



Rulebook for Case Review and Policy Guidance

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Introduction

The Oversight Board was created to make principled, independent, and binding decisions on what content Facebook and Instagram should allow or remove, based on respect for freedom of expression and human rights.

This Rulebook provides the framework for the Oversight Board to meet its responsibilities as established in the Charter and implement the operational procedures outlined in the Bylaws. The Rulebook is not legally binding, but provides practical guidance to Oversight Board Members and the Oversight Board Administration by detailing case review and policy guidance procedures.

In line with the *UN Guiding Principles on Business and Human Rights*, the Rulebook provides greater transparency to users and the general public regarding the functioning of the Board. By sharing this Rulebook, the Board aims for its processes to be accessible and predictable. Opportunities for public engagement are specified within the Rulebook and will be published on the Board's website.

The procedures outlined in the Rulebook were established by the Oversight Board Co-Chairs and Members. The Rulebook will be updated periodically, and any modifications will be noted.



Glossary

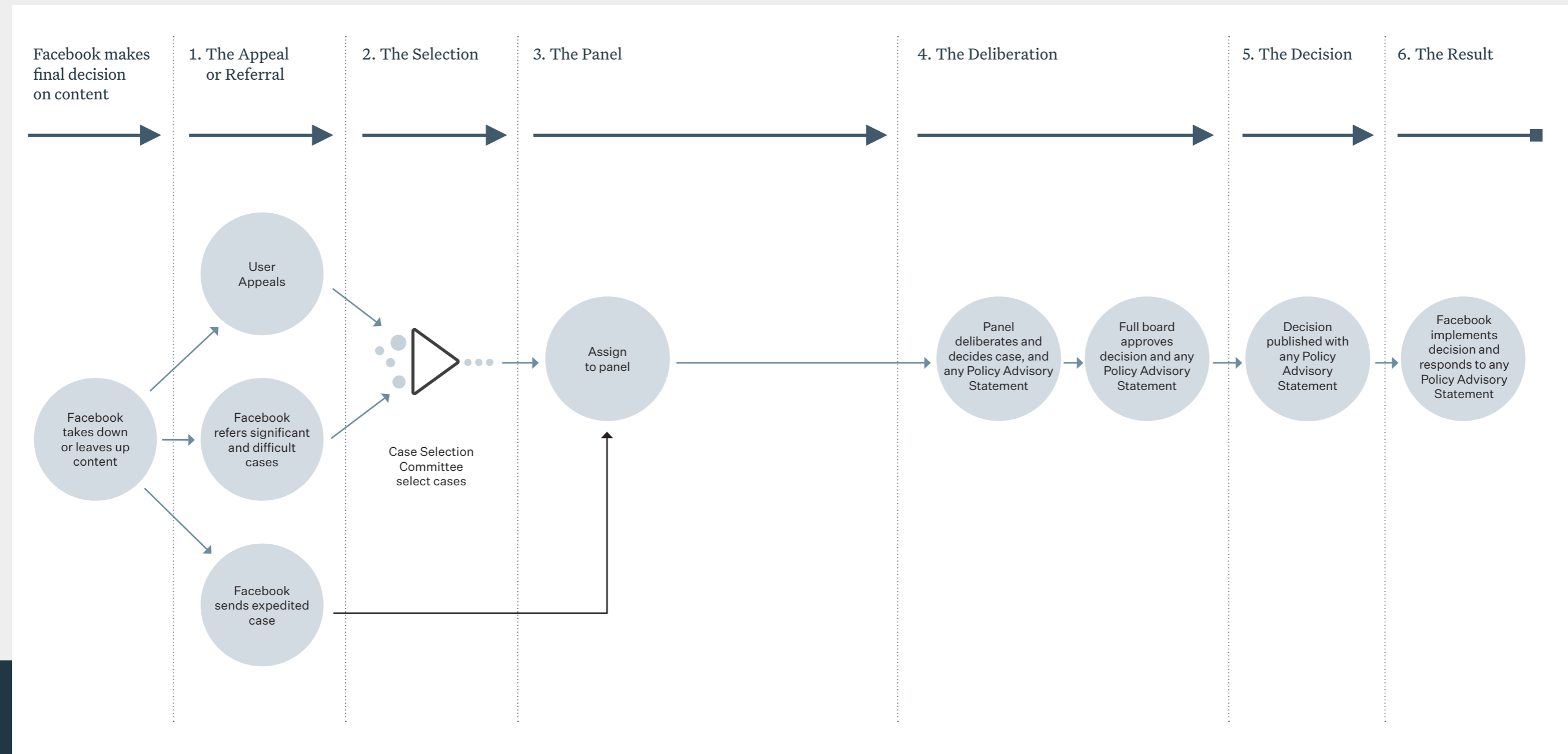
Case Development Team	The division of the Administration that assists Board Members from panel assignment through to decision publication.
Case Management Tool (CMT)	The platform created by Facebook and used by the Oversight Board to receive and review case submissions, and collect and store case files.
Case Selection Committee	A sub-committee of the Board, comprised of at least five Oversight Board Members with membership rotating every three months, formed to address case selection.
Case Selection Team	The division of the Administration that assists the Case Selection Committee with identifying cases for panel review.
Co-Chairs	The Board Members that supervise the affairs of the Oversight Board.
Drafting Committee	A sub-committee of the Board, comprised of at least five Oversight Board Members, formed to develop Policy Guidance.
Facebook content policies	Facebook and Instagram’s content policies and procedures that govern content on the platform (e.g. Community Standards or Community Guidelines).
Facebook-referred Case	A case submitted to the Oversight Board for review by Facebook. These cases will generally be subject to standard procedures, but in exceptional situations, Facebook may require they be subject to expedited procedures.
Oversight Board Administration	The full-time professional staff of the LLC providing support to the Oversight Board in its day-to-day operations.

