

When Facebook's [Dangerous Organizations](#) policy is applied to the facts in this case there's no question Trump's posts should have been removed. "[G]o home. We love you. You're very special....." is "support or praise for groups, leaders, or individuals involved in [organized violence]." In fact, Trump should have been suspended a long time ago under Facebook's Dangerous Organizations and COVID misinformation policies. This decision was neither transparent nor timely, and Facebook should now, at a minimum, clarify its decision by providing notice directly on Trump's account.

Instead of focusing on Trump, the Board should recommend that Facebook improve its ineffective and opaque Violence and Incitement and Dangerous Organizations policies. There are myriad public figures around the world who encourage vigilante violence and spread dangerous misinformation, including COVID misinfo, on Facebook. It is beyond time for Facebook to take more action to address this. The Board should recommend that when Facebook makes content decisions, it considers human rights beyond freedom of expression. Finally, the Board should recommend that when Facebook removes content, it preserves potential [evidence](#) as well as [documentation of human rights abuses](#).

Since Facebook's "[Dangerous Organizations](#)" list isn't public, we don't know which organizations or individuals from that list were involved on January 6th. As an [investigation by ProPublica revealed](#), many well known hate groups [that](#) "[e]ngage[d] in, advocate[d], or len[t] substantial support to purposive and planned acts of violence" were present. Such groups should be on Facebook's Dangerous Organizations list, and as noted in the Oversight Board decision for case 2020-005-FB-UA, that list should be public.

Facebook's current "[Violence and Incitement](#)" policy is also flawed. As a matter of principle, Facebook should consider human rights more broadly when making decisions about content. Freedom of expression is essential, but human rights also include freedom of religion (threatened by [rampant Islamophobia](#) on the platform globally), freedom of assembly, and the right to live (threatened by armed far-right militias that still [organize on Facebook](#)).

Practically speaking, the policy rationale and explanation need to be more detailed. Currently the policy says Facebook looks for a "credible threat to public or personal safety." Determining what constitutes a credible threat is not simple, especially because offline violence is increasingly linked not only to direct calls for violence, but rather to viral misinformation and dog whistles. Trump exemplifies this. He has encouraged violence by tirelessly repeating false claims or telling the Proud Boys to "stand by." This pattern is also disturbingly clear in India, where misinformation spreads rapidly and stokes [offline violence](#), and Hindu nationalists regularly manipulate and skirt Community Standards.

One way Facebook could clarify its policy and respect freedom of expression is by acting on former UN Special Rapporteur on Freedom of Expression David Kaye's [recommendation](#) that Facebook incorporate the [Rabat Plan of Action](#) into restrictions on speech. The Plan's six-part threshold test considers context, speaker, intent, content and form, extent of the speech act, and likelihood of harm including imminence.

Facebook's policy now says users should not post "Misinformation and unverifiable rumors that contribute to the risk of imminent violence or physical harm." Facebook should clarify how it decides when misinformation moves beyond "false news", which Facebook does not remove, to the point of contributing to the risk of imminent violence or physical harm. That consideration should take into account geographical and political context.

Facebook should reconsider how it applies its newsworthiness standard. Facebook must treat speech by political leaders as MORE, rather than LESS, likely to incite violence. As the Dangerous Speech Project's [guide](#) points out, "When a speaker is influential, their speech tends to be more dangerous." That's why Facebook needs to moderate content and accounts from public figures [all over the world, not just in the United States](#). It should start with India, where the Bharatiya Janata Party's use of Facebook has been integral to communal violence. Deplatforming figures associated with the BJP [could threaten Facebook's ability](#) to maintain its India office without physical or legal risk, but Facebook's business model can't trade compliance with human rights standards for enticing markets.

Facebook must incorporate offline context into its Community Standards. It should create a policy on cities and countries at increased risk of violence, allowing Facebook to target resources to such locales and potentially trigger special policies or stricter enforcement of policies in extreme cases- for example where an internationally recognized mass killing or coup is taking place. All these metrics and policies must be public and not simply left to Facebook's discretion. There are many existing standardized metrics regarding, for example, [risk of atrocities and mass killings](#).

Finally, these suggested improvements to Facebook's Community Standards will likely lead to increased removal of [potentially evidentiary content](#) and [documentation of human rights abuses](#). The effort to [remove so-called "terrorist and violent extremist content"](#) unfortunately demonstrates this very well, as documentation from conflict zones like Syria and Yemen is [deleted at an astounding rate](#). As Senator Mark Warner predicted in a [January 8th letter to Facebook](#), posts made by rioters on January 6th have been essential in [tracking down violent individuals](#) and identifying which hate groups participated and such content must be preserved. Facebook must commit to working with civil society on a privacy-conscious methodology for [preserving such content](#) without a law enforcement request, and allowing access in select circumstances.