Input from GLAAD for Oversight Board on "Homophobic Violence in West Africa" Case

As the world's largest LGBTQ media advocacy organization and as leading experts in LGBTQ tech accountability, GLAAD's Social Media Safety program provides ongoing key stakeholder guidance with regard to LGBTQ safety, privacy, and expression to social media platforms, including Meta's Facebook, Instagram, and Threads. In addition to the following specific guidance to the Oversight Board on the "Homophobic Violence in West Africa" case (case number: 2024-041-FB-UA) we urge the Oversight Board to refer to the 2024 edition of our annual Social Media Safety Index report for additional context.

This public comment from GLAAD is specifically addressing the Oversight Board's request for input on: "how Meta moderates content in African countries criminalizing same-sex relationships." The Board describes the case's content: "In December 2023, a Facebook user posted a video in Igbo showing two men who appear to have been beaten. Both men are sitting on the ground, near to a pole and a rope, suggesting they may have been tied up, and are heavily bleeding … One of the men shares his name and says he was beaten because he was having sex with another man."[1]

The content in this case endangers the men in the video and violates Meta's Coordinating Harm and Promoting Crime policy under its Community Standards, which states: "We remove: Harm against people … Outing: exposing the identity or locations affiliated with anyone who is alleged to: Be a member of an outing-risk group." It also states: "For the following Community Standards, we require additional information and/or context to enforce: We Remove: Outing: exposing the identity of a person and putting them at risk of harm: LGBTQIA+ members."[2] While Meta's policy indicates that it requires more context to enforce the policy, there is no ability for users reporting the content to provide such context via Meta's reporting system.

In West Africa and in many countries around the world, LGBTQ people are a high-outing-risk group. In this 2020 Policy Forum document, Meta acknowledges that it "does not have a consistent process for identifying high-risk groups or deciding exactly how they should be

---

[1] NEW CASE TO ASSESS HOW META MODERATES CONTENT IN AFRICAN COUNTRIES CRIMINALIZING SAME-SEX RELATIONSHIPS, Oversight Board
[2] Coordinating Harm and Promoting Crime, Facebook Community Standards, Meta

protected."[3] Working with local organizations, Meta should improve the process for identifying high-risk groups and effectively communicate contextual standards to its content moderators globally.

The Real-World Implications of Meta's Content Moderation Decisions
In the content, one of the men in the video shared the name of a victim who had been beaten. This is extremely dangerous, because the user's account is located in a country in which same-sex relationships are criminalized.[4] According to Amnesty International, 31 African countries criminalize consensual same-sex sexual activity, "despite the clear contradiction with established African Union and international human rights standards."[5] With regard to the 16 countries of West Africa, in February 2024, the Ghanaian Parliament passed legislation that includes a prison sentence of up to three years for individuals who engage in same-sex conduct and up to five years for individuals engaged in "willful promotion, sponsorship, or support of LGBTQ+ activities."[6] Legislation in Nigeria's northern states include up to 14 years in prison for having same-sex relations.[7] In 2014, Gambia's criminal code was amended to include "aggravated homosexuality," which carries punishments of life sentences in prison.[8] Guinea, Liberia, Togo, Sierra Leone, Mauritania, and Senegal have [similar same-sex criminalization laws](#).

Social media platforms like Meta have a responsibility to protect their users from harm. [Human Rights Watch's 2023 report](#) details how, in some MENA countries where same-sex relationships are criminalized, authorities are targeting and entrapping LGBTQ people based on their social media activity.[9] Security forces are reportedly subjecting LGBTQ individuals to online extortion, online harassment, and outing, and using illegitimately obtained online photos, chats, and other information in prosecutions. Content like the video in this Oversight Board case — which was filmed and shared without the consent of the victims — can put LGBTQ people in danger of persecution from state and non-state actors. Meta must do better at incorporating this kind of regional and local context into its content moderation decisions. In this example in particular, such information is widely available, widely known, and highly consequential.

In this case, [according to the Oversight Board](#), 92 users reported the content 112 times between December 2023 and February 2024, and one of the users appealed Meta's decision to keep the content up. Meta's content moderators, after repeatedly assessing the content, did not recognize it as violating its policies. When Meta finally did remove the content under its [Coordinating Harm and Promoting Crime](#) policy, the company did not apply a strike on the

---

[3] [Policy Forum](#), June 2020, Meta
[4] [NEW CASE TO ASSESS HOW META MODERATES CONTENT IN AFRICAN COUNTRIES CRIMINALIZING SAME-SEX RELATIONSHIPS](#), Oversight Board
[5] [Africa: Barrage of discriminatory laws stoking hate against LGBTI persons](#), Amnesty International
[6] [Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021](#), Ghanaian Parliament
[7] [#OUTLAWED "THE LOVE THAT DARE NOT SPEAK ITS NAME](#)," Human Rights Watch
[8] [Gambia: Life Sentence for 'Aggravated Homosexuality](#),' Human Rights Watch
[9] ["All This Terror Because of a Photo:" Digital Targeting and Its Offline Consequences for LGBT People in the Middle East and North Africa](#), Human Rights Watch

account because more than 90 days had passed. All of these decisions raise questions about the accuracy, adequacy, and effectiveness of Meta's current content moderation operations.

Even though users reported the content mostly under Meta's [Violence and Incitement](#) and [Hate Speech](#) policies, the company's content moderators should be well-versed in all of its policies and how reported content might violate them.

GLAAD remains extremely concerned that Meta continues to not adequately understand and address anti-LGBTQ hate content, including understanding and mitigating material that non-consensually reveals the identity of at-risk people in a region where LGBTQIA+ people are particularly vulnerable to harm.

Allowing this kind of content to remain on Meta's platform exposes LGBTQ people to real-world harm, perpetuates an atmosphere of fear for LGBTQ people, and fosters an environment where the targeting of marginalized groups is further accepted and normalized. Meta's global content moderation practices should better respect and seek to foster the human rights of LGBTQ people, and everyone.

About the GLAAD Social Media Safety Program
As the leading national LGBTQ media advocacy organization GLAAD is working every day to hold tech companies and social media platforms accountable, and to secure safe online spaces for LGBTQ people. The GLAAD [Social Media Safety (SMS) program](#) researches, monitors, and reports on a variety of issues facing LGBTQ social media users — with a focus on safety, privacy, and expression. The SMS program has consulted directly with platforms and tech companies on some of the most significant LGBTQ policy and product developments over the years. In addition to ongoing advocacy work with platforms (including TikTok, X/Twitter, YouTube, and Meta's Facebook, Instagram, Threads, and others), and issuing the highly-respected annual [Social Media Safety Index (SMSI) report](#), the SMS program produces [resources](#), [guides](#), [publications](#), and [campaigns](#), and actively works to educate the general public and raise awareness in the media about [LGBTQ social media safety issues](#), especially anti-LGBTQ hate and disinformation.