



OBSTACLES TO AUTONOMY

**POST-ROE REMOVAL OF
ABORTION INFORMATION ONLINE**



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1. INTRODUCTION

The internet is a place where people, particularly young people, learn about sexual and reproductive health, rights, and services—including abortion.¹ Organizations that advocate for abortion rights frequently share medically accurate information online, both on abortion and how to access abortion care. The ability of abortion advocates to share information online has played a critical role in expanding access to abortion, particularly in tandem with the emergence of telehealth abortion care in the United States and expanded access to medication abortion.

Access to online information about abortion care became even more important following the June 2022 U.S. Supreme Court ruling that overturned *Roe v. Wade*² in its decision on *Dobbs v. Jackson Women's Health Organization*.³ The *Dobbs* decision stripped away federal abortion protections and overturned nearly 50 years of legal precedent set by *Roe*. Since the decision, over a dozen states now fully ban abortion at any stage of pregnancy, and in total over 20 states ban⁴ or restrict abortion earlier than *Roe* permitted.⁵ In this new post-*Roe* USA, many states are now in legal limbo as bans are disputed or blocked by judges in a frequently shifting and confusing legal landscape.⁶ Amidst this confusion, even more people turned to the internet to search for information on abortion;⁷ however, activists and organizations working at the frontlines of abortion access reported that abortion information quickly faced removal on social media platforms.

Immediately following the *Dobbs* decision, reproductive health and rights organizations

reported a sharp increase in the number of their social media posts about abortion being removed on platforms such as Facebook,⁸ Instagram,⁹ and TikTok,¹⁰ along with instances of activists and organizations having their accounts temporarily suspended after sharing informational content on abortion. Reproductive health and rights organizations have reported issues with abortion content removal well past the immediate aftermath of *Dobbs*. Advocacy organizations, telehealth abortion providers, and reproductive health non-profits have sought greater transparency when it comes to how platforms moderate abortion content, but many have remained in the dark about why their content or accounts have been taken down or temporarily suspended.

For abortion seekers to make informed decisions on their reproductive healthcare, they must be able to access reliable and accurate information. Supporting such access upholds human rights standards and legal principles under the right to access information. For instance, the UN Committee on Economic, Social, and Cultural Rights found that everybody has a right to evidence-based information on sexual and reproductive health, including safe abortion.¹¹ Restriction of information on abortion is an abuse of the responsibility to respect human rights and can contribute to the stigmatization of abortion,¹² which in turn can lead to poor care and human rights violations against women, girls, and people who can become pregnant.¹³

Companies have a responsibility to respect human rights and should avoid causing, contributing, or being directly linked to negative human rights impacts through their

activities.¹⁴ Big Tech companies, including social media platforms, should engage in human rights due diligence to ensure that their practices and policies respect human rights.

The removal of reproductive rights-related content online impacts young people in particular. Many Gen Z internet users (users born roughly between 1997 and the early 2010s) rely on social media for their news and information.¹⁵ When social media platforms restrict the visibility of content that discusses abortion rights and safe methods of abortion, they can limit young users' knowledge of reproductive healthcare and their reproductive rights. The problem of abortion content removal may be further compounded by state-level efforts to restrict access to such information.¹⁶

Everybody has the right to access unbiased and medically accurate information on abortion, and blocking or creating barriers to that information online not only violates the right to access information, but can also more broadly threaten the right to health, the right to equality and non-discrimination, and the right to bodily autonomy.

Since the U.S. Supreme Court's ruling on *Dobbs*, the ability to access reliable and accurate information about abortion online has become even more critical. With U.S. states continuing to impose new abortion restrictions, and with some even trying to limit internet users' access to abortion information, it is imperative that social media companies uphold their human rights responsibilities.



**EVERYBODY HAS THE RIGHT
TO ACCESS UNBIASED AND
MEDICALLY ACCURATE
INFORMATION ON ABORTION.**

2. KEY TERMS

ABORTION STIGMA

Abortion stigma stems from applying negative stereotypes to people involved in seeking, obtaining, providing or supporting abortion. Abortion-related stigma can underlie and perpetuate myths around abortion and lead to shame, bullying, harassment, and physical and mental harm to individuals who undergo abortion, their families and friends who support them, people who advocate for abortion rights, and those who provide abortion services.

ALGORITHM

A list of mathematical rules which solve a problem. The rules must be in the right order. Algorithms are the building blocks of artificial intelligence and machine learning; they enable these technologies to train on data that already exists about a problem so they can solve problems when working with new data.

BIG TECH

A common shorthand for the leading information technology companies shaping and dominating the internet. Amnesty International's work primarily focuses on companies that rely on a surveillance-based business model and associated digital advertising practices which underpin the internet.¹⁷

COMMUNITY GUIDELINES

Rules set by each social media platform that dictate what is acceptable on the platform. These guidelines apply to both content that is shared by users and users' behavior. When community guidelines are violated, there are different consequences that can occur based on the type and severity of violation, such as content removal, temporary account suspension, or account termination.

CONTENT MODERATION

Social media platforms' oversight and enforcement of community guidelines in relation to permissible and prohibited forms of expression. It can include actions such as the detection, demotion, and removal of content which violates platform rules.

DIGITAL CONTENT SUPPRESSION

The removal or restriction of information dissemination online. Suppression can occur through content removal, algorithmic biases, shadowbanning, or advertisement restrictions. Digital content suppression limits the discussion of certain topics and ultimately impedes the flow of information in digital spaces.

DISINFORMATION

False or inaccurate information that is shared ***with intent*** to mislead or harm others.

MEDICATION ABORTION/ "ABORTION PILLS"

Pregnancy termination with pills. People often use a combination of mifepristone and misoprostol when they have a medication abortion. Mifepristone ends the pregnancy by blocking the hormone progesterone. Without progesterone, the lining of the uterus breaks down and the pregnancy cannot continue. The second medicine, misoprostol, makes the womb contract, causing cramping and bleeding, which empties the contents of the uterus. Medication abortion is the most common method of abortion in the United States.

MISINFORMATION

False or inaccurate information that is shared ***without intent*** to mislead or harm others.

SHADOWBAN

The action of limiting the visibility of a user or their content on a social media platform or other online space without them being notified. When a user is shadowbanned, the visibility of their organic content to their followers is very limited, and their account may not be found using the platform's search function.

