Content Standards Forum – December 11, 2018

Agenda:

- Recommendation: Redefining Terrorism
- Heads Up: Tributes Policy

NOTES

Recommendation: Redefining Terrorism

Overview

- Issue: Our terrorism definition, which falls under our Dangerous Organizations policy, contains three core elements: (1) a non-state actor (2) who uses violence (3) with the intent to influence people that are not the immediate subjects of the violence. While this approach is largely consistent with academic perspectives, it also captures a range of groups about which experts disagree. Given these challenges, we want to explore refining our definition, updating our lexicon, and distinguishing between different types of non-state armed groups.
- Summary to Date:
    - 6 Working Groups
    - Consulted with 16 external stakeholders
- Recommendation for consideration:
    - Maintain our broad prohibition on non-state actors with a violent mission or history of violence
    - Revise our definition of terrorism to reflect different behaviors, tactics and attributes of non-state terrorist organizations and to categorize these organizations accordingly.
    - Develop a separate classification for non-state armed groups

Status Quo Policy

- Dangerous Individuals & Organizations Policy Rationale: In an effort to prevent and disrupt real-world harm, we do not allow any organizations or individuals that are engaged in the following to have a presence on Facebook:
    - Terrorist activity
    - Organized hate
    - Mass or serial murder
    - Human trafficking
    - Organized violence or criminal activity

- We also remove content that expresses support or praise for groups, leaders, or individuals involved in these activities.
- Current Definition of Terrorism: Any non-governmental organization that engages in premeditated acts of violence against persons or property to intimidate a civilian population, government, or international organization in order to achieve a political, religious, or ideological aim.

First, we plan to make a clarifying change to our "Policy Rationale"

- "In an effort to prevent and disrupt real-world harm, we do not allow any organizations or individuals that **proclaim a violent mission or are engaged in violence, from having a presence on Facebook, including** Terrorist activity, Organized hate, Mass or serial murder, Human trafficking, Organized violence or criminal activity. We also remove content that expresses support or praise for groups, leaders, or individuals involved in these activities."

Options, with updated language included in bold

Option 1: (Recommendation for Discussion)

- Any non-state actor who
    - engages in **or advocates and lends substantial support to**
    - **purposive and planned** acts of violence
        - Whereas the acts are intended to **coerce, intimidate** or influence a civilian population, government, or international organization, in order to
        - **deliver a message** in order to achieve a political, religious, or ideological aim
    - **which causes or attempts to cause death, injury or serious harm to**
    - **civilians, or any other person not taking an active part in the hostilities in a situation of armed conflict, and/or significant damage** to property
- Pros:
    - Allows us to designate actors that advocate for and provide substantial support to terrorist groups, but may not have directly engaged in acts of terrorism
    - Does not require that we apply the terrorism label, which is a politically loaded term, to all non-state actors engaged in violence who meet our previous definition of terrorism. Instead, we can classify them as "non-state armed groups" under the new definition and still remove any praise, support and representation.
    - Avoids stigmatizing opposition groups and dissenters, such as "freedom fighters" and separatist organizations by labeling them as terrorists
- Cons:
    - Definition may still be considered over-broad as it may remove "freedom fighters" and other orgs that are parties to an armed conflict
    - Governments may disagree with the new categorization

Option 2:

- Any non-state actor who
  - i. **advocates and engages** in
  - ii. **purposive and planned** acts of violence
    - a. Whereas the acts are intended to **coerce, intimidate** or influence a civilian population, government, or international organization, in order to
    - b. **deliver a message** in order to achieve a political, religious, or ideological aim
  - iii. **which causes or attempts to cause death, injury or serious harm to**
  - iv. **persons, and/or significant damage** to property
- Pros:
  - Consistent categorization, irrespective of the type of actors
  - Sets a high threshold by focusing solely on the actors that engage <u>and</u> advocate for violence
- Cons:
  - This option doesn't distinguish between different types of groups and organizations among them freedom fighters," insurgents, militias and separatist actors based on the tactics and the target of their violence. As such, we would be labeling non-state actors engaged in violence as terrorists, which is a politically-loaded term.
  - Treats violence against soldiers and civilians as an act of terrorism
  - Doesn't consider actors/orgs that provide material support to terrorist groups

Option 3:

