

9 September 2020

Dear Mark Zuckerberg and Sheryl Sandberg,

CC: Monika Bickert, Facebook Oversight Board, Policy Team Members in Menlo Park

We, the undersigned organizations, write to urge you to take decisive action to address Facebook India's bias and failure to address dangerous content in India. We call on you to ensure that the ongoing human rights audit of Facebook India reported by *Time Magazine* is overseen by high level staff in your Menlo Park office, increase engagement with human rights and grassroots organizations in conducting the audit and devising solutions to the continuing problem of dangerous content on your platform, and put Head of Public Policy Ankhi Das on leave pending completion of the audit.¹ The need to act is urgent - lives are at stake.

The link between content on your platform and offline violence in India is no secret, but two articles from *The Wall Street Journal* have revealed disturbing details about the problem. An August 14th, 2020 article described how top leadership at Facebook's India office refused to apply Facebook's own rules to politicians from the ruling Bharatiya Janata Party (BJP), despite clear violations of Facebook's policies against incitement to violence, hate speech, and misinformation.² Your top policy executive, Ankhi Das, reportedly "told staff members that punishing violations by politicians from Mr. Modi's party would damage the company's business prospects in the country," according to current and former employees.³ In an August 30 article, former employees in both India and the U.S told *The Wall Street Journal* that "Facebook declined to act after discovering that the BJP was circumventing its political ad transparency requirements."⁴

These findings are even more disturbing considering that this is not the first time Facebook has been called to account for its role in offline violence, in India and elsewhere - even in the United States.⁵ As protests spurred by the police shooting of Jacob Blake took place in Kenosha, Wisconsin, two people were murdered by an armed counter-protestor who appeared to be a militia member. *The Verge* reported that despite multiple reports from people concerned about

¹ Billy Perrigo, *Facebook's Ties to India's Ruling Party Complicate Its Fight Against Hate Speech*, 27 Aug 2020, TIME, <https://time.com/5883993/india-facebook-hate-speech-bjp/>

² Jeff Horowitz and Newley Purnell, *Inside Facebook, Hate-Speech Rules Collide With Indian Politics*, 14 Aug 2020, THE WALL STREET JOURNAL, <https://www.wsj.com/articles/facebook-hate-speech-india-politics-muslim-hindu-modi-zuckerberg-11597423346>

³ Id.

⁴ Jeff Horowitz and Newley Purnell, *Facebook Executive Supported India's Modi, Disparaged Opposition in Internal Messages*, 30 Aug 2020, The Wall Street Journal, <https://www.wsj.com/articles/facebook-executive-supported-indias-modi-disparaged-opposition-in-internal-messages-11598809348>

⁵ Afef Abrougi et al, *Netizen Report: It's not just Myanmar — ethnic hate speech runs rampant on social media in Cameroon, India*, 31 Aug 2018, GLOBAL VOICES, <https://globalvoices.org/2018/08/31/netizen-report-its-not-just-myanmar-ethnic-hate-speech-runs-rampant-on-social-media-in-cameroon-india/>

potential violence, a “self-proclaimed militia group called Kenosha Guard,” which issued a “call to arms” in advance of the protest wasn’t taken down.⁶

This kind of tragic failure unfortunately appears to be the norm in South and Southeast Asia. Nowhere has this been more painfully evident than Myanmar, where the military was complicit in instigating genocide on Facebook.⁷ Rohingya refugees in India were targeted during the 2019 elections.⁸ The pandemic hasn’t stopped this trend; COVID-related Islamophobic hate speech and disinformation was rampant on the platform early this year.⁹

In fact, mass riots in India spurred on by content posted on Facebook have been occurring for at least seven years. A mislabeled video on social media was instrumental in stoking the horrific 2013 Muzaffarnagar riots in which 62 people were killed.¹⁰ A BJP politician was even arrested for sharing the video.¹¹ This should have been enough to prompt Mr. Zuckerberg and Facebook to take a step back from operations and conduct a human rights audit to ensure Facebook had the necessary corporate competencies and had taken human rights into account. Despite all this, the company decided to expand in India without hesitation. Since then, right-wing ministers and officials have used the platform to openly call for shooting Bangladeshi migrants in India and to spin Islamophobic narratives of ‘love jihad’ and ‘cow slaughter,’ instigating violence against India’s minorities.

Now, according to international watchdogs and academics, circumstances in India show the potential for genocide.¹² The Citizenship Amendment Act (CAA), coupled with the National

⁶ Russel Brandom, *Facebook chose not to act on militia complaints before Kenosha shooting*, 26 Aug 2020, THE VERGE,

<https://www.theverge.com/2020/8/26/21403004/facebook-kenosha-militia-groups-shooting-blm-protest>

⁷ Kevin Roose and Paul Mozur, *Zuckerberg Was Called Out Over Myanmar Violence. Here’s His Apology*, 9 Apr 2018, NEW YORK TIMES, <https://www.nytimes.com/2018/04/09/business/facebook-myanmar-zuckerberg.html>