A note on gender-inclusive language:

This briefing refers to “women, girls, and people who can become pregnant” when discussing abortion seekers. Transgender and non-binary people get pregnant and have abortions, too, and can sometimes have the hardest time accessing non-discriminatory and gender-appropriate care, including abortion care. Using gender-exclusive language further marginalizes transgender and non-binary people, which can lead to further rights abuses against such groups.

3. ABORTION ONLINE: INFORMATION, ACTIVISM, AND ACCESS TO CARE

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THE INTERNET AND SOCIAL MEDIA PLATFORMS CAN ALLOW USERS TO ACCESS SWATHES OF ABORTION INFORMATION SO THEY CAN MAKE INFORMED DECISIONS ABOUT THEIR REPRODUCTIVE HEALTHCARE AND ACCESS ABORTION CARE VIA TELEHEALTH. THEY ALSO SERVE AS POWERFUL TOOLS FOR ACTIVISTS TO BUILD VIRTUAL COMMUNITIES AND DESTIGMATIZE ABORTION.

ACCESS TO INFORMATION

Over the past two decades, people have increasingly searched for information about abortion online,¹⁸ and today, a vast array of abortion information is publicly available and free to access on the internet. This includes information on medication abortion, state-by-state guides on the legality of abortion in the United States,¹⁹ resources that provide guidance on what you should do if you believe you will face legal action for having or aiding an abortion,²⁰ and resources detailing reproductive rights and how those rights are violated when states restrict or ban abortion access.²¹ **The knowledge of one's rights is essential to the ability to exercise those rights, and the internet can act as a vital conduit for information about reproductive rights.**

Social media plays a critical role in the ability of people, particularly younger people, to access information about sexual and reproductive rights. Around 72% of the American public uses some type of social media, with people in their late teens and twenties most likely to use at least one social media platform.²² Many U.S. social media users also seek out the latest news on social media, with people between the ages of 18 and 49 being most likely to use platforms like Facebook, Instagram, and TikTok as regular news sources.²³

On these platforms, abortion rights activists play a crucial role in sharing medically accurate sexual and reproductive health and rights (SRHR) information with the public. This is of particular importance in the U.S. context,

where many states don't require medical accuracy for sexual health education programs taught in schools, which leaves a gap in sexual health knowledge for many learners.²⁴

But the primacy of social media as a place of accessing information has also brought the rise of misinformation, where anyone can post content without having to verify their claims. This is particularly harmful when it comes to medical misinformation, like

abortion misinformation, as it can negatively impact a person's healthcare decisions or outcomes. While platforms may have policies that are intended to stifle the spread of medical misinformation, specific policies on abortion misinformation are limited, and SRHR organizations have had to proactively work to debunk myths²⁵ and abortion stigma online while also creating and sharing medically accurate abortion resources.

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THE KNOWLEDGE OF ONE'S RIGHTS IS ESSENTIAL TO THE ABILITY TO EXERCISE THOSE RIGHTS, AND THE INTERNET CAN ACT AS A VITAL CONDUIT FOR INFORMATION ABOUT REPRODUCTIVE RIGHTS.

DIGITAL DECEPTION: ABORTION MISINFORMATION AND DISINFORMATION ONLINE BY “CPCS”

WHILE THE INTERNET AND SOCIAL MEDIA PROVIDE MEANS TO SHARE ACCURATE INFORMATION ABOUT ABORTION, THEY ALSO PLAY A MAJOR ROLE IN THE SPREAD OF MISINFORMATION AND DISINFORMATION.

Digital content with either abortion misinformation or disinformation accomplishes the same thing: it spreads false, harmful information and can further stigmatize abortion.

Oftentimes, false SRHR information is used to scare or mislead people so that they won't consider abortion as an option. This is a common practice of so-called “crisis pregnancy centers” (CPCs)- also known as anti-abortion fake clinics²⁶ -facilities that represent themselves as reproductive healthcare clinics, but that actually operate with the intent to dissuade people from having abortions.²⁷ These centers use misleading advertising tactics on popular search engines to ensure that their clinics show up high in search results when people are searching for abortion care, even though CPCs do not provide such care. For instance, they may include key search terms relating to abortion or abortion clinics in their digital ads to manipulate search engine results.²⁸ Staff at CPCs often intentionally share false information with abortion seekers, such as asserting that there are links between abortion and mental illness or breast cancer.²⁹ The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has affirmed that, “gendered disinformation violates women's right to health by spreading false and misleading information on sexual and reproductive health and rights”.³⁰

ACCESS TO CARE

Since the onset of the COVID-19 pandemic, advancements in telehealth have increased virtual healthcare provision. One such advancement was the permanent pause on the Mifepristone Risk Evaluation and Mitigation Strategy (REMS); the permanent pause has allowed abortion providers to prescribe abortion medications via telehealth.³¹ Telehealth abortion care has a wide range of benefits for patients, which include the expansion of care for those living in rural areas or areas with provider shortages.³² This is of particular importance in the U.S. context, given that in April of 2023, 14% of the U.S. population was more than 200 miles from the nearest abortion facility.³³

While broadly beneficial, it should be noted that telehealth abortion care does not fully solve abortion access issues that persist in the U.S., as problems such as broadband

internet access limit patients' ability to access telehealth abortion care even if the provision of such care is available in their state.³⁴ Furthermore, people with lower incomes living in nonmetropolitan areas are less likely to have access to the internet than people with higher incomes.³⁵ This is important to note given that women living below the poverty line have an abortion rate six times higher than that of women with higher incomes and have a greater need for accessible abortion care.³⁶

Telehealth abortion care provision is also facing new legal challenges in the United States. In March 2024, the U.S. Supreme Court heard arguments in a case that could make mifepristone less accessible,³⁷ potentially rescinding the ability to prescribe mifepristone via telehealth. Ultimately, if telehealth abortion care is restricted, more abortion seekers will be burdened with longer travel distances, higher logistical costs, and potentially delayed care.



WOMEN LIVING BELOW THE POVERTY LINE HAVE AN ABORTION RATE SIX TIMES HIGHER THAN THAT OF WOMEN WITH HIGHER INCOMES AND HAVE A GREATER NEED FOR ACCESSIBLE ABORTION CARE.

