this issue one is on). The health of our patients depends on it.

Respectfully submitted,

Christina Francis, MD

Board-certified OB/GYN

CEO, American Association of Pro-life Obstetricians and Gynecologists

Link to Attachment

[PC-12058](#)

Case 2023-011-IG- UA, 2023-012-FB- UA, 2023-013-FB- UA	PC-12062	United States & Canada
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Case number	Public comment number	Region
Linda	Losi	English
Commenter's first name	Commenter's last name	Commenter's preferred language

DID NOT PROVIDE	No
Organization	Response on behalf of organization

Full Comment

The posts do not include the cadence of what people say. The whole contexts of the cases are missing.

YOU sanctioned me for a post that was 2 years old and in response to a MAGA insulting me. You're partial to MAGAS. It's widely known. The other person who was degrading me got nothing. But that's how you roll. Partial to MAGA. Shameful. You aren't for everyone.

Link to Attachment

No Attachment