- Any non-state actor who
  - i. advocates **or** engages in/**or lends material support**
  - ii. **purposive and planned** acts of violence
    - a. Whereas the acts are intended to **coerce, intimidate** or influence a civilian population, government, or international organization, in order to
    - b. **deliver a message** in order to achieve a political, **economic**, religious, or ideological aim
      - iii. **which causes or attempts to cause death, injury or serious harm to**
      - iv. **Non-combatants,** and/or damage to property
- Pros:
  - Allows us to designate actors/orgs that provide material support to designated terrorists groups even if they are not directly involved in acts or violence or openly advocate for such violence
  - Allows us to classify non-state actors engaged in combat without the "terrorism" label
  - Considers violence to achieve economic aim as terrorism
- Cons:
  - Difficult to define "combatants"
  - Governments may disagree with the "non-combatants" as many would consider acts of violence against combatants as terrorism

Option 4:

- Any non-state actor who
    - i. Advocates or engages in
    - ii. pre-meditated/purposive and planned acts of violence against persons or property
        - a. Whereas the acts are intended to **coerce, intimidate** or influence a civilian population, government, or international organization, in order to
        - b. **deliver a message** in order to achieve a political, religious, or ideological aim
    - iii. **which causes or attempts to cause death, injury or serious harm to**
    - iv. **Persons and/or significant damage to property**
    - **Qualification that excludes actors who comply with International Humanitarian Law in times of conflict:** We do not consider acts committed by an armed group in an armed conflict as terrorist acts if they comply with international humanitarian law, nor do we consider an organization engaging in such acts as a terrorist organization.
- Pros:
    - Exception for armed groups that comply with International Humanitarian Law
    - Avoids stigmatizing opposition groups and dissenters, such as "freedom fighters" and separatist organizations by labeling them as terrorists
- Cons:
    - Opens us up to criticism of making political judgments about whether a group represents "freedom fighters"
    - Allows space for organizations that use violence, albeit following IHL norms
    - Governments may disagree with the new categorization, as many would consider the non-state armed groups as terrorists

External Outreach

- We consulted with renowned experts in the fields of counter-terrorism, international humanitarian law, freedom of speech, human rights, and law enforcement across four different regions: EMEA, the US/CANADA, LATAM, and APAC.
- There is no international consensus around the definition of terrorism, so the feedback received was quite diverse. Nonetheless, the majority of stakeholder welcomed our changes and improvements, noting that the revised definition comes closer to capturing key elements associated with terrorism.
- Some of the points raised by experts:
    - Terrorism is more than just a violent act; the threat of violence and the delivery of a message to a target audience are very important when defining terrorism.
    - The definition of terrorism should not cover conduct that is in compliance with international humanitarian law. Placing lawful acts of violence in the same category as indiscriminate attacks sets a bad example and undermines international humanitarian law.

- The definition of terrorism should not stigmatize diverse forms of opposition and dissent as terrorism. Insurgents and revolutionary groups will employ violence, but will not deserve the label of terrorism.
- In the future, Facebook should consider how non-violent extremism can also factor into terrorism.

Questions/Discussion:

- *Question:* This is less about what is taken down or stays up and more about applying a label that's politically loaded externally. Is that correct?
- *Answer:* Yes, the word terrorism contains political weight that we don't intend and we want to align our definition with external thinking with regard to terrorism.
- *Comment:* It sounds like external experts have served as a major input for making a change to this definition, which is great. I'm concerned about the homogeneity of the list as it seems to include folks who make a career out of studying Muslim terrorists and specifically marginalizing Muslim, Arab and Black terrorists.
- *Response:* Great point. The external stakeholders listed out in the policy presentation is not a holistic representation of the individuals and groups consulted. On counterterrorism issues, we've had a host of informal conversations in Southeast Asia that aren't reflected here because they have happened over many months.
- *Response:* Of note, the outreach also included stakeholders in the Philippines and South America. Given that this recommendation focused on the actual text of this proposal, academic input was appropriate and on point. That said, we are committed to expand the pool of experts we engage with and would love to work with you on that.
- *Question:* How did we decide to consider narrowing our existing definition of terrorism?
- *Answer*: We made our definition public in order to get better, more in-depth feedback and transparency from other sectors. In doing so we received helpful commentary as well as criticism from academic experts, NGOs and the UN. In criticism it was pointed out that our definition might be too broad and might have unintended consequences in the future. Therefore, we looked to engage further with experts and narrow our scope
- *Question:* That makes sense and it aligns with other concerns that we're labeling these groups using a definition that is too broad. I think we're building out our entire Dangerous Organization abuse area to address this concern. Can you tell me a little bit more about the recommended option in this context?
- *Answer:* The UN has been arguing for 20 years about defining terrorism because they can't agree on a single definition. It would shock me if in a year we don't come back and say we need to refine this definition again. That said, this definition - specifically splitting terrorism out so it aligns more closely with the way it's generally understood around the world to create a new category of non-state armed actors - makes good sense. This is a better definition than the one we have in place today.
- *Question:* What does Operations think about this recommendation? This doesn't change enforcement, so wondering if it affects their role in the process and what their thoughts are? What do regional folks think?
- *Answer:* People are generally supportive of establishing a different categorization for non-state armed groups and welcome the change. We will be involving them throughout the process to define non-state armed groups.