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THE ABILITY OF ONLINE USERS TO INTERACT IN SOPHISTICATED WAYS, FORMING ‘VIRTUAL COMMUNITIES,’ MAY BE WHAT MOST DIFFERENTIATES THE INTERNET FROM PAST DEVELOPMENTS IN COMMUNICATIONS TECHNOLOGY. INTERNET TECHNOLOGY ENABLES PEOPLE TO ‘MEET, AND TALK, AND LIVE IN CYBERSPACE IN WAYS NOT POSSIBLE IN REAL-SPACE.’ IT PERMITS ‘MANY-TO-MANY COMMUNICATION’ UNATTAINABLE WITH PAST TECHNOLOGIES, WHICH ENABLED ONLY ONE-TO-ONE OR BROADCAST COMMUNICATION.

Nat effects: How the Internet Has Changed Abortion Law, Policy, and Process³⁸

BUILDING COMMUNITY AND DESTIGMATIZING ABORTION

The global availability of social media has fostered the creation of supportive online communities that seek to support people who have had or are seeking abortions, and to destigmatize abortion care particularly through the dissemination of people’s firsthand abortion experiences. Traditional media outlets can inadvertently perpetuate harmful stereotypes about abortion or politicize this healthcare issue.³⁹ In contrast, social media platforms serve as open fora for those who want to share more diverse abortion experiences. The narratives present on social media can challenge conventional abortion stereotypes and offer a space for people to connect online.

Before the availability of the internet or social media, there were fewer opportunities for people who have had abortions to publicly share their experiences, commonly known as “abortion stories”. While sharing abortion stories

publicly comes with its own risks, including potential harassment, abortion storytelling helps destigmatize abortion and can help people who have had abortions feel less shame about their decision.

Using social media platforms allows those who have had abortions to amplify their stories. In 2015, Amelia Bonow shared her abortion story on Facebook in response to a congressional vote to defund Planned Parenthood.⁴⁰

In sharing her story, Bonow wanted to counter the stigmatization associated with abortion by detailing her positive experience and gratitude for the abortion care she received. Bonow’s story was then shared with permission on X (formerly Twitter) with the hashtag #ShoutYourAbortion. The hashtag went viral as other users began sharing their own abortion stories using the hashtag. Since then, Bonow has founded the eponymous organization Shout Your Abortion, which works to normalize abortion and share abortion stories on several social media platforms.⁴¹

4. HUMAN RIGHTS FRAMEWORK

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SOCIAL MEDIA COMPANIES CAN PLAY A CRUCIAL ROLE IN FACILITATING THE FULFILLMENT OF SEXUAL AND REPRODUCTIVE RIGHTS, PARTICULARLY IN AREAS WHERE ACCESS TO INFORMATION AND SERVICES IS OTHERWISE RESTRICTED. UNDER THE UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS, COMPANIES HAVE A RESPONSIBILITY TO ENSURE THAT THEIR ACTIONS DO NOT CAUSE OR CONTRIBUTE TO HUMAN RIGHTS ABUSES AGAINST THEIR USERS.

THE RIGHT TO ACCESS INFORMATION

The UN Committee on Economic, Social, and Cultural Rights has affirmed that everybody has a right to evidence-based information on sexual and reproductive health, including safe abortion.⁴² States are obligated to allow reproductive health service information to flow freely without interference on moral or other grounds⁴³ and must ensure that accurate, evidence-based information about abortion is publicly available.⁴⁴

Under the Covenant on Economic, Social and Cultural Rights, the obligation to respect everyone's right to sexual and reproductive health is incompatible with the “imposition of restrictions on the right of individuals to access information about sexual and reproductive rights”.⁴⁵ The imposition of restrictions also

“violates the duty to respect human rights... [as] such restrictions impede access to information and services, and can fuel stigma and discrimination.”⁴⁶ Restricting access to information on abortion further stigmatizes abortion care and people who have had abortions, which can ultimately lead to poor care, discrimination, and other human rights violations against women, girls, and people who can become pregnant.

THE RIGHT TO HEALTH

The right to health includes the right to access health information, including information on sexual health and reproductive health; access to health information is an underlying determinant of a person's health.⁴⁷ Ensuring access to accurate and reliable abortion

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TO ENSURE THAT WOMEN, GIRLS, AND PEOPLE WHO CAN BECOME PREGNANT CAN EXERCISE THEIR REPRODUCTIVE RIGHTS, THEY MUST BE ABLE TO ACCESS EVIDENCE-BASED, NON-BIASED INFORMATION ON ABORTION.

information is critical to realizing the rights of women, girls, and people who can become pregnant, including their rights to health and non-discrimination.

In a report on sexual and reproductive health, the UN Special Rapporteur on the right to health noted that criminal laws and restrictions on reproductive healthcare, including access to health information, “disempower women, who may be deterred from taking steps to protect their health, in order to avoid liability and out of fear of stigmatization”, which can result in poor physical health outcomes for abortion seekers.⁴⁸ The UN Human Rights Committee has also affirmed that states should ensure the availability of accurate abortion information while also making sure that healthcare providers can distribute such information without fear of criminal sanctions.⁴⁹ The ability to access accurate and timely reproductive healthcare information is essential to exercising bodily autonomy and making informed decisions on receiving reproductive healthcare.

BUSINESS RESPONSIBILITIES UNDER INTERNATIONAL HUMAN RIGHTS STANDARDS

Big Tech companies have enormous power in deciding what speech is allowed online. Social media platforms owned by private companies make up the largest global public forums, which presents challenges in terms of regulation: each platform can create their own set of rules (often called “community guidelines”) that dictate permissible content and behavior.

The UN Guiding Principles on Business and Human Rights outline the responsibility of companies to respect human rights,⁵⁰ including the rights to health and access to information. A company’s responsibility to respect human rights is independent of states’ obligations and exists over and above compliance with national laws and regulations protecting human rights.⁵¹ This principle is particularly

relevant for businesses operating in countries where laws fall short of international human rights law. In these situations, the UN Guiding Principles indicate that business enterprises “are expected to respect the principles of internationally recognized human rights to the greatest extent possible in the circumstances, and to be able to demonstrate their efforts in this regard.”⁵²

The responsibility to respect human rights requires companies to avoid causing or contributing to human rights abuses through their own business activities and to address impacts in which they are involved, including by remediating any abuses. It also requires companies to seek to prevent or mitigate adverse human rights impacts directly linked to their operations, products, or services by their business relationships, even if they have not contributed to those impacts.⁵³ The UN Guiding Principles establish that to meet their corporate responsibility to respect human rights, companies should have in place an ongoing and proactive human rights due diligence process to identify, prevent, mitigate, and

account for how they address their impacts on human rights.