Panel	Five Members of the Oversight Board assigned to review a case.
Policy Advisory Statement	A statement appended to an Oversight Board decision on a specific case that reflects policy considerations beyond the binding content decision.
Policy Guidance	A recommendation made by the Oversight Board regarding Facebook content policies not appended to a case decision.
Presiding Co-Chair	The Co-Chair that supervises Policy Guidance development.
Presiding Panelist	The Board Member that leads the panel during case review.
Rapporteur	The Board Member that leads the Drafting Committee during Policy Guidance development.
Research and Policy Team	The division of the Administration that assists Board Members with research and policy questions.
User-generated Appeal	An appeal submitted to the Oversight Board for review by a Facebook or Instagram user.



Case Review

For standard case review, the Oversight Board will aim to issue a decision within 90 days of receiving a user-generated appeal or a Facebook-referred case. For expedited case review, the Oversight Board will aim to issue a decision within 30 days of the case being referred to the Oversight Board.





Case Selection

Case Selection is the process through which the Case Selection Committee selects user-generated appeals and Facebook-referred cases for panel review and decision. The Case Selection Team supports the Board in this process, using the Case Management Tool (CMT) to identify cases that meet pre-determined selection criteria for consideration by the Case Selection Committee.

Step 1: Selection of Cases for Manual Review

- 1) Based on the overarching selection criteria established by the Oversight Board and specific selection criteria established by the Case Selection Committee, the Case Selection Team will filter user-generated appeals and Facebook-referred cases in the CMT.
- 2) The Case Selection Team will manually review the filtered cases to present a reviewable longlist to the Case Selection Committee, alongside statistics about both the longlist and non-selected cases.
- 3) The Case Selection Committee will identify a shortlist of cases from the longlist that it will consider for selection. The Case Selection Committee may review and adjust the specific criteria if they wish to include more cases.

Step 2: Facebook Legal Review

- 1) The shortlist will be sent to Facebook for legal review. Facebook may exclude from the shortlist cases that are not eligible for review by the Oversight Board, in accordance with the Bylaws, such as cases that could result in criminal liability or adverse government action if reviewed. The Case Selection Team will keep statistics on Facebook exclusions.
- 2) The Case Selection Team will ensure that case files in CMT are accurate and complete for all cases that remain on the shortlist. The Case Selection Team will note previous Oversight Board cases which have set precedent for the shortlist, as well as any changes to Facebook's content policies since Facebook's enforcement decision was made.

Step 3: Case Selection Committee Review

- 1) The Case Selection Team will summarize the shortlisted cases for the Case Selection Committee, which will then meet to discuss the shortlist.
- 2) The Case Selection Committee will select cases from the shortlist to assign to panels for review and decision. The Committee will aim to select by consensus, though only a simple majority vote is required to assign a case to a panel.
- 3) The process may be repeated if sufficient cases are not identified. The Case Selection Committee may alter the specific criteria for identification of additional cases for review.

Case Development: Standard Procedure

Case Development is the process of assigning cases to panels, deliberation, decision, and publication. The Case Development Team supports the Board in this process.

