

MULTISTAKEHOLDERISM & PLATFORM CONTENT GOVERNANCE

An Assessment Framework with Applications

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SUMMARY

While in many ways the growing popularity of multistakeholder governance is a good thing, it also means that the term can be applied loosely or even deceptively. This report develops a set of criteria that facilitates analysis and comparison of multistakeholder governance methods. It then applies those criteria to three recent initiatives related to social media content governance: the Christchurch Call and its Advisory Network, the Facebook Oversight Board, and the Global Internet Forum to Counter Terrorism (GIFCT).

Keywords: Content moderation; Platform governance; multistakeholder; Christchurch Call; Social media; GIFCT; Facebook Oversight Board

INTRODUCTION

The term “multistakeholder” (MS) is now claimed as a legitimizing feature of various international, Internet-related policy development entities. Civil society in particular tends to demand multistakeholder governance in order to gain entry into decision-making processes otherwise controlled by business or government. While in many ways the advance of MS governance is a good thing, it also means that the term can be applied loosely or even deceptively. We need to ask what multistakeholderism really means in a particular policy environment, and we need to assess critically how these organizations are being set up.

This report develops a set of criteria that permits us to analyze and contrast multistakeholder initiatives. It then applies those criteria to 3 recent initiatives related to content governance that lay claim to being multistakeholder: the **Christchurch Call and its Advisory Network**, the **Facebook Oversight Board**, and the **Global Internet Forum to Counter Terrorism (GIFCT)**.

1. CLASSIFICATION CRITERIA OF MS GOVERNANCE

MS governance structures are defined by three basic criteria. One pertains to their relationship to decision-making **authority**. The second pertains to **membership**; that is, how stakeholders are represented and selected. The third pertains to **funding** support from the policymaking institution.



A. Decision Making Authority

Perhaps the most important criterion for assessing MS governance is the relationship of the “multistakeholder” element to the decision making authority. We can identify three distinct types:

- i. First, the multi-stakeholder participants have a formally recognized ‘vote’ or some other kind of direct authority over decisions. (E.g., [ICANN’s GNSO](#))
- ii. Second, the additional stakeholders serve a purely advisory or consultative function; they act as a sounding board or advisor to the decision maker. (E.g., OECD Business, Labor and Civil Society Advisory Committees)

- iii. There can be a middle ground between these two types, in which the consultative body is advisory in status but its formal advice triggers some kind of procedure and cannot just be ignored. (E.g., ICANN Governmental Advisory Committee)

B. Membership

The second key criterion is membership: how are the stakeholders incorporated into the policy making organization? The answer to this question involves two steps: 1) how is the representation of stakeholders structured, and 2) how are people selected to fulfill those roles defined by the structure?

Representation

There are two basic types of representation:

- a) The first type creates a formal representational structure that assigns slots to specific stakeholder groups, in some attempt to balance or weight representation. For example, a committee may consist of 2 representatives of the private sector, 2 representatives of governments, and 2 representatives of civil society. A representational structure clearly raises the question of what is the balance among stakeholder groups and who decides on that balance?
- b) The second type of representation creates a space for multistakeholder participation but has no formal structure or pre-defined balance of stakeholder groups.

Selection

There are 4 different methods by which participants can be selected:

- i. Open participation (self-selection)
- ii. Bottom up delegation by stakeholder groups
- iii. Top down approval of nominees made by stakeholder groups
- iv. Top down selection

Since all 4 selection methods could be used in either of the two representational structures, this leads to 8 different types of Membership. Rather than tediously going through a description of each one, we will give three examples:

Type **b (iv)** would be a multistakeholder organ which has no representational structure, and the policy making institution itself selects the people. This seems to be a good description of the Facebook Oversight Board.

Type **a (ii)** would refer to a multistakeholder organ with a formal representational structure that allowed the stakeholder groups themselves to select the people who represented them. This more or less corresponds to the ICANN GNSO, which is run by a Council composed of the representatives of 4 pre-defined stakeholder groups which elect their own representatives to the Council.

