

Public Comment Appendix for

2022-014-FB-MR

Case number

Case description

In April 2022, a Facebook user posted in English on the Facebook page of a medical organization in Sri Lanka, stating that people could donate pharmaceutical drugs and other medical goods to the country, and providing a link for them to do so. The post has been viewed over 80,000 times, shared fewer than 1,000 times, and has not been reported by anyone. At the time it was posted, Sri Lanka was in the midst of a financial crisis, limiting its ability to import pharmaceutical drugs. There were reports of local hospitals running out of medical supplies, including drugs. Meta's Restricted Goods and Services policy prohibits content that "[a]ttempts to donate or gift pharmaceutical drugs." Meta says the content would ordinarily have been removed under that provision. However, due to the situation in Sri Lanka, Meta chose to make a temporary "spirit of the policy" exception and allow the content, "as well as other content seeking to donate, gift, or ask for pharmaceutical drugs in Sri Lanka." Meta makes "spirit of the policy" exceptions when a strict application is producing results that are inconsistent with the policy's objectives. Exceptions are rarely communicated publicly. In this case, the exception was both temporary and limited to the Sri Lankan situation. It has been renewed multiple times. If a user reports content after an exception has expired, the usual rules apply, and it would be removed if found violating.

Meta referred the case to the Board, stating that it is difficult, as it involves **balancing the competing values of "Safety" and "Voice," and significant, as it concerns the Sri Lankan financial crisis, which could lead to preventable deaths due to a lack of medical drugs.** Meta has asked the Board to evaluate how the company makes temporary, region-specific "spirit of the policy" exceptions to its Restricted Goods and Services policy, particularly during crisis or conflict situations.

The Board would appreciate public comments that address:

- *The economic and political situation in Sri Lanka and how it is affecting medical services, the provision of pharmaceutical drugs, and the general public's access to health.*
- *How the work of organizations attempting to collect and distribute pharmaceutical drugs in Sri Lanka is affected by Meta's general prohibition on seeking to donate, gift, or ask for pharmaceutical drugs.*

- *How Meta’s Restricted Goods and Services policy should treat content seeking to donate, gift, or ask for pharmaceutical drugs in general.*
- *Whether Meta should publicly communicate when and how it allows temporary “spirit of the policy” exceptions to its Community Standards in crisis situations.*
- *What the objective criteria should be for deciding when to apply “spirit of the policy” exceptions in crisis situations, as well as how long such exceptions should last and when they should end.*

In its decisions, the Board can issue policy recommendations to Meta. While recommendations are not binding, Meta must respond to them within 60 days. As such, the Board welcomes public comments proposing recommendations that are relevant to this case.



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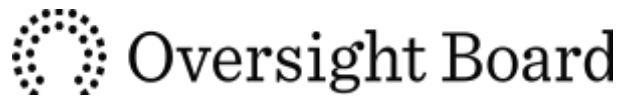
Case number

The Oversight Board is committed to bringing diverse perspectives from third parties into the case review process. To that end, the Oversight Board has established a public comment process.

Public comments respond to case descriptions based on the information provided to the Board by users and Facebook as part of the appeals process. These case descriptions are posted before panels begin deliberation to provide time for public comment. As such, case descriptions reflect neither the Board's assessment of a case, nor the full array of policy issues that a panel might consider to be implicated by each case.

To protect the privacy and security of commenters, comments are only viewed by the Oversight Board and as detailed in the [Operational Privacy Notice](#). All commenters included in this appendix gave consent to the Oversight Board to publish their comments. For commenters who did not consent to attribute their comments publicly, names have been redacted. To withdraw your comment, please email contact@osbadmin.com.

To reflect the wide range of views on cases, the Oversight Board has included all comments received except those clearly irrelevant, abusive or disrespectful of the human and fundamental rights of any person or group of persons and therefore violating the [Terms for Public Comment](#). Inclusion of a comment in this appendix is not an endorsement by the Oversight Board of the views expressed in the comment. The Oversight Board is committed to transparency and this appendix is meant to accurately reflect the input we received.



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Number of Comments

Regional Breakdown

0	0	0	1
Asia Pacific & Oceania	Central & South Asia	Europe	Latin America & Caribbean
0	0	2	
Middle East and North Africa	Sub-Saharan Africa	United States & Canada	

2022-014-FB-MR

Case number

PC-10976

Public comment number

United States and Canada

Region

Withheld

Commenter's first name

Withheld

Commenter's last name

English

Commenter's preferred language

Withheld

Organization

No

Response on behalf of organization

Short summary provided by the commenter

Monetary donations are OK. Pharmaceuticals from individuals are not OK

Full Comment

Donations of pharmaceuticals from individuals should not be allowed. The pharmaceuticals could contain poisons or drugs like fentanyl. Innocent people could die from the drugs they thought were going to help them. Meta should not ask for donations of pharmaceuticals under any circumstance.

Link to Attachment

No Attachment

2022-014-FB-MR

Case number

PC-10978

Public comment number

Latin America and Caribbean

Region

Margaret

Commenter's first name

Archegas

Commenter's last name

English

Commenter's preferred language

Institute for Technology and Society of Rio | ModeraLab

Organization

Yes

Response on behalf of organization

Short summary provided by the commenter

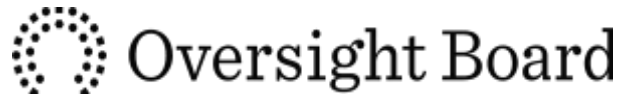
The Oversight Board noted in its case description that "exceptions are rarely communicated publicly". This means that during emergencies users' discourse is governed by rules that may be unknown to them. This is a problem mainly because it promotes, even if unconsciously, unpredictability and inconsistency in content moderation. After tackling this initial point, this public comment proceeds to show how (a) Meta can incorporate a framework based on an "emergency constitution"; **and how (b) the procedure for declaring and overseeing "state of emergency"** situations may include the Oversight Board. Finally, it covers the Board's previous decisions and how they offer some important cues.

Full Comment

Please see attached document for full comment.

Link to Attachment

[PC-10978](#)



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End of public comments