An important element of due diligence is transparency and publicly accounting for how a company has identified, prevented, or mitigated potential or actual adverse impacts on human rights. As the UN Guiding Principles make clear, companies “need to know and show that they respect human rights.”⁵⁴ In this case, “showing involves communication, providing a measure of transparency and accountability to individuals or groups who may be impacted and to other relevant stakeholders.”⁵⁵

Big Tech companies should engage in human rights due diligence to ensure that content moderation practices and policies respect human rights and provide a “measure of transparency and accountability to individuals or groups” impacted by a company’s actions.⁵⁶ To do so, they should publicly report on the risks they have identified, mitigation measures taken, and information on community guidelines enforcement decisions along with the types of content they remove.

“

BIG TECH COMPANIES HAVE A RESPONSIBILITY TO RESPECT THE RIGHT TO ACCESS UNBIASED AND MEDICALLY ACCURATE ABORTION INFORMATION.

5. *DOBBS*-ERA THREATS TO ABORTION INFORMATION ONLINE



WHEN ACCESS TO ABORTION INFORMATION ONLINE WAS MOST CRITICAL IN THE DAYS AND WEEKS FOLLOWING THE *DOBBS* DECISION, SOCIAL MEDIA COMPANIES REMOVED CONTENT ABOUT ABORTION AND HOW TO ACCESS IT, CONTRIBUTING TO CONFUSION ABOUT THE LEGALITY AND ACCESSIBILITY OF ABORTION. NEARLY TWO YEARS AFTER THE *DOBBS* DECISION, THESE ISSUES PERSIST.

ABORTION INFORMATION ONLINE REMOVED IN THE WAKE OF *DOBBS*

On June 24th, 2022, the U.S. Supreme Court released its decision on *Dobbs v. Jackson Women's Health Organization*, which overturned the Court's previous ruling on *Roe v. Wade* and stripped away federal abortion protections, ultimately leaving the legality of abortion to individual states. In the days and weeks following the Court's decision, there was widespread confusion as state trigger laws⁵⁷ went into effect banning abortion at various stages, while state legislatures worked hurriedly to pass further abortion restrictions.⁵⁸ Across the United States, the landscape for abortion access was deeply confusing and changing daily. This confusion around the

rapidly changing legal landscape delayed care, and in many cases, prevented abortion care altogether.⁵⁹

Amidst this legislative flurry, SRHR organizations were facing their own restrictions: after the *Dobbs* ruling, SRHR organizations reported a spike in the number of posts that discussed abortion and how to access care being taken down on major social media platforms like Facebook,⁶⁰ Instagram,⁶¹ and TikTok.⁶² All of this occurred while abortion misinformation was flowing online, sowing chaos and contributing to the confusion.⁶³ When it was critical for companies like Meta and TikTok to ensure that abortion information could flow freely among communities on their platforms, they instead removed such content, contributing to confusion that impacted people urgently seeking accurate

and reliable information about abortion care. Given this context, Amnesty International worked with partner organizations to analyze abortion content removals that took place between June of 2022 and March of 2024.

OVERVIEW

The following section provides examples of reproductive health and rights content removed from social media platforms; examples have been sourced from media reporting and direct outreach to partner organizations. The organizations listed below work across the spectrum of reproductive health and rights, and engage in advocacy, healthcare provision,

and logistical support related to abortion. For all examples with images in this section, Amnesty International received explicit permission from organizations to include them.

The analysis of platforms was limited to Facebook and Instagram (owned by Meta), as well as TikTok. The examples included in this section highlight issues with the moderation of abortion content, advertising barriers, and the overall lack of transparency from platforms regarding their policies and practices. This section is illustrative rather than exhaustive, as there are many other examples of abortion content removal not included in this report.

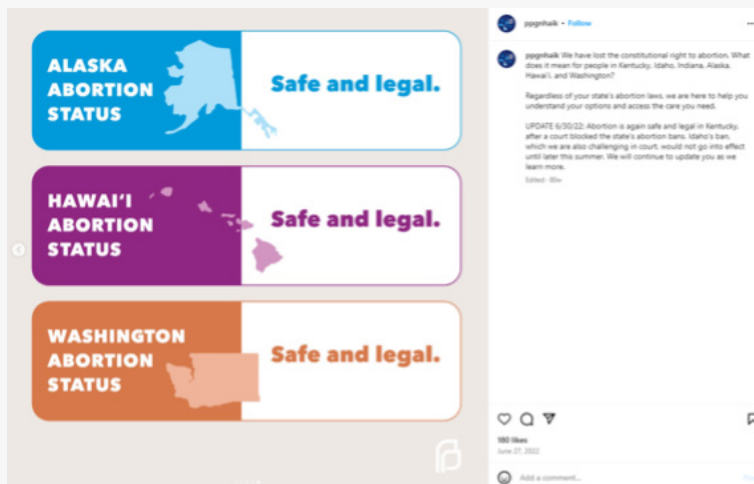


WHEN IT WAS CRITICAL FOR COMPANIES LIKE META AND TIKTOK TO ENSURE THAT ABORTION INFORMATION COULD FLOW FREELY AMONG COMMUNITIES ON THEIR PLATFORMS, THEY INSTEAD REMOVED SUCH CONTENT.