Type **b (i)** would correspond to the Internet Engineering Task Force (IETF), which does not recognize stakeholder categories at all, and allows any individual to participate on their own initiative.

C. Funding

This criterion simply determines whether the institution provides the funding support and/or infrastructure required for stakeholders to participate. Providing financial support for travel or for organizational infrastructure is an important commitment to MS governance. There are two options here:

- i. Yes, an infrastructure for participation is funded and/or provided
- ii. No, participants have to support their own activities in the institution

2. MULTISTAKEHOLDER ARRANGEMENTS IN CONTENT GOVERNANCE

Part I defined some key criteria of MS governance structures, Part 2 now applies those criteria to existing content governance initiatives. We describe three different initiatives related to content moderation and assess them using the criteria: The Christchurch Call and its Advisory Network. The Facebook Oversight Board, and the Global Internet Forum to Counter Terrorism (GIFCT). The Christchurch Call Advisory Network and GIFCT focus on problems of violent and extremist content. The Facebook Oversight Board deals with a broader set of content moderation decisions at Facebook. *(In applying these criteria, we recognize that some of these institutions are still evolving and their classification can change.)*

The Christchurch Call and its Advisory Network

The Christchurch Call was launched on 15 May 2019, in response to a terrorist attack in Christchurch, New Zealand in 2019 which was broadcast live on the internet. The Call outlines collective, voluntary commitments from governments and online service providers to prevent a repeat of the kind of abuse of social media that occurred during the Christchurch attacks by actively suppressing terrorist and violent extremist content online.

The Christchurch Call Advisory Network (CCAN) was convened by the governments of New Zealand and France to advise on the implementation of CC's commitments. The Network and the Christchurch Call are in their infancy so are beginning to organically develop multistakeholder representation and processes.

Membership currently consists of 55 national governments, the European Commission, UNESCO, Council of Europe, 10 tech companies, and an Advisory Network of 44 international civil society representatives.

The Christchurch Call started as a public-private partnership. The New Zealand and French governments drafted a set of commitments in consultation with the major U.S. platforms behind closed doors and then, after finalizing the commitments, started reaching out to civil society members to endorse it. Other countries and tech corporations started joining the Call as well. For some time the role of civil society in the Call was obscure, but the NZ government responded to pressure to be more inclusive. To put it

generously, the Christchurch Call now has three stakeholder groups: 1. Governments and intergovernmental organizations; 2. Online service provider businesses; 3. Civil Society.

New Zealand and France encouraged additional governments to participate in the Christchurch Call. Governmental members must be members of the Freedom Online Coalition. They are however facing the problem of how to deal with countries that abuse human rights and have used fighting terrorist content as a tool for censorship. There were some mentions of not having those countries as members. The leading governments have also reached out to tech companies and encouraged them to join. Tech companies can join on their own initiative, too. Civil society are involved through the Christchurch Call Advisory Network (CC-AN) which is run by its CS members with oversight, input and, soon, funding from the two government leads (NZ and France) Tech-corporations work with the governments to come up with implementation plans that usually take place in workstreams that civil society also joins. The workstream outcomes are non-binding. Aside from the workstreams and CCAN, the NZ and FR governments have put together multi stakeholder “focus groups” on a variety of issues, such as open and secure Internet. The NZ government aims to create autonomous multistakeholder structures that any stakeholder group could use to start a conversation with other stakeholders about a topic.

How multistakeholder is it? Applying the 3 criteria we find that Christchurch Call is a Consultative arrangement (**A.ii**). It has no predefined balance of stakeholder representation, and civil society stakeholders are self-nominated, but approved top-down (**B.b.iii**). Some funding support is promised (**C.i**) but not fully in place.