Step 1: Assign Panel and Case Development Team

- 1) Following case selection, the CMT will constitute a panel with five Board Members, including at least one Member from the region the content primarily affects and ensuring gender diversity. Panelists will be notified of the assignment and invited to review the case file.
- 2) The presiding panelist will be the Board Member with the most time elapsed since they last served as presiding panelist. For the initial round of cases, the Co-Chairs will act as the presiding panelists.
- 3) Panelists will declare any relevant conflicts of interest, which will be addressed in accordance with the Code of Conduct annexed to the Bylaws.

Step 2: Case Development

- 1) When a case is assigned to panel, Facebook must complete the case file with the case history and policy rationale for the decision. For Facebook-referred cases, Facebook will notify the user that the case has been assigned to a panel and provide them with the option to provide a statement to the Oversight Board. The user's consent is required for identifying information to be included in any decision. A case may proceed without a user statement, though a decision will not include information that could be used to identify a user absent their consent.
- 2) The panel may request from Facebook additional information reasonably required for it to make a decision, although Facebook may decline this request in accordance with the Bylaws. The Case Development Team will transmit the panel's requests and establish a deadline for Facebook to submit this information.
- 3) The Board may request public comment briefs. Calls for public comment briefs will be posted on the Board's website with requirements for form and substance, and a deadline for submission. Submissions will be shared with the panel.
- 4) The Administration will provide, at the panel's direction, research on case context (e.g. cultural, linguistic, political), relevant international standards on freedom of expression and human rights, and Facebook's content policies and values. This may be sought through external partners.
- 5) The Administration will complete an impact assessment to identify potential harms resulting from an Oversight Board's case decision and possible mitigation actions. This will be updated throughout the process and reviewed post-decision for evaluation and learning.



Step 3: Panel Review

- 1) Prior to panel deliberation, the Case Development Team will ensure the CMT case file includes all additional information requested by the panel and notify panelists.
- 2) Panelists may choose to convene a preliminary meeting to review the case file, request further information from Facebook or the Administration, or exchange questions.

Step 4: Deliberations

- 1) All panelists must participate in deliberations. Should a panelist be unable to participate, the panel must reschedule, or Co-Chairs must appoint a temporary or permanent replacement.
- 2) The presiding panelist will lead the deliberations, ensuring equal opportunity for panelists to present their views, aiming to reach a consensus decision during the time reserved.
- 3) If the panel determines further information is necessary to decide a case, this may be requested.
- 4) At the panel's discretion, a decision may include a policy advisory statement regarding Facebook's content policies. Such a statement will relate to content policy issues raised by the case. Facebook will consider policy advisory statements as recommendations and publicly disclose any action taken in response.
- 5) While panels should strive for consensus, decisions and policy advisory statements may be reached by majority vote. All panelists must vote.
- 6) Should a majority of the panel determine that a case requires plenary Board deliberation due to its significance or complexity, this may be requested through a Co-Chair, and a plenary deliberation will be held.

Step 5: Decision Drafting

- 1) The presiding panelist may draft the decision or appoint with their agreement another panelist to draft the decision, considering equal distribution of work. The Case Development Team will be available to support drafting as requested.
- 2) Once a draft decision is complete, the Case Development Team will notify the panel.
- 3) Panelists will review the draft decision and provide any comments for panel consideration. Panelists may discuss and convene as necessary to resolve comments.
- 4) The presiding panelist will inform the Case Development Team when the draft decision has been approved by all panelists.

Step 6: Board Approval

- 1) The draft decision will be circulated to all Board Members for review. Board Members will have the opportunity to suggest edits.
- 2) In exceptional circumstances, if a Board Member informs a Co-Chair that a draft decision has serious implications requiring a plenary discussion, such a meeting will be convened.
- 3) The decision will be circulated to all Board Members for review and approval. If the Board decides by majority vote to reassign the case to a new panel for reconsideration, a new panel will convene promptly.

Step 7: Decision Publication

- 1) The Administration will send the decision to Facebook Legal for privacy review.
- 2) The Administration will publish the decision on the Board's website in all the languages supported by the Board.



