

## FACEBOOK RESPONSE

# Cambodia Human Rights Impact Assessment

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## Overview

Human rights conditions in Cambodia, often fragile, worsened significantly in 2017-2018. In the run up to national elections, the primary opposition party was dissolved and its leaders and members were exiled or fled the country. Harassment and imprisonment of human rights defenders increased. The ruling National People's Party won all seats in the July 2018 elections, and Prime Minister Hun Sen extended his 34-year rule. No independent local newspapers, radio, or TV remained by year's end.

Facebook commissioned a human rights impact assessment into its impacts in Cambodia against this background of deepening repression. Since that time, rights to freedom of expression, association, and political participation have remained severely restricted, as has the right to information.

In 2019, the influential Freedom House Freedom in the World Index scored Cambodia 30 out of a maximum of 100, earning it the label "not free". Cambodia achieved 43/100 in the related Freedom of the Net report; it scored lowest in the all-important area of violations of user rights, with threats and intimidation of users a key issue. Similar human rights indices indicated an even bleaker situation, with Cambodia near bottom in the World Justice Project's Rule of Law Index.

Facebook is very widely used in the country, by individuals as well as small and medium-sized businesses. The government has lawful surveillance powers; and current regulations permit the blocking and filtering of online content in violation of international human rights standards. Three ministries maintain social media monitoring units. Facebook users have been frequently arrested and imprisoned for exercising their right to freedom of expression on the platform.

## About This HRIA

Facebook commissioned this HRIA to gather local stakeholder feedback on our positive and adverse human right impacts in Cambodia, to get external guidance on how to address human rights risks, and to help us develop a strategy for the future.

This HRIA was conducted by [BSR \(Business for Social Responsibility\)](#), a global non-profit organization that has conducted human rights impact assessments for more than 25 years.

Predominantly carried out in late 2018 and early 2019, this report was conducted using a methodology based on the [UN Guiding Principles on Business and Human Rights](#). The HRIA included direct consultation with some 35 affected rights holders and stakeholders, in-country research, as well as interviews with relevant Facebook employees.

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## What's an HRIA?

A human rights impact assessment (HRIA) is a detailed form of human rights due diligence. An HRIA allows Facebook to identify human rights risks; know its positive and negative human rights impacts; and strengthen positive impacts as well as mitigate human rights harms.

Facebook has committed to do human rights due diligence, including HRIAs, as a member of the [Global Network Initiative](#), which we joined in 2013. The UN Guiding Principles, applicable globally, also state businesses should conduct human rights due diligence, and HRIAs should include meaningful consultation with potentially affected groups and other relevant stakeholders (2.A.18(b)).

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## Why This Facebook HRIA Response?

There's no standard format for disclosure. Facebook has chosen the unusually transparent step of disclosing HRIA executive summaries, with recommendations. This response is intended as a summary of the process, the findings, and a guide to what we have done and will do to follow up.

Good human rights due diligence helps companies actively address human rights risks. We are actively seeking to learn from this HRIA—and others, whether in progress or completed—to inform our work in Cambodia, to mitigate human rights risks in other challenging settings, and to serve users around the world. This HRIA, along with accompanying processes, has

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helped change Facebook policies, operations, and products. The impact has been timely and real.

We also note that while many of the recommendations in the HRIA and our responses are specific to Cambodia, many also have implications for other contexts, and may be reflected across other HRIAs. This shared relevance reflects the universal nature of human rights, the global reach of our products, and the intersectionality of the impacts identified.

## Cambodia HRIA Findings

The HRIA found Facebook had strong positive human rights impacts in Cambodia, but had also contributed to adverse impacts.

In particular, Facebook's products and services have been:

- Essential to freedom of information and expression in the country, where FM radio stations have been shut down and almost all print, radio, and TV media are now controlled by the government;
- An important source of independent news, as well as a critical platform for activists and others to stimulate transparency, expose corruption, and bring international media attention to local issues. Facebook Live played a valuable role in this regard;
- An important source of a large volume of Khmer language content, which is otherwise scarce;
- A boon to Cambodia's economic development, and related increases in quality of life; and
- A means of enabling cross-country and regional comparisons, thereby increasing public expectations of government accountability, public service, and economic development.

In addition, the HRIA noted there was "little evidence of Facebook removing content that should not be removed". It also noted low rates of compliance with government data requests. (See [our Transparency Report](#)).