Authority: The additional stakeholders in CCAN act as a sounding board or advisor to the decision maker (the CC Call members). The Advisory Network is convened by the governments primarily to gather informational input, though its role is evolving.

Membership: There is no predefined balance of representational categories, and civil society applicants are approved top down by CC Call members. Hence we classify it as B.b.iii. The Advisory Network (CCAN) has its own processes for recruiting and in-take of new applicants, but the members that CCAN approves must be approved by the New Zealand and France governments. The members of tech-corporations join by applying with the governments or when governments reach out to them. But these consultations happen between the governments and corporations. The NZ and France governments lead the membership intake, but CCAN has managed to convince them to at least have a lightweight process in place and inform civil society about which tech-corporations they are recruiting.

Funding: Initially, the CCAN did not provide any funding support however a process for funding a Secretariat for CCAN was approved.

The Facebook Oversight Board

Background: The Facebook Oversight Board (FOB) is an attempt by one leading social media company to gain advice and a quasi-judicial review of its content moderation decisions. It was announced in March 2020 and formally launched in September 2020. In December 2020 the Board announced the first few cases it would take up.

The FOB currently [consists of 20 members](#), mostly law professors supplemented by leaders of NGOs

associated with freedom of expression or journalists. Five “co-chairs” serve as liaisons to the board administration, lead committees, and carry out management responsibilities, such as case selection and cooperating with Facebook in the selection of other FOB members.

FOB is empowered to uphold or reverse Facebook's content moderation decisions. It reviews and makes decisions about content moderation in accordance with Meta's content policies or values. An “appeals process” enables users to challenge content decisions on Facebook or Instagram. Users who have been directly affected by a Facebook or Instagram content moderation decision can request a review of its decision, and if they disagree with the final decision, they can appeal to the board. The Board selects and reviews emblematic cases to determine if decisions were correct and to provide advice on improving Meta's content policies.

The board is administered by an independent trust and is financially supported by a company that was established and funded by Facebook but is separate from the Facebook company. A group of Trustees selected by Facebook runs this company. The board's structure, responsibilities, purpose and relationship to Facebook are outlined in the [Oversight Board Charter](#).

How multistakeholder is it? Applying the 3 criteria we find that the Oversight Board has real but limited authority **(A.i)**. Membership has no predefined balance of stakeholder representation and stakeholders are selected top-down **(B.b.iv)**. There is considerable funding support **(C.i)**.

Authority

The FOB can be both consultative and authoritative. It can be asked by the Corporation for generic advice about content policies, but its decisions to uphold or reverse Facebook's content takedown decisions are supposed to be binding. According to its website, “Facebook will have to implement [the FOB decisions], unless doing so could violate the law.” Hence we classify it as A(i), while recognizing that it only addresses a small part of Facebook's content moderation decisions and does not directly shape Facebook's general content moderation policies.

Membership

Membership in the FOB does not follow any defined stakeholder balance. Each representative (as well as the Trustees) were selected in a top-down manner by the Corporation, and will be selected by a nomination process (which includes self-nomination) overseen by the Trustee with input from the current board. Facebook's selections aim for geographic and gender balance but the company has full control over who is appointed to the initial FOB.

Funding

The operations and meetings of the FOB receive extensive funding support from the Corporation.

The Global Internet Forum to Counter Terrorism (GIFCT)

The Global Internet Forum to Counter Terrorism (GIFCT) is an industry-led initiative created in 2017 to address the spread of terrorist and violent extremist content (TVEC) using digital media platforms. GIFCT's founding companies were Facebook, Microsoft, Twitter and YouTube. Initially the forum focused on three broad areas: using technology to prevent terrorists and violent extremists from exploiting digital platforms; sharing knowledge and supporting smaller companies; and funding research to guide future technical and

policy decisions around the removal of terrorist content.