Case Development: Expedited Procedure

The Case Development process may be expedited in exceptional circumstances. This process must be completed within 30 days of the case reaching the Board. Should the Board expedite its analysis of a case, the following modifications will be made to case development standard procedure:

- 1) Upon receipt of a request from Facebook for an expedited case review through the CMT, the Administration will notify the Co-Chairs immediately.
- 2) The Co-Chairs will decide a deadline to complete review.
- 3) The Co-Chairs will assign the case to a sitting panel where possible, substituting a Board Member from the region the content primarily affects if needed. Alternatively, a new panel of five Members will be constituted considering Board Member availability, expertise and relevant experience, ensuring one panelist is from the region the content primarily affects. A plenary meeting may be called for the purpose of constituting the panel.
- 4) Panelists will be notified of the assignment and requested to review the case file immediately. In coordination with the Case Development Team, the panel will establish an accelerated timeline to complete all steps of the Case Development process by the deadline the Co-Chairs determined.

Policy Guidance

Separate from the review of an individual case, Facebook may request Policy Guidance from the Board to clarify a case decision or advise on changes to Facebook's content policies. Absent a Facebook request, the Co-Chairs may also decide to develop a policy position on Facebook's content policies for internal use and may adapt this process for that purpose, excluding publication under Step 8.

Step 1: Assign to Co-Chair and Determine Timeline

- 1) Policy Guidance requests will be assigned to a Co-Chair, who will be the presiding Co-Chair. Where a Policy Guidance request seeks to clarify a case decision, it will be allocated to the Co-Chair who sat on the case decision panel, if applicable.
- 2) Co-Chairs may decide by majority vote to expedite the process for Policy Guidance where necessary to prevent or mitigate human rights harms. The presiding Co-Chair will propose amendments to the procedures below, subject to majority approval of Co-Chairs.

Step 2: Summary Memorandum

- 1) The presiding Co-Chair will draft a memorandum to share with all Board Members, summarizing Facebook's request and the key issues it raises, with reference to Facebook's content policies and values, and freedom of expression and human rights.
- 2) The memorandum will identify any additional information required from Facebook if the request is accepted.

Step 3: Board Vote to Accept or Reject Request

- 1) All Board Members will review the memorandum and vote to accept or reject Facebook's request for Policy Guidance, deciding by majority to continue or end the process.
- 2) Regardless of voting position, Board Members may offer written observations and suggest information to request from Facebook or the Administration should the process continue.

Step 4: Assign Drafting Committee

- 1) The presiding Co-Chair assigns a Drafting Committee of at least five Board Members. Board Members will be invited to self-nominate based on interest or expertise, with any vacancies assigned at random among Board Members who are not Co-Chairs, ensuring gender diversity. For Policy Guidance on a case decision, Board Members who sat on the original panel will be prioritised.



- 2) The presiding Co-Chair will appoint a Board Member to lead the Drafting Committee as Rapporteur, with that Board Member's consent and the majority agreement of the remaining Drafting Committee Members.

Step 5: Policy Guidance Development

- 1) The Drafting Committee will meet and agree, as necessary:
 - a) Any additional information to request from Facebook;
 - b) Any research the Administration should provide;
 - c) Any calls for public comment briefs; and
 - d) Any further stakeholder engagement.
- 2) The Drafting Committee will review the information gathered and define policy options for the Board to consider, including how each option may affect adherence to Facebook values and freedom of expression and human rights.
- 3) The Rapporteur will reflect those policy options in a paper that will be distributed to all Board Members.
- 4) Board Members may provide written feedback, including additional policy options, to the Rapporteur. The Rapporteur will reflect these considerations as necessary and provide an updated paper to Board Members.

Step 6: Deliberations

- 1) All Board Members will attend deliberations to discuss policy options.
- 2) Procedures for reviewing and approving Policy Guidance will be determined by the Co-Chairs and communicated in advance.

Step 7: Policy Guidance Drafting

- 1) The Rapporteur will draft Policy Guidance based on the outcome of deliberations. The Policy Guidance will provide detailed recommendations based on a clearly elaborated rationale with reference to relevant Facebook values and international human rights standards.
- 2) The Drafting Committee will provide written feedback on the draft for the Rapporteur to incorporate.
- 3) The draft Policy Guidance will then be circulated to all Board Members for review. Board Members will have the opportunity to suggest edits.

- 4) Any Board Member may request further deliberations or rounds of comment, subject to majority Co-Chair approval.

Step 8: Policy Guidance Approval and Publication

- 1) The Rapporteur will address any further comments and circulate draft Policy Guidance to all Board Members for voting.
- 2) The draft Policy Guidance may be approved or rejected by a simple majority of all Board Members.
- 3) If approved, the Policy Guidance will proceed to publication and translated into all the languages supported by the Board. If rejected, there will be a Co-Chair discussion on the reasons for the rejection and the Co-Chairs will determine how to proceed.

