



Facebook finally reveals who will serve on its version of a Supreme Court

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Nearly 18 months after announcing an independent board designed to hold it more accountable in content moderation decisions, Facebook has revealed the first members.

On Wednesday, Facebook (FB) announced an initial group of 20 members for its oversight board, which will eventually grow to 40 people. The board includes Helle Thorning-Schmidt, former prime minister of Denmark; Alan Rusbridger, former editor-in-chief of The Guardian; and Tawakkol Karman, a Nobel Peace Prize laureate who promoted non-violent change in Yemen during the Arab Spring.

Facebook's oversight board, which the company first formally teased in November 2018, creates a new way for users to appeal content decisions on both Facebook and Instagram to an independent body. Last year, Facebook CEO Mark Zuckerberg promised that the board would operate freely and objectively. The board has the power to override the company's decisions in specific content cases, and to develop policies to guide Facebook in the future.

Decisions made by the board will be final and binding. It will begin hearing cases later this year.

The independent board is an effort by Facebook to address criticism over how it handles hate speech, violent extremism and graphic materials. Its selection of members is a clear attempt to offer a careful mix of career backgrounds and political views from a wide array of regions around the world.

In April 2018, Zuckerberg hinted at an independent appeal process in an interview with Vox. "You can imagine some sort of structure, almost like a Supreme Court, that is made up of independent folks who don't work for Facebook, who ultimately make the final judgment call on what should be acceptable speech in a community that reflects the social norms and values of people all around the world," he said at the time.

The other board members include professors, lawyers and experts in areas such as freedom of expression, digital rights and internet censorship. Different political views are also represented, including the vice president of libertarian think tank Cato Institute and a voting rights expert that has been described as a "star of the liberal legal world." Facebook said the board's members have lived in more than 27 countries, and collectively speak all 10 of the world's most common languages, and 16 of the top 20.

But questions remain over how the board will choose and prioritize cases. It said it would focus on cases that could impact many users, are important to public discourse or raise questions about Facebook's policies.

"The sheer volume of decisions that are going to face the oversight board makes it impossible for the board to look at every controversy, to decide every appeal, to look at every case," Michael McConnell, co-chair of Facebook's oversight board, as well as a former US federal circuit judge and current constitutional law professor at Stanford Law, said on a call with reporters Wednesday. "This is going to be a real challenge for us to work out how to select that very small number of cases."

In an opinion piece in the New York Times, the board's co-chairs said they would explain how it prioritizes and chooses cases in the coming months. "Once a case has been chosen, it will be considered by a panel with a rotating set of members. All panel decisions will be reviewed by the entire board before they are finalized, and if a majority of members disagree with a decision, they can ask a new panel to hear the case again," they wrote.

McConnell added that the board won't please everyone with the decisions it makes in every case, but it will issue written statements of its reasons and rationale. The oversight board will make its decisions public on its website, and will not reveal personal information about those involved in the appeal process. It will also release an annual report to evaluate its work and how Facebook is meeting its pledges.

Facebook has also created a \$130 million trust for the board to fund its operations.