In 2019, following the viral spread of videos of the March 2019 mosque shootings in Christchurch, New Zealand, GIFCT's founding members signed up to the [Christchurch Call to Action](#), and also signed onto a [nine-point plan](#) designed to support industry efforts to eliminate terrorist and violent extremist content online. At an UN General Assembly side event led by New Zealand Prime Minister Jacinda Ardern and French President Emmanuel Macron in September 2019, the founding companies announced that GIFCT would be reconstituted as an independent non-profit organization.

Objectives and Mechanisms

The forum's work is guided by four [foundational goals](#):

1. GIFCT focuses on leveraging [technical tools and processes](#) to empower a broad range of companies to prevent and respond to abuse of digital technologies by terrorists and violent extremists. (These tools are described in more detail in the Appendix.)
2. Enable multi-stakeholder engagement around terrorist and violent extremist misuse of the Internet, encouraging stakeholders to meet key commitments consistent with the GIFCT mission. This includes an elaborate set of working groups (starting in July 2020) to develop advice in specific thematic areas and deliver on targeted, substantive projects. The composition of the working group depends on the issue at hand. Each year working groups are refreshed to update themes or focus areas and to allow new participants from diverse stakeholder groups, geographies and disciplines to join. Working groups outputs are presented at the GIFCT Annual Summit, and output from each working group is published on the GIFCT website. Another multistakeholder element is the **Global Network on Extremism and Technology (GNET)**, an [academic research initiative](#) convened by the International Centre for the Study of Radicalisation (ICSR) at the Department of War Studies at King's College London. The initiative is supported by nine institutional partners that provide advice and organize events. GIFCT does not directly fund these institutions but covers costs of hosting events. GNET leads at ICSR put forward their proposal for what will be covered by GIFCT funds which is approved each year. Although GIFCT cover costs, researchers have independence. There is no restriction on institutional partners receiving funding from GIFCT member companies. In 2017 GIFCT began a formal partnership with the [Tech Against Terrorism](#) (TaT) group originally launched by the United Nations Counter-Terrorism Committee Executive Directorate (UN CTED) in 2016. GIFCT partners with TaT on several initiatives.
3. Promote civil dialogue online and empower efforts to direct positive alternatives to the messages of terrorists and violent extremists. In pursuit of this goal, it has developed a [Campaign Toolkit](#) in partnership with the Institute for Strategic Dialogue (ISD). The Toolkit is an information hub providing resources and step-by-step guides for civil society, activists and community organizations planning, producing and promoting campaigns for global audiences.
4. Advance broad understanding of terrorist and violent extremist operations and their evolution, including the intersection of online and offline activities. This includes a Members Resource Guide, a list of resources and information that member companies make available about their efforts to counter terrorist and violent extremist activity; and transparency reports. Since 2019, GIFCT has been [publishing an annual progress report](#), which depicts the overall advance made by the

forum and through its partnerships without breaking down the data by company. Additions to the report have been made based on guidance provided by the Human Rights Impact Assessment carried out by Business for Social Responsibility (BSR) between December 2020 and May 2021 and based on feedback from GIFCT's Working Group on Transparency.

Governance Structure

In 2019, GIFCT was restructured as an independent 501(c)(3) non-governmental organization registered in the United States. Governance of GIFCT involves a membership, an Operating Board, an Executive Director, and various efforts at outside consultation described below.

GIFCT is a **membership** based organization. Any technology-related companies can join GIFCT membership as long as they provide or demonstrate their terms of service, community guidelines, or other publicly available policies that explicitly prohibit terrorist and/or violent extremist activity. Members include a diverse group of technology companies including Instagram and WhatsApp, Amazon, Airbnb, LinkedIn, Wordpress.com, MailChimp, Discord, Dropbox, Pinterest, Tumblr, JustPaste.it, and Mega. The membership criteria, obligations of members as well as the benefits enjoyed by members are set by the Operating Board. GIFCT partners with [TaT](#) to conduct annual reviews of members to ensure that they continue to meet the membership criteria.