⁸ Vindu Goel and Shaikh Azizur Rahman, *When Rohingya Refugees Fled to India, Hate on Facebook Followed*, 14 Jun 2019, New York Times, <https://www.nytimes.com/2019/06/14/technology/facebook-hate-speech-rohingya-india.html>

⁹ Billy Perrigo, *It Was Already Dangerous to Be Muslim in India. Then Came the Coronavirus*, 3 Apr 2020, TIME, <https://time.com/5815264/coronavirus-india-islamophobia-coronajihad/>

¹⁰ First Post, *Muzaffarnagar: Two-year-old video fuels riots, cops probe MLA who shared it*, 9 Sep 2013, <https://www.firstpost.com/india/muzaffarnagar-two-year-old-video-of-lynching-fuels-riots-cops-probe-mla-who-shared-it-1094225.html>; Pragy Singh, *Ahmedabad, Muzaffarnagar & Now Bengal: How Social Media Is Used To Spread Communal Hatred*, 18 Jul 2017, OUTLOOK, <https://www.outlookindia.com/website/story/first-ahmedabad-then-muzaffarnagar-and-now-bengal-how-social-media-is-used-as-pl/299625>

¹¹ *Muzaffarnagar violence: BJP MLA Sangeet Som arrested* 21 Sep 2013, THE ECONOMIC TIMES, <https://economictimes.indiatimes.com/news/politics-and-nation/muzaffarnagar-violence-bjp-mla-sangeet-som-arrested/articleshow/22847399.cms>

¹² See, e.g., United Nations, Office on Genocide Prevention and the Responsibility to Protect, *Note to Media on India by Under-Secretary-General Adama Dieng, United Nations Special Adviser on the Prevention of Genocide*, 18 May 2020, https://www.un.org/en/genocideprevention/documents/18052020_SA%20note%20to%20media%20on%20India_fin_al.pdf; India is ranked as 13 in the world for risk of new mass-killing in the world, higher than Syria or Myanmar, in the 2019-2020 statistical risk analysis done by the Simon-Skjodt Center for the Prevention of Genocide at the United States Holocaust Memorial Museum in November 2019: The Simon-Skjodt Center for the Prevention of Genocide at the United States Holocaust Memorial Museum and the Dickey Center for International Understanding at Dartmouth College, “*Countries at Risk for Mass Killings 2019–2020: Early Warning Project Statistical Risk Assessment Results*”, 22 Nov 2019, available at

Registry of Citizens (NRC), threatens to take away the citizenship of hundreds of thousands of Muslims and other minorities and put them in detention centers.¹³ The United Nations Human Rights Office has called the law “fundamentally discriminatory.”¹⁴ The rise in anti-Muslim bigotry, hate speech against minorities, and persistent pogroms targeting Muslims and Dalits have all only furthered the atmosphere of fear that India’s minorities live in.¹⁵

Mr. Zuckerberg, when you said “never again” after Myanmar, did you actually mean “Over and over again?” Myanmar is not an aberration. We are seeing the same playbook that was used to incite genocide in Rwanda in 1994 playing out in India. Then, radio broadcasts from government radio stations spread misinformation that helped incite ordinary citizens to take part in the massacres of their neighbors. Now, instead of radio stations, events like the North East Delhi pogrom are stoked by misinformation and hate speech shared on Facebook.¹⁶

Facebook should not be complicit in more offline violence, much less another genocide, but the pattern of inaction displayed by the company is reckless to the point of complicity. The demands in this letter could help avert that disaster. It is no secret, given the acknowledged and harsh realities of Facebook’s role in the Rohingya genocide in Myanmar, that online violence and hate easily spill into violence in real life. Despite this, Das opposed applying the platform’s hate speech rules to BJP Minister Raja Singh, who infamously said that Rohingya and Bangladeshi refugees should be shot, as well as “at least three other Hindu nationalist groups and individuals flagged internally by the employees for promoting or participating in violence.”¹⁷

No one is arguing that Facebook employees should have their freedom of expression unfairly curtailed, but Ms. Das has gone too far in publicly highlighting her allegiance to the BJP (to say nothing of her posts on internal Facebook staff message boards). In 2017, she wrote an article praising Indian Prime Minister Narendra Modi which was published on his website and mobile app.¹⁸ In a 2014 article, she praised his use of social media - hardly neutral commentary for a

<https://earlywarningproject.ushmm.org/storage/resources/917/Statistical%20Risk%20Assessment%202019-2020.pdf>; Atrocity Alert, *Atrocity Alert No. 193: India, China and Syria*, GLOBAL CENTRE FOR THE RESPONSIBILITY TO PROTECT, 4 Mar 2020, <https://www.globalr2p.org/publications/aa193/> (“India now appears to be at a political crossroads, and the threat of further violence remains high if hate speech is not brought under control.”)

