

*Via Electronic Mail Communication*

30.08.2020

To,

**Dr. Shashi Tharoor**

**Chairperson**

**Standing Committee on Information Technology**

**Parliament of India**

Respected Dr. Tharoor,

**Subject - Facebook's selective content moderation policy**

Greetings from SFLC.IN!

SFLC.IN is the first Indian legal services organization that works exclusively on technology, law, and policy. As a not-for-profit organization engaged in the empowerment of Indian citizens about their digital freedom and rights, it operates as a collective bringing together different stakeholders to a common platform to further the cause of digital rights. SFLC.in promotes innovation and open access to knowledge by helping policy makers make informed and just decisions regarding the use and adoption of technology. As of 2020 SFLC.in is the only Indian organization to be inducted as a member of the IFEX, a global network to defend the right to freedom of expression and information.

We are writing this to you in the light of the recent allegations that have come forward against social media platform Facebook regarding selectively moderating hate speech in favor of the ruling party on its platform. The Wall Street Journal published an article titled Facebook's Hate-Speech Rules Collide With Indian Politics that came out on 14.08.2020 which raises serious concerns about the influence of social media giant Facebook Inc the electoral process in our country.

India is Facebook's largest market in the world with over 270 million users. The selective policing of content based on political leanings can be severely damaging to a healthy democracy. We have seen scandals such as Cambridge Analytica surface in the past where Facebook was guilty of tampering with the electoral process in the United States. We do acknowledge that the content moderation policies that a platform has are its own and non-enforceable in any court of law but at the same time these policies need to be neutral and enforced in an un-biased manner. Social Media intermediaries should act in tune with Human rights laws and principles.

In light of the above article and other concerns that have been raised over a period of time about the neutrality as well as the content moderation policies of social media platforms, we request the committee to call upon these platforms as well as other stakeholders to discuss their policies and rules. We feel that there has not been a sufficient explanation that has been provided by Facebook Inc. in the matter. Therefore, we would like to request an inquiry into the specific incident as well as other such incidents where content was only taken down after it was brought to their notice by journalists. We would like to request the committee to direct Facebook Inc. to produce documents including email communication in this matter.

Civil society organizations like SFLC.in have been relentlessly working for holding social media intermediaries accountable for content moderation when such content relates to hate speech or dangerous speech. We believe, experts who have been doing groundwork in this regard from the civil society organizations can be called upon to ensure that the policies of social media platforms are based on human rights principles.

Internet was envisioned to be a de-centralized open space and many functions of modern day democracy are practiced and facilitated over the internet. In light of this, it is important that all social media platforms which have considerable influence are held accountable for their actions.

**Our requests are summed up here -**

1. We request that an open hearing with all major social media platforms as well as stakeholders including civil society organisations may be held to discuss the content moderation policies that are implemented by these platforms.
2. We request that an inquiry into the specific incidents that have been brought to light by the Wall Street Journal article may be conducted. We request the committee to call for the records including the posts and email/internal communications relating to the alleged incidents from Facebook Inc. and examine them.
3. We also request the committee to give an open call to the public to provide evidence about cases where social media platforms have taken a partisan approach in moderating content by favouring a political party or a group.

Through this letter, we would like to urge you to look into this matter in depth on an urgent basis. We would also be honoured to assist the committee in any manner deemed fit.

Yours Sincerely,  
Prasanth Sugathan  
Legal Director  
SFLC.in

Material for Reference

1. [Intermediary Liability 2.0 : A Shifting Paradigm](#)
2. [The Future of Intermediary Liability in India](#)
3. [Online Harassment: A Form of Censorship](#)