GIFCT is governed by an **Operating Board** that provides an operational budget and ensures the forum's efforts align with its mission. The Operating Board is composed of GIFCT's founding members: Facebook, Microsoft, Twitter, and YouTube; at least one rotating company from the broader membership cadre; new companies that meet leadership criteria, and the rotating chair of the Independent Advisory Committee (IAC), who participates as a non-voting member. The Operating Board chair rotates annually. For 2021, Twitter's Monique Meche was chair.

GIFCT is led by an independent **Executive Director**, who is appointed by the Operating Board, not elected by the members. The director is responsible for leading and coordinating all operations, including core management, program implementation and fundraising, and engagement with the Operational Board and Advisory Committee. In June 2020 Nicholas J. Rasmussen, formerly Senior Director for National Security and Counterterrorism of the McCain Institute for International Leadership was appointed as the first full-time executive director.

In June 2020 GIFCT convened an **Independent Advisory Committee** composed of seven governments, two international organizations, and 12 civil society organizations. The GIFCT Operating Board [decides](#) IAC membership criteria and obligations. Currently the IAC membership criteria limit government representative seats from constituting a majority of total IAC member seats. Government representatives must represent governments that are members of the Freedom Online Coalition. Sixteen key civil society organizations [wrote a letter](#) expressing their dissatisfaction with the arrangement and refusing to participate in the IAC. In February 2020, civil society groups sent a letter expressing their concerns on risks of extra-legal censorship from government participation in the IAC, increasing use and scope of the hash database and persistent lack of transparency around GIFCT activity. They also highlighted a number of issues with the mandate and structure of the IAC itself, including its lack of focus on the protection of human rights as well as an uneven playing field that disadvantages civil society. GIFCT provides administrative support to the IAC via a secretariat, including logistical assistance for IAC meetings. The Operating Board covers the costs of participating in the IAC for non-Governmental members, where

formally requested by a member. Decisions by the IAC are made by consensus. In exceptional cases where consensus is not possible, the Chair may move for a vote of the full Committee membership. In the case of a tie, the Chair will cast the deciding vote. Bjørn Ihler is the current IAC Chair.

A Multistakeholder Forum provides outreach to a broader community of dedicated parties interested in regular updates from the GIFCT and engaging in events designed to funnel broad feedback to the industry Operating Board and Executive Director.

How multistakeholder is it?

Applying the 3 criteria we find that decision making authority in GIFCT resides mainly in its corporate members; other stakeholders are advisory. **(A ii)**. Membership has no predefined balance of stakeholder representation (although governments are supposed to be a minority of IAC). IAC members are selected by GIFCT board and staff in a top-down manner **(B b.iv)**. Stakeholders in the Working Groups are selected by bottom-up nomination and top-down approval **(B b.iii)**. There is funding support **(C i)**.

Authority:

Civil Society involvement in GIFCT is Advisory/Consultative. Key policy decisions in GIFCT are made by the Operating Board, which is composed of members from the Forum's founding companies.

Membership:

Currently the IAC is made up of representatives from civil society (12), government (7), and intergovernmental organizations (2). The GIFCT operating board retains the right to periodically review and update the composition of the IAC, we classify it as a non-representational structure with top-down selection (B.b.iv). Membership in the GIFCT Working Groups, on the other hand, has no fixed proportion for different stakeholder groups and selection seems to occur more through bottom-up nomination and top-down approval (B.b.iii).

Funding

GIFCT provides administrative support to the IAC via a secretariat, including logistical assistance for IAC meetings. Participation in GIFCT working groups is not funded, although GIFCT provides the administrative support for their meetings and activities.

On the next page a table summarizes the results in a comparative format.