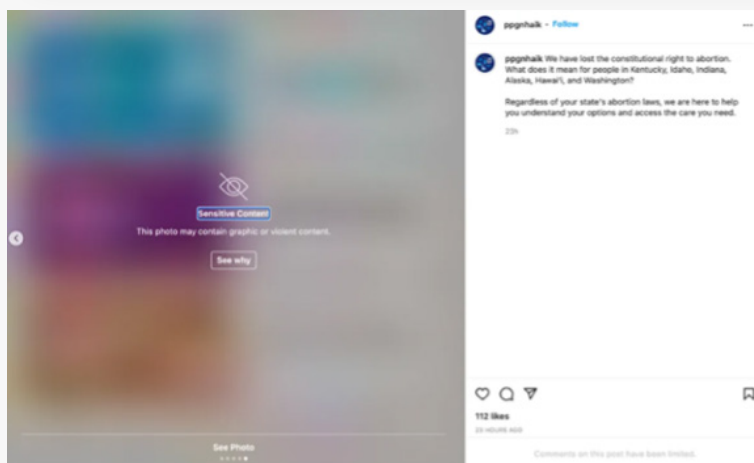
INSTANCES OF ABORTION CONTENT RESTRICTION AND REMOVAL

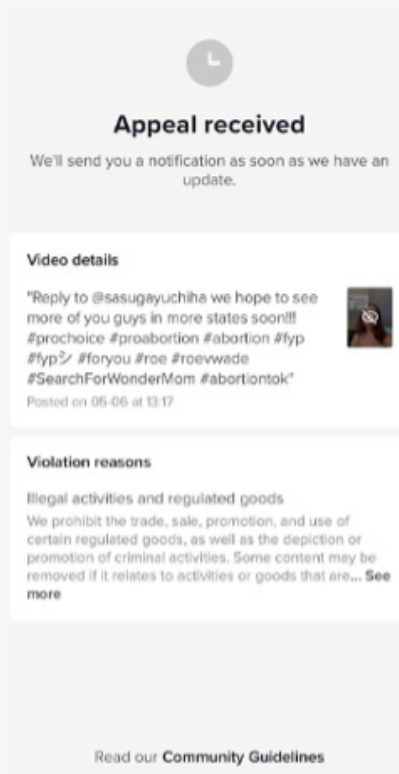
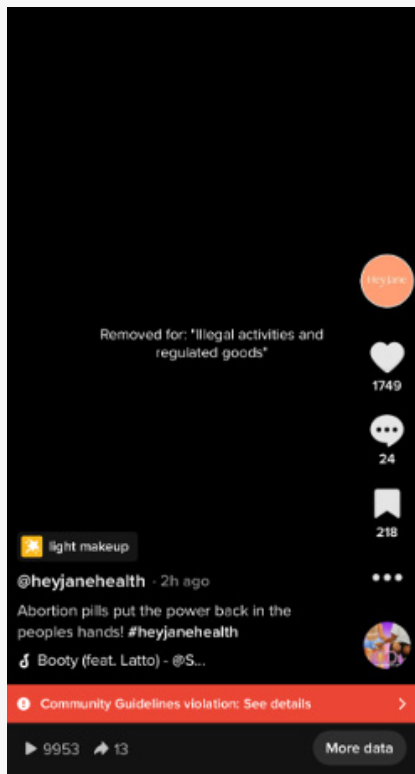
In the days and weeks following the *Dobbs* decision, abortion rights activists and organizations reported that content with information about abortion, particularly medication abortion and how to access it, was frequently removed or marked as “sensitive

content” on Instagram.⁶⁴ For example, several days after the *Dobbs* decision, a Planned Parenthood affiliate Instagram account shared a post with information on where abortion was still legal. Instagram marked this post as sensitive content, blurring the post, because it deemed that the post “may contain graphic or violent content.”⁶⁵ Later on, the sensitive content filter was removed from the post.



On June 27th 2022, Planned Parenthood of Great Northwest, Hawai'i, Alaska, Indiana, Kentucky (PPGNHAIK) shared a post (top) with information on where abortion was legal or restricted immediately after the *Dobbs* decision. It was marked as “sensitive content” that “may contain graphic or violent content” by Instagram and blurred (bottom). (Images provided by PPGNHAIK.)





On June 25th 2022, Hey Jane shared a video that showed abortion pills on TikTok, which was removed (left). In August of 2022, TikTok removed a video where Hey Jane discussed where their telehealth abortion services were available, and how they hoped to expand telehealth abortion care provision to additional states (right).

Telehealth abortion providers have also faced issues with abortion content removal post-Roe. Hey Jane, a U.S. telehealth clinic that provides medication abortion care and other reproductive healthcare services, first faced issues with their TikTok account on June 25th, the day after the Supreme Court's ruling. Hey Jane was notified that a video on their account showing abortion pills was removed because it violated TikTok's policies on "illegal activities and regulated goods". They reposted the video twice more, and it was again removed both times. On June 27th, Hey Jane's TikTok

account was suspended. Hey Jane immediately appealed this decision, and their account reinstated shortly thereafter, only to be banned again later on the same day. The account was once again reinstated, only to be banned for the third time. Eventually, their account was reinstated. Months later, in August of 2022, TikTok removed another video on Hey Jane's account that was posted in May of 2022. This video shared the states where Hey Jane provides telehealth services, and discussed how they were hoping to expand abortion care provision to other U.S. states. The notification

they received from TikTok stated that they violated policies on “illegal activities and regulated goods”. Hey Jane appealed the decision on this video, but it was ultimately rejected, and they were unable to repost the video.

Facebook users also reported that posts on the platform that discussed abortion were removed following the *Dobbs* decision. For example, a Facebook user tested the phrase “abortion pills can be mailed” to see if anything would happen to their post.⁶⁶ The post was flagged within seconds for violating Community Standards. When the user tried to post the same phrase, it was removed again, and soon after, their account received a 24-hour account restriction that disabled their ability to post content on the site. In response to an article detailing this user’s experience, a Meta spokesperson released a statement on X (then Twitter) that said, “Content that attempts to buy, sell, trade, gift, request or donate pharmaceuticals is not allowed. Content that discusses the affordability and accessibility of prescription medication is allowed.”⁶⁷

The spokesperson referenced Facebook’s Community Standards on Restricted Goods and Services, which prohibits:

- Attempts to buy, sell or trade pharmaceutical drugs except when:
 - Listing the price of vaccines in an explicit education or discussion context.
 - Offering delivery when posted by legitimate healthcare e-commerce businesses.
- Attempts to donate or gift pharmaceutical drugs
- Asks for pharmaceutical drugs except when content discusses the affordability, accessibility or efficacy of pharmaceutical drugs in a medical context

The Facebook user’s content was not in violation of these policies as it was not offering to mail pills but was rather educating readers that it was possible for abortion pills to be mailed. The Meta statement did go on to add: “We’ve discovered some instances of incorrect