Given the difficult country environment, however, the assessment also noted "two contrasting realities exist side-by-side,"<sup>1</sup> highlighting the following human rights risks:

- Facebook was a vital platform for human rights defenders, but defenders used it with a significant degree of self-censorship;

- Government surveillance was intensifying on and off line. An increasing number of rights holders were being arrested for content they shared or posted on Facebook;
- There was hate speech on the platform, fueled by deep-rooted racism and exacerbated by low digital literacy and lack of economic enfranchisement, and Facebook should take steps to prevent it intensifying;
- Harassment of women was a significant issue, and prejudice against women, LGBTQI, and other vulnerable groups played out online and offline;
- The information environment was dominated by misinformation and rumor. This was exacerbated by state control of the media and cyberwarfare strategies, and compounded by low digital literacy. Fact checking was needed; and
- The local ecosystem made potential online harms to children more likely than in many other markets. This included the risk of distribution of child sexual abuse material.

Actual or potential human rights risks included rights to security of person; freedom of expression, assembly, and association; the rights to privacy and non-discrimination; child rights; standard of living; and access to culture.

## Facebook Response to Findings and Recommendations

The Cambodia HRIA was initiated in 2018, and completed in 2019. It was conducted at a time when Facebook began to significantly strengthen its understanding of, and response to, global human rights and conflict-related risks.

While we discuss the majority of implementation steps here, we should note there are a number of recommendations and actions related to user security that cannot be responsibly publicly disclosed.

### A. WHAT WE'VE IMPLEMENTED

Facebook has made significant changes as a result of the Cambodia HRIA and related processes. These are grouped according to the six recommendation areas in the HRIA report.

## Community Standards Enforcement

We have:

- Almost tripled relevant content moderation resources and teams, enabling greater awareness of speech-related trends;
- Created a Khmer-language version of the Facebook Android mobile app in July 2019, in addition to a Khmer-language version of Facebook Lite, enabling users to use Facebook with more safety, autonomy, and understanding; and
- Launched an improved reporting/blocking tool for Facebook Messenger, making it easier to report potentially violating content and of blocking unwanted interactions;

While not referenced in BSR's report, we have also made updates to our Community Standards to address concerns raised by rights holders and mitigate human rights risks in Cambodia and other places in the world. These include:

- Created a [new policy to remove verified misinformation and unverifiable rumors](#) that may contribute to the risk of imminent offline physical harm. This policy is highly relevant to conflict-affected and other challenging settings;<sup>2</sup>
- Updated existing policies to protect vulnerable users, including the protection of users whose "outing" might increase risks of offline harm (e.g. involuntary outing of veiled women, LGBTQ+ individuals or human rights activists);
- Expanded our [bullying policies](#) to increase protections provided to all individuals, including public figures such as human rights defenders and journalists (we have, for example, updated our policies to explicitly prohibit female-gendered cursing and attacks on the basis of derogatory terms related to sexual activity); and
- [Expanded our policies](#) against voter interference to prohibit misrepresentations about how to vote, and statements about whether a vote will be counted, which will be important ahead of Cambodian elections in 2022 and 2023.

## Civic Space

We have:

- Begun developing the first iteration of a human rights defenders program, based on the findings of the Cambodia HRIA, other HRIAs, and specific due diligence on the needs of human rights defenders.

2. For a detailed overview of our global stakeholder engagement process and how it contributes to policy making, see [https://www.facebook.com/communitystandards/stakeholder\\_engagement](https://www.facebook.com/communitystandards/stakeholder_engagement). Minutes of relevant policy meetings at <https://about.fb.com/news/2018/11/content-standards-forum-minutes/>

## Engagement, Trust, and Transparency

We have:

- Hired a head of Cambodian public policy, significantly expanded the regional public policy team, as well as our regional public programs team. This step is enabling us to develop wider consultation and programming; and
- Trained non-government organizations, government officials and students on Facebook's Community Standards and on online safety practices.

## Systemwide Change

We have:

- Committed to expand digital literacy, including support to the Ministry of Education to develop digital literacy policies;
- Begun seeking opportunities to incubate third party fact checking capacity for Cambodia; and
- Launched and funded a [grant program in conjunction with Splice Media](#) to support local media in Cambodia (and across Asia).