¹³ Karan Deep Singh et.al, *Modi Denies India Is Targeting Muslims. We Found a Different Reality* 4 Apr 2020, NEW YORK TIMES, <https://www.nytimes.com/video/world/asia/100000006963057/modi-muslims-india-citizenship-test.html>; Zamira Rahim, *India builds detention camps for up to 1.9m people ‘stripped of citizenship’ in Assam*, 10 Sep 2019, THE INDEPENDENT,

<https://www.independent.co.uk/news/world/asia/assam-india-detention-camps-bangladesh-nrc-list-a9099251.html>

¹⁴ United Nations Office of the High Commissioner for Human Rights, *Press Briefing on India*, 13 Dec 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25425&LangID=E>

¹⁵ Megha Rajagopalan, *Facebook Failed To Delete 93% Of Posts Containing Speech Violating Its Own Rules In India*, 12 Jun 2019, BUZZFEED, <https://www.buzzfeednews.com/article/meghara/facebook-india-hate-speech-equality-labs>

¹⁶ Hannah Ellis Peterson, *Inside Delhi: beaten, lynched and burnt alive*, 1 Mar 2020, THE GUARDIAN, <https://www.theguardian.com/world/2020/mar/01/india-delhi-after-hindu-mob-riot-religious-hatred-nationalists>

¹⁷ Harry Cockburn, *'Shoot Bangladeshi and Rohingya immigrants who won't leave', says Indian politician*, 31 Jul 2018, THE INDEPENDENT, <https://www.independent.co.uk/news/world/asia/bangladesh-rohingya-immigrants-india-shot-dead-killed-bjp-raj-singh-a8472036.html>; *Supra.*, note 1

¹⁸ Ankhi Das, *Prime Minister Modi and the new art of Public Governance*, 12 Mar 2017, NARENDRA MODI, <https://www.narendramodi.in/reflections/prime-minister-modi-and-the-new-art-of-public-governance-2>; Ankhi Das,

current Facebook employee. It is not appropriate to indicate that kind of bias publicly when it can have the result of emboldening those bad actors into (rightfully) believing they will get preferential treatment.

In view of the above, we call for the following actions to secure the life, safety, and human rights of marginalized groups in India. These primarily consist of members from Dalit, Bahujan, Adivasi and religious and cultural minorities, including (but not limited to) Muslims.

1. Facebook Inc. must take immediate steps to ensure the independence and thoroughness of the ongoing human rights audit of its India operations, encompassing caste, religious bias, and elections operations. The audit must be removed entirely from the influence of the India office and jointly overseen by Menlo Park staff and civil society groups with expertise in Caste and Religious Bias. Facebook must authorize the agent conducting the audit to partner closely with civil society groups.

The audit must review both the human rights impact of Facebook India's policy programs and examine the platform's role in propagating hate, casteism and Islamophobia, and violence by Hindutva groups, politicians and officials, and social media influencers.

During the audit, Facebook should cease its elections operations until a full review has been conducted. More operations during elections could lead to serious human rights violations.

2. Facebook India should immediately place the public policy head Ms. Ankhi Das on a leave of absence, due to the reports of her role in Facebook's continued failure to enforce its policies in India. Ms. Das should be placed on leave pending a full audit of Facebook India and an investigation into her statements as reported in *The Wall Street Journal*. Should the audit or investigation reinforce the details of *The Wall Street Journal*, she should be removed from her role.

3. Facebook must engage in transparent dialogue and make actionable commitments to human rights with Internet freedom advocates, civil society, and human rights activists in India. Facebook should make as much of the audit findings public as possible and commit to working with civil society to find solutions to problems identified in the audit. Ensuring clear intervention channels in the future as well as appropriate training for content moderators and other relevant staff should be part of that dialogue.

The full extent of the harm done by Facebook India is yet to be determined, but even what we know now highlights the urgent and serious nature of these demands. We believe that taking decisive action to address these issues isn't just the right thing to do for everyone harmed in India - it is also an opportunity for Facebook to demonstrate a real commitment towards addressing related issues for marginalized communities everywhere, from Black Americans to Rohingya refugees. We look forward to hearing from you to arrange a meeting on next steps.

Signed,

Action Center on Race and the Economy
ad.watch
Alliance of South Asians Taking Action (ASATA)
API Chaya
Aspiration Tech
Black Diasporic Organizing Project
Centre for Culture-Centred Approach to Research and Evaluation
Council on American-Islamic Relations
Dangerous Speech Project
Derechos Digitales
Emgage Action
Fight for the Future
Free Press
Global Project Against Hate and Extremism
Hope Not Hate
Inclusive Aotearoa Collective Tāhono
Indian American Muslim Council
Islamic Women's Council of New Zealand
Jewish Voice for Peace
Little Sis
Media Justice
MPower Change
Muslim Advocates
National Queer Asian Pacific Islander Alliance (NQAPIA)
New Zealand Muslim Association
Open MIC (Open Media & Information Companies Initiative)
Project South
Reviving the Islamic sisterhood for empowerment
Sakhi for South Asian Women
South Asian Americans Leading Together (SAALT)
South Asian Solidarity Collective
South Asians Building Accountability & Healing (SABAH)
Southern Poverty Law Center
Subcontinental Drift - DC
Taraaz
The Humanism Project
The Initiative for Equal Rights
TrollBusters/Media Innovation Collaboratory
WITNESS
Women's March Global
Women's Organisation of the Waikato Muslim Association