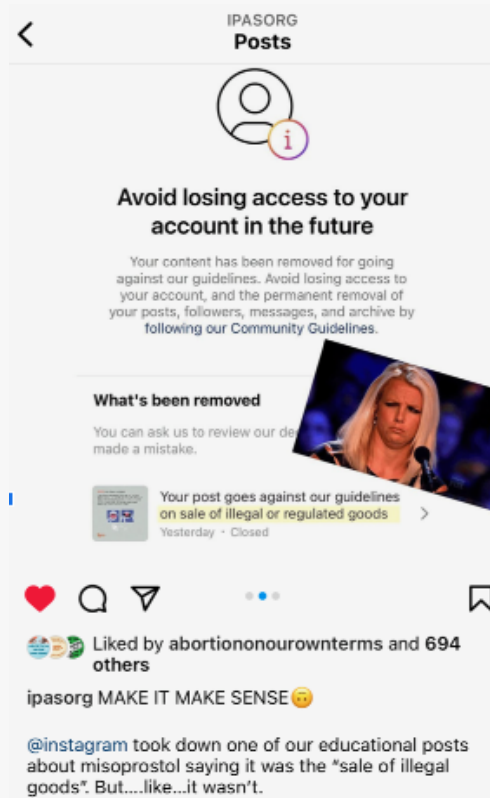
enforcement and are correcting these”, but no further explanation was provided on how or if enforcement was corrected. Planned Parenthood of Michigan faced similar issues on Facebook in August of 2022, when they shared a post with medically accurate information on abortion pills and a link to information on how to legally access them. The post was restricted from being visible to the public for going against Community Standards.⁶⁸

When content that provides information on medication abortion is removed by a platform,

social media account owners are often told that their content violated policies on the sale of regulated goods or services. This was the case for Ipas, a non-profit that works to increase access to safe abortion and contraception around the world. In April of 2023, Ipas shared a post with information on the World Health Organization (WHO) recommended protocol on how to have a medication abortion with misoprostol.⁶⁹ The post did not reference or promote the sale of abortion-inducing drugs, yet it was removed for violating Meta’s policies on the “sale of illegal or regulated goods.”



On April 27th, 2023 Ipas’ post providing information on the WHO recommended protocol on how to have a medication abortion (left) was removed from Instagram. Ipas posted a screenshot of the removal (right). The platform cited its policies on the “sale of illegal or regulated goods” as the reason for the removal, even though the post did not reference the sale of medications in any way.⁷⁰



Continued post-*Dobbs* instances of abortion-related content being removed on TikTok have impacted organizations like Plan C, a non-profit that provides educational resources and information on how to access medication abortion in the United States. On November 8, 2022, the day of the U.S. midterm elections, Plan C posted a video that encouraged their followers to vote to protect abortion rights, with the visual of a woman pretending to make a phone call and text that

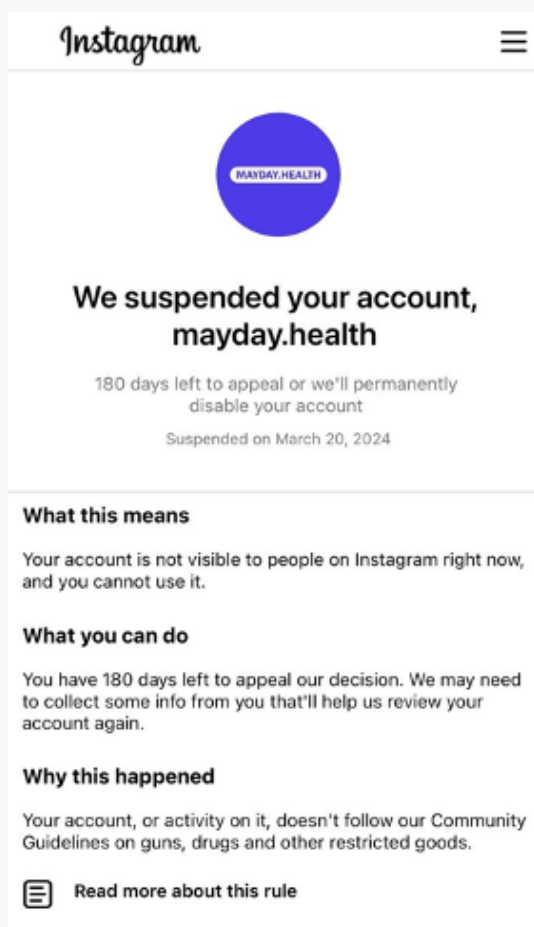
read: “Calling all my pro-abortion friends to make sure they go vote today”. After posting this video, Plan C’s account was banned from the platform for almost a month. A TikTok spokesperson said that the video did not violate community guidelines on user-generated content but said that when Plan C tried to pay to boost the reach of the video, it violated TikTok’s advertising policies which ban the advertisement of abortion services.⁷¹



This is an image from the TikTok Plan C posted on U.S. midterm election day, which led to the temporary suspension of their account.

Some reproductive health and rights organizations have experienced multiple instances of account suspension on social media since the *Dobbs* decision. This has been the case for Mayday Health, a U.S. non-profit focused on educating people on medication abortion and how to access it. When Mayday first launched their account on Instagram on June 24th, 2022 (the day of the *Dobbs* decision), their account was suspended the following day. The account was suspended for 24 hours, then reinstated with no explanation.

Most recently, Mayday's Instagram account was suspended on March 20th, 2024 for not following "Community Guidelines on guns, drugs, and other restricted goods". Prior to the suspension, the account received no warnings or notifications about the content they posted, and none of their individual posts were removed for violating Instagram's Community Guidelines. Mayday immediately appealed Instagram's decision, and ultimately their account was reinstated five days later.



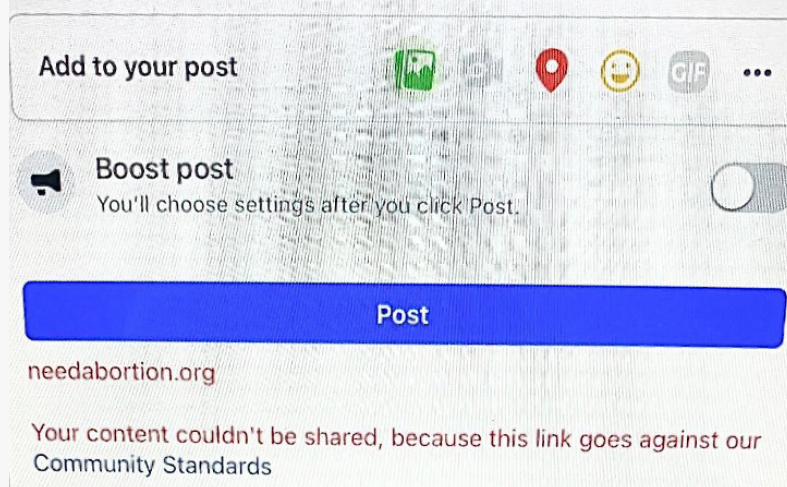
The message that Mayday Health received following the suspension of their Instagram account on March 20th, 2024.

