

# Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism: Facebook's 'terrorism' definition is too broad

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In her letter of 24 July 2018 addressed to Facebook CEO Mark Zuckerberg, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism expressed her concerns about the platform's use of an overly broad definition of 'terrorism' and 'terrorist organizations'. The Special Rapporteur, an independent expert appointed by the UN's Human Rights Council, also expressed her concerns about the seeming lack of a human rights approach in Facebook's content moderation policies.

In its Community Standards, Facebook defines terrorism as: '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.' According to the Special Rapporteur, this definition incorrectly equates all non-state groups that use violence in pursuit of any goals or ends to terrorist entities. She states that only a subset of violent acts committed by a non-state actor could be qualified as terrorism. The Rapporteur points out that the use of an imprecise and overly broad definition is particularly worrying in light of a number of governments seeking to stigmatise diverse forms of dissent and opposition (whether peaceful or violent) as terrorism. Lastly, the Rapporteur expresses her concern over the unclarity of how Facebook determines whether a person belongs to a particular group and whether the respective group or person is given the opportunity to meaningfully challenge such a determination.

In her letter, the Special Rapporteur underlines the important role that Facebook and other companies functioning on the basis of business models centred around hosting third-party content play in offsetting terrorist activity online. At the same time, she reiterates the importance of such activity being carried out in compliance with these companies' responsibility not to unduly interfere with the human rights of their users.

According to the Rapporteur, the definitions adopted and employed by Facebook should be compatible with standards set by international law, including international human rights law and international humanitarian law. She therefore urged Facebook to seek to connect with the model definitions as advanced by the

mandate of the Special Rapporteur. More generally, the Rapporteur urged Facebook, as well as other similar companies, to incorporate a human rights approach into its policies, in line with the UN Guiding Principles on Business and Human Rights.

***UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, 24 July 2018***

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