## Risk Mitigation and Opportunity Enhancement

We have:

- Increased friction for sharing problematic content across the platform. We have made product interventions on WhatsApp to limit the spread of disinformation — clearly labelling forwarded messages, capping forward limits for all messages to five, and lowering the limit for highly forwarded messages to just one, with the latter cutting the virality of highly forwarded messages by 70%;
- Launched #SheMeansBusiness in December 2019, a three-year program designed in conjunction with USAID and designed to improve women's access to economic opportunity and digital skills;
- Increased support for non-SMS-based two-factor authentication (2FA), including redesigning the 2FA setup process to emphasize use of more secure [authenticator apps](#) and [clarify the way we use phone numbers](#);
- Invested in new technologies to proactively detect child nudity and child exploitative content when it's uploaded. [This investment](#) enables us to enhance our reporting to law enforcement. It also

means we can identify accounts seeking to engage in inappropriate interactions with children more quickly, so we can remove them and mitigate risk of harm. We have open sourced this technology to encourage use by others;

- Deployed new tools to fight sharing of **non-consensual intimate images**, including use of machine learning and artificial intelligence to proactively detect near-nude images or videos that are shared without permission on Facebook and Instagram. This enables us to limit harms by finding and taking action against this content before anyone reports it; and
- Launched a global NCII victim-support hub in our Safety Center, **Not Without My Consent**, available in 50 languages.

## Global Recommendations

We have:

- Developed a more discerning “know your customer” due diligence process for ads and boosted content, initiated through human rights due diligence for Facebook’s global ads sales partner program.

Facebook has also implemented significant global changes that improve our ability to respect human rights, but were not specified in HRIA recommendations. We have:

- **Formalized an approach** to help us determine which countries require high priority conflict prevention interventions, such as product changes, user experience research, or other risk mitigation steps;
- Incorporated human rights principles into the **Community Standards Values** in September 2019;
- Created a new senior role to lead company work on human rights, and expanded related roles and resources;
- Built clear processes for expert human rights input into product and content policy development;
- Expanded and intensified human rights due diligence at the country, product, and product intervention level, with follow up due diligence underway;
- Increased capacity to identify and mitigate human rights risks in real time, as a result of the combined effect of multiple other workstreams;

- Significantly improved mechanisms for user control over their privacy and information, with new features like Privacy Checkup, Privacy Shortcuts, Off-Facebook Activity, and others;
- Introduced [appeals of content moderation decisions in 2018](#), and expanded them significantly since to include almost all policy areas/abuse types, seeking alignment with the Santa Clara Principles; and
- Launched an ambitious independent operational grievance mechanism, the [Facebook Oversight Board](#), informed by a detailed [human rights review](#).

In addition, while it is still early, we intend to actively support integrity efforts to protect the 2022 Communal Elections and 2023 General Election and mitigate election-related risks, including adverse human rights impacts, as [we do for elections globally](#).

## B. WHAT'S IN PROCESS

At the time of writing, Facebook was preparing to implement:

- Partnerships that may enhance Facebook's ability to monitor government arrests of users for exercising freedom of expression; and
- Partnerships that may enable Facebook to more effectively support vulnerable human rights defenders.

The items above represent the beginning of our work in Cambodia and response to the issues raised in this HRIA, not the end. Some recommendations involve multiple steps, many of which will be challenging in Cambodia's current political and legal environment.

## C. WHAT WE HAVEN'T IMPLEMENTED

There are some recommendations we have not implemented. BSR recommended, for example, that we use our platform to advocate for regulatory change in Cambodia; that we develop a policy setting out circumstances when we will voice opinions on individuals arrested for exercising freedom of expression on Facebook; and that we potentially leverage other forms of support for human rights defenders and vulnerable groups.



We agree that these issues are important. We will actively consider them. As with similar recommendations related to user security, we will not discuss detailed action steps in public.

Similarly, we continue to explore, but are not yet in a position to report back on, recommendations pertaining to regional support for CSOs, annual stakeholder consultations, political advertising in countries without free and fair elections, and an HRIA focused specifically on the rights of the child.

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## Final Note

The Cambodia assessment has delivered nuanced, thoughtful, and important recommendations. It's an important step forward for Facebook.

By detailing the ways in which we have sought to implement BSR's recommendations—and where we haven't yet been able to do so—we've attempted to demonstrate accountability for our human rights impacts.

Important as these HRIAs are, we see them as the start of a wider process of engagement with our users and others whose rights are impacted by our platform.

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## Acknowledgments

We are very grateful to BSR, to rights holders, stakeholders, and staff members who participated in this important project, and made the changes we've detailed here possible.

The tech sector and social media platforms are driven by a commitment to innovation and a constant desire to do more and do it better. We're trying to ensure we apply this ethos to our human rights responsibilities.