- *Follow-up Answer*: As you noted, the change in our definition of terrorism won't prompt changes to enforcement. Regional teams welcome the change in definition even if it doesn't affect enforcement because more precise language will help in explaining and talking about the policy. Public Policy also welcomes this recommendation because it helps them think through groups who advocate mass demonstrations versus groups who use more terrorist tactics.
- *Comment:* I agree with option 1. I like option 4 in principle, but it's not practical. Is everyone comfortable moving forward with this and then after further conversation we can continue to revise this in the future?
- *Question:* When we were in Berlin, they flagged the racial, gender, country background of people who convene to make decisions about our policies. Do we run testing to understand how disenfranchised groups, for instance Muslims or Blacks, are impacted by this?
- *Answer:* To my knowledge we have not, but we could. We could look at the relative breakdown of designated organizations and content removed based on ideology. If we do this analysis it should be across all dangerous orgs, not just a sub category of our broad dangerous org policy. Otherwise, we misunderstand the wider purpose of policy. The overwhelming majority of people killed by terrorists in the last five years were killed by ISIS, so much of our effort has been focused on that group.
- *Follow-up Answer:* Regarding the lack of parity on jihadists groups and domestic national groups, the recent reorganization that brings terrorism and hate orgs under the same umbrella will be helpful. It underscores that we actually treat them as different facets of a similar problem, and are equally focused on both.
- Conclusion: Should we pass this conditionally supposing additional inputs to understand the broader implications of the change in definition? 1) More input from the Africa public policy team, where at least some of this activity originates; 2) Additional engagement with external experts from different communities; and 3) Follow-up conversation with UN Special Rapporteur to ensure diversity of opinion/expertise.

Timeline/Next Steps

- Develop a clear definition for Non-State Armed Groups
- Develop a designation protocol

Heads Up: Tributes Policy

Overview

- **Issue:** After a Facebook user passes away, we memorialize that person's profile to preserve it as they left it and so that it serves as a memorial site for friends and family. With the launch of the Tributes product, the profiles of those who have passed will include a memorialized timeline, which will serve as a dedicated space to post memories, updates, and provide support for friends and family. Given the supportive intention of the Tributes product, content that we allow under our Community Standards, like references to violence, may not be suitable. However, creating different standards for the Tributes

section will increase the complexity of implementation and may lead to inconsistencies in enforcement.

- **Goals**: Convene a working group and gather external feedback on more nuanced policy options for the new Tributes product and other content on Memorialized profiles.

Product Overview

- The Profile team is rolling out the Tributes feature so that the loved ones of those who have passed have a dedicated space to post memories and messages of support.
- The profile is a time capsule of a person's life, preserved the way they wished, while the Tributes section will be a distinct space to post memories, updates and provide support to one another.
- The launch of this product is scheduled for early 2019.

Memorialization Status Quo

- We do not change the content on a deceased account except in narrow cases where content is related to the murder or suicide of the deceased.
- Unless we create a new product-specific policy, our status quo policies would apply to the Tributes section. This would result in us allowing content such as:
  o Some instances of low-severity bullying, which require that the person being targeted reports the content to us in order for it to be removed. In the case of a memorialized account where the account owner is deceased, reporting isn't possible.
  o Insensitive content that relates to the death of the individual may be especially harmful on an individual's tribute's section (e.g., "I'm glad he's dead" or "I just wish they died sooner").

Timeline/Next Steps

- Convene a working group to discuss higher thresholds for various content types for the Tributes product and other content on Memorialized profiles.
- Engage with external experts for evaluation and input.

Questions/Discussion:

- *Question:* Can we make sure we're also looking at this policy development through the lens of bullying?
- *Answer:* We will definitely consider that