Overall Comparison

Organization	GIFCT (2017)	CC Call (2019)	Facebook OB (2019)
Classification	A.ii / B.b.iii / C.i	A.ii / B.b.iii / C.i	A.i / B.b.iv / C.i
Type	Industry-led	Government-led	Company-led
Mission	Prevent terrorists and violent extremists from exploiting digital platforms	Eradicate violent extremist content online	Handle appeals and provide advice on Meta's content policies.
Mechanisms	Hash-sharing database; URL-sharing; Incident Response & Content Incident Protocol; Working groups; Partnerships; Toolkit & Resource Guide; Transparency reports	Collect voluntary commitments from governments and online service providers; CC Advisory Network for liaison with civil society	Oversight Board empowered to uphold or reverse Facebook's content decisions and issue policy advisory opinions on Facebook content policy
Governance & Management	Executive director supported by dedicated technology, counterterrorism, operations teams; governed by an industry operating Board, advised by IAC	Convened by NZ and FR governments. Works with GIFCT. Christchurch Call Advisory Network (CCAN) still in formation.	Administered and funded by an Oversight Board (OB) Trust. The OB has up to 40 members; 5 co-chairs liaise between the OB and Meta
Decision Making Authority	Resides mainly with the operating board and its corporate members; other stakeholders are advisory.	CCAN acts as a sounding board or advisor on how to implement the Call's commitments	The board can overturn or uphold corporate content decisions or issue public advice on content policies
Membership	Member company criteria established by GIFCT Operating Board, as is the composition of the internal and external mechanisms. IAC members & chair, Executive Director are selected by GIFCT board and staff in a top-down manner	Includes three stakeholder groups: 1. Governments and intergovernmental organizations; 2. Online service provider ; 3. Civil Society.	The board must have at least eleven members and fully-staffed can go up to 40. <u>Most of its 20 members</u> are law professors, with some leaders of NGOs devoted to free expression or journalism
Representation	Govts cannot be a majority of the IAC. Working Groups do not have representation quotas but limits each civil society org to 2 WGs and 1 participant per WG.	There is no predefined balance of representational categories.	Top-down selection by Meta. No predefined balance of representational categories.
Selection	IAC: top-down selection. Working Groups: bottom-up nomination and top-down approval.	CC Call: Invitation or application & approval by governments of NZ & FR. CCAN: Application and approval by governments of NZ & FR, with advice from existing CCAN members	Initial selection of co-chairs: top-down by Facebook. Co-chairs & Facebook jointly did top-down selection of additional members. Going forward, bottom-up application and top-down approval.
Finances	GIFCT funds GNET and participation of non- governmental IAC members. Participation in GIFCT WGs is not funded but support for research is available.	In 2021, NZ Government funded CCAN to convene a secretariat. France will fund the CCAN secretariat in 2022.	The operations and meetings of the FOB receive extensive funding support from Meta.

CONCLUSION

The academic literature on Internet governance has noted that multistakeholder governance is one way to handle policy problems that are transnational in scope (e.g. Mueller, 2010). Territorial governments have trouble resolving these problems because of the non-territorial nature of the problem or the inability of states to reach formal agreements. New governance institutions fill the gap.

In the area of platform content governance, there is substantial evidence that the global platforms based in liberal democracies are drawing upon multistakeholder governance approaches. But if this outreach to civil society is to be anything more than window dressing, participants need to have a clear understanding of what authority they have, how representation is structured, how participants are selected, and what kind of support is provided.

In the three initiatives analyzed above, we see good-faith efforts to involve multiple stakeholders in each case, sometimes very extensive and multi-layered ones. But there is substantial variance in methods, mechanisms, and influence levels. Only one of the initiatives afford civil society significance decision-making authority, albeit in a fairly narrow area. All of them, on the other hand, are either offering significant funding support or plan to. Civil society participants need to be aware of the distinction between structured/balanced representation and top-down vs. bottom-up selection of participants.

This paper did not delve into the substantive policy issues associated with content moderation. Those issues are important, and will be taken up in another set of papers.

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