It can take days or weeks to have posts or accounts reinstated after they are removed from social media platforms due to often lengthy appeals processes. As social media account owners await a determination from a platform's content moderators, their content or account in question are in limbo and are no longer visible to their users. The result of reproductive health and rights content being removed by platforms is that less information on abortion or how to access abortion is available for those seeking information on abortion rights and services.

U.S. abortion funds⁷² have also faced problems sharing abortion-related content. For example, the Lilith Fund,⁷³ a Texas-based fund that provides financial and emotional support to

Texans who must travel out of state to access abortion care, has recently faced issues when sharing abortion resources. On March 6th, 2024, the fund tried to share a post on Facebook with information on their Pregnancy Helpline, and in the caption of their post they shared the link to needabortion.org, a website containing a list of abortion clinics outside of Texas, resources for abortion seekers, and information on the legality and accessibility of abortion. After trying to post this content, the Lilith Fund received an error message from Facebook saying that their content could not be shared because the link included goes against Facebook's Community Standards. The Facebook notification they received provided no additional information on which Community Standards the link violated.

direct financial assistance by calling our hotline at 877-659-



On March 6th, 2024, the Lilith Fund attempted to share a post on Facebook with the link to needabortion.org in the caption. Facebook stated that the post could not be shared as the link goes against their Community Standards. (Image provided to Amnesty International by Ivania Gutierrez of the Lilith Fund.)

The lack of transparency surrounding the removal of abortion rights content from social media platforms adds to the frustration experienced by reproductive health and rights organizations, who often receive minimal explanations when their content is removed. The enforcement of community guidelines can also appear arbitrary at times, leaving users who post this content confused by inconsistent enforcement.

Social media companies should not limit users' ability to access reproductive health and rights content. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has called for technology companies to incorporate relevant principles of human rights law into platform community standards to ensure that their actions are guided by the same standards of "legality, necessity, and legitimacy that

bind State regulation of expression."⁷⁴

Additionally, the UN Committee on Economic, Social, and Cultural Rights stated that the implementation of "restrictions on the right of individuals to access information about sexual and reproductive health also violates the duty to respect human rights".⁷⁵ Actions taken by social media companies that restrict freedom of expression on sexual health and reproductive rights contravene their responsibility to respect human rights. The examples presented in this section show that the flow of information on abortion rights and access can be impeded in different ways on social media, such as being erroneously flagged as content trying to sell abortion pills. For platforms to fully implement their human rights responsibilities, they should ensure the free flow of this crucial health information.



SOCIAL MEDIA COMPANIES SHOULD NOT LIMIT USERS' ABILITY TO ACCESS REPRODUCTIVE HEALTH AND RIGHTS CONTENT.

ABORTION ALGOSPEAK

On TikTok, users have been employing abbreviations, misspellings, or word alternates in an attempt to bypass content moderation filters, a process known as “algospeak”.⁷⁶ Users employ algospeak because they believe it reduces the restriction of their content based on the subject matter they are discussing. Reproductive health and rights organizations have reported to Amnesty that they commonly use algospeak on TikTok due to their analysis that videos that use the correct spelling of “abortion” receive fewer views than videos that use an alternative spelling of the word. After tracking their own content receiving less engagement, activists and organizations working within in the reproductive health and rights space feel compelled to “talk around” abortion, using digital code to make sure other people can see their content with information about abortion. Some common abortion algospeak terms include:

ab0rtion	ab0rshun
ab0rti0n	@bortion
abort1on	abort!on
ab0rt10n	ab*rtion
ab0rt1on	a👉tion
aborshun	@b0rt!0n

STATE-LEVEL THREATS TO ABORTION INFORMATION ACCESS

Access to information as it relates to healthcare includes the right to seek, receive, and impart information and ideas on health issues.⁷⁷ This right faces new threats at the state level in the U.S. as bills to restrict access to abortion information have been introduced in several states over the past two years.⁷⁸ In Texas, for example, a bill was introduced that would require internet service providers to “make every reasonable and technologically feasible effort to block Internet access to information or material intended to assist or facilitate efforts to obtain an elective abortion or an abortion-inducing drug”.⁷⁹ The bill text listed several websites that would be blocked under new restrictions, such as the website for Plan C, which already faces consistent issues with their reproductive rights content being removed

on social media platforms. While the bill was not ultimately passed when first introduced, it has been re-introduced at least once. As organizations already face issues with abortion information being removed online, states could significantly compound these issues in the future through restrictive legislation.

There have been other efforts coordinated by anti-abortion organizations to limit the availability of abortion information online. In preparation for the overturn of *Roe*, the National Right to Life Committee created a “model abortion law for a post-*Roe* Nation”, which was drafted with the intent to restrict abortion rights from many angles, one of them being digital access to information.⁸⁰ Legislators can easily use this model legislation’s text and introduce it in their own state legislatures to limit people’s knowledge of abortion or how to access it.

⋮. The prohibition in this subsection includes, but is not limited to:

(1) knowingly or intentionally giving information to a pregnant woman, or someone seeking the information on her behalf, by telephone, the internet, or any other medium of communication, regarding self-administered abortions or the means to obtain a illegal abortion, knowing that the information will be used, or is reasonably likely to be used, for a self-administered abortion or an illegal abortion;

Text from model legislation proposed by the National Right to Life Committee that was published on 15 June 2022.

(B) The prohibition against aiding and abetting a violation of Section [44-41-830](#) includes, but is not limited to knowingly and intentionally:

(1) providing information to a pregnant woman, or someone seeking information on behalf of a pregnant woman, by telephone, internet, or any other mode of communication regarding self-administered abortions or the means to obtain an abortion, knowing that the information will be used, or is reasonably likely to be used, for an abortion;

Text from South Carolina Senate Bill 1373 that was introduced on 28 June 2022, four days after the overturn of *Roe*.

Limiting people's access to information about abortion is a violation of their right to information. The UN Committee on Economic, Social, and Cultural Rights has criticized barriers to abortion created by governments to impede safe abortion services, such as through information barriers. The Special Rapporteur on the right to health has also noted that laws restricting access to comprehensive sexual and reproductive health information are incompatible with the full realization of the right to health and has called on governments to "decriminalize the provision of information relating to sexual and reproductive health".⁸¹ Governments, including state-level governments, must ensure that accurate

information on sexual and reproductive health, including abortion, is publicly available and accessible to all individuals. Additionally, governments should ensure accurate abortion information can be distributed by healthcare providers without the fear of being criminally sanctioned.⁸² It is also essential to note that a company's responsibility to respect human rights is independent of states' obligations and exists over and above compliance with national and state laws to protect human rights.⁸³ Even if states restrict access to abortion information, companies still have a responsibility to respect the rights of their users, including their right to access health information.

6.COMMUNITY GUIDELINES, CONTENT MODERATION, AND ABORTION

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TIKTOK AND META’S PUBLICLY AVAILABLE COMMUNITY GUIDELINES RELATING TO REPRODUCTIVE HEALTH AND RIGHTS CONTENT ARE VASTLY INSUFFICIENT AND FAIL TO ADEQUATELY INFORM USERS OF HOW ABORTION-RELATED CONTENT IS MODERATED.

TikTok and Meta’s publicly available community guidelines specifically about abortion are minimal, and the lack of transparency from both companies on how abortion content is moderated makes it difficult for reproductive health and rights organizations to determine if abortion content will be removed for violating community guidelines.

OVERVIEW: COMMUNITY GUIDELINES AND CONTENT MODERATION

Community guidelines detail which types of content are permitted and prohibited and lay out general rules of conduct on a specific social media platform. Content moderation refers to platform oversight and enforcement of those guidelines, carried out by platforms with the intention to shield users from content that violates the company in question’s

community guidelines. While social media platforms may use content moderation as a means of protection for users, some policies and guidelines are sufficiently vague that they can lead to the removal of abortion-related information and educational content. This lack of clarity in community guidelines and content moderation makes it difficult for sexual health and reproductive rights organizations to determine what types of abortion content is violative versus non-violative of such policies.

To seek information about how Meta’s and TikTok’s community guidelines and other policies apply to abortion-related content, Amnesty International sent written questions to both companies. The sections below compile relevant information from their responses, and all response letters can be found in the appendix at the end of this briefing.

TIKTOK'S POLICIES

In its response to Amnesty International's inquiry, TikTok stated that the company "remains steadfast" in their commitment to human rights, as reflected in their "policies, products, and practices".⁸⁴ Yet TikTok does not have a publicly available human rights policy; instead, they only have a webpage that states their commitment to human rights frameworks.⁸⁵

TikTok's policies regarding permitted reproductive health and rights content are limited. While nowhere in their guidelines does TikTok specifically prohibit content that references or discusses abortion, their only guideline that explicitly mentions abortion is under their Sensitive and Mature Themes policy. As of May of 2024, TikTok allows "reproductive health and sex education content, such as the use of birth control and abortion discussed in a medical or scientific context related to procedures, surgeries, or examinations".⁸⁶ Prior to May of 2024, their policy allowed "reproductive health and sex education content, such as the use of birth control and abortion discussed in an [sic] medical way" with no clarification on what a "medical way" of discussing abortion may be. Up until this recent change, users could only refer to the previous policy with less clear language around the types of permitted abortion content.

When asked about the guidance given to content moderators on reproductive rights content, TikTok stated that moderators receive training materials on reproductive health and

rights, including violative and non-violative content.⁸⁷ Amnesty International asked TikTok to provide examples of materials that moderators use to examine potentially violative reproductive rights content, but these were not shared. TikTok also stated that training materials for moderators are updated regularly, and when there are reproductive rights-related developments, such as the *Dobbs* decision, they issue additional guidance to moderators on the application of their policies.⁸⁸ Amnesty International asked TikTok if they collect data to monitor potential systematic suppression of health information content. They provided no information on this subject, and instead only highlighted data on misinformation content removal.

POTENTIAL BARRIERS TO ELEVATING ABORTION CONTENT ON TIKTOK

On TikTok, there is a 'For You' Feed (FYF)⁸⁹ that is a "personalized recommendation system" that shares videos with users based on their interests and platform engagement (such as likes, shares, and comments on other content).⁹⁰ Visibility on the FYF is important for content creators for several reasons as it surfaces their content to users who might not follow their specific account, and this can help to grow followership. Additionally, visibility on FYF can lead to higher engagement levels in terms of likes, comments, or shares, which can increase the likelihood that a video will go "viral".

When asked if the FYF prohibits videos that use the word "abortion", TikTok said that certain types of content related to their Behavioral

Health, Sensitive and Mature Themes, Integrity and Authenticity, and Regulated Goods categories are ineligible.⁹¹ TikTok states on their website that they may also make some of this content in these categories harder to find in search.⁹² TikTok shared that there is not a standard determination for FYF eligibility in the case of abortion content.⁹³ Similarly, they stated that the sole usage of the term “abortion” would not place content at a specific level under TikTok’s content level rating system, which is a system to organize TikTok content based on thematic maturity.⁹⁴

TikTok announced the content levels system in 2022, which it said was created to “help prevent content with overtly mature themes” from reaching users under the age of 18;⁹⁵ however, there is little detail about the content levels system publicly available on TikTok’s website, and there is no publicly available information on what exactly the different content levels are. In their letter to Amnesty International from 29 May, TikTok stated that they will be sharing more information on content levels “in the coming months”. When Amnesty International asked TikTok about which factors are considered when calculating content’s “maturity”, TikTok stated that content leveling depends on whether factors like profanity, graphic detail and “other elements” are incorporated (without details on what “other elements” could be).⁹⁶ Additionally, while TikTok stated that “some content may contain mature or complex themes reflecting personal experiences or real-world events” that are unsuitable for younger users, they provided no examples or information on potentially unsuitable personal experiences.⁹⁷

Users creating reproductive rights content and seeking to ensure maximum visibility for their videos among users of all ages have limited guidelines regarding how “mature” it is deemed by the platform, and therefore how visible it may be to users.

REPORTED CONTENT

When asked about potential coordinated attempts to report reproductive rights content by those who oppose abortion, TikTok stated that repