

Policy advisory opinion 2021-01

Submit public comment [here](#).

This policy advisory opinion request concerns Facebook's policy on the sharing of residential information and when that information should be considered private and therefore removed. According to Facebook, this is a difficult question because residential addresses can be relevant to journalism and civic activism, but "exposing this information without consent can create a risk to residents' safety and infringe on an individual's privacy." While there have been several high-profile instances recently where Facebook has removed this type of content, this request for a policy advisory opinion is not linked to a specific post.

In its request, Facebook noted several potential harms linked to releasing personal information, including residential addresses. These include "doxing" (which refers to the release of documents, abbreviated as "dox"). Facebook claims that "justice" and "revenge" are common motivations for doxing behavior and that this can have negative real-world consequences such as swatting (a wrong-premises police raid) and being targeted for harassment or stalking.

The company highlighted that both human rights and tech experts indicate that doxing and other forms of online harassment disproportionately impact women and girls, as well as other vulnerable users.

Under the current Community Standard on Privacy Violations and Image Privacy Rights, users should not share "personally identifiable information about yourself or others." This includes "private information" such as "imagery that display(s) the external view of private residences." Facebook asks for guidance on "what should render private information 'publicly available'," which means it could be posted on Facebook. The company requested the Board's opinion on sources that are "not easily accessible or trustworthy," and if and why it should exclude any sources to determine if information has become public. Additionally, Facebook has asked the Board whether, in some circumstances, it should remove personal information even if this is already publicly available.

The Board would appreciate public comments that address:

- *Whether freedom of expression is unduly restricted if Facebook prohibits users from sharing any private residential information and the extent to which existing policies adequately protect people from harm resulting from privacy infringements.*
- *How Facebook should determine which information sources render private information "publicly available" (including information published by media outlets),*

the types of accessible public records that should fall within this category, and the circumstances, if any, under which “publicly available” information should still be removed (including where previously private information has been made public elsewhere online).

- *The benefits and limitations of automated technologies in enforcing this policy.*
- *How a global policy should account for varying national data protection laws that may apply differing rules to information contained in public records.*
- *Should disclosure of others’ personal addresses be the subject of separate policy, or subsumed in a more general policy about “doxing”? If the latter, what should such a more general policy say?*
- *How Facebook should treat private information about a public figure and how this should be defined for the purpose of this policy.*
- *How Facebook should treat the targeted individual’s potential vulnerability to harm from the private information shared (e.g. based on protected characteristics or status as a human rights defender or journalist).*
- *How Facebook should take into consideration broader political context when enforcing the policy (e.g. election periods, mass demonstrations, civil unrest and/or armed conflict).*

Public comments

An important part of the Board’s process for developing a policy advisory opinion is gathering additional insights and expertise from individuals and organizations. This input will allow Board Members to tap into more knowledge and understand how Facebook’s policies affect different people in different parts of the world.

If you or your organization feel that you can contribute valuable perspectives to this request for a policy advisory opinion, you can submit your contributions [here](#).

The public comment window for the policy advisory opinion request announced today is open until 15:00 UTC on Friday, July 9.

This timeline is longer than the public comment period for new cases as the policy advisory opinion process does not have the same time constraints as case decisions. Additionally, public comments can be up to six pages in length and submitted in any of the languages available on the Board’s website to allow broader participation on the issues at stake. The full list of languages is available through the link above.

How does the Board respond to a request for a policy advisory opinion?

1. Board accepts Facebook's request for a policy advisory opinion

When Facebook sends a policy advisory opinion request to the Board, it is assigned to one of the Board's four Co-Chairs. The relevant Co-Chair drafts a memo to all Board Members summarizing the main issues raised. Based on this, Board Members vote to accept or reject Facebook's request.

2. Committee develops policy options

If the Board accepts the request, the Co-Chair assigns a committee of at least five Board Members. Board Members are invited to volunteer based on expertise and interest. Any remaining vacancies are assigned randomly to Board Members who are not Co-Chairs, while also ensuring gender diversity.

After appointing a lead drafter, the committee agrees additional information to request from Facebook, as well as research from the Oversight Board Administration and plans for stakeholder engagement. Once the committee has received answers to their questions from Facebook, the Administration and external stakeholders, it drafts policy options for the full Board to consider.

3. Board deliberates and makes recommendations

All Board Members attend deliberations to discuss these policy options. Based on these deliberations, the lead drafter prepares a policy advisory opinion which includes detailed recommendations for Facebook. Board Members offer feedback on this and propose edits.

4. Policy advisory opinion is approved and published

The policy advisory opinion is circulated to all Board Members who approve or reject it by a majority. If approved, the policy advisory opinion is published on the Board's website and Facebook must respond to it within 30 days. If rejected, Co-Chairs discuss the reasons for this and determine how to proceed.

What next

Now that the Board has accepted this request for a policy advisory opinion, it is collecting necessary information, including through the call for public comments which has launched today. Following deliberations, the full Board will then vote on the policy advisory opinion. If approved, this will be published on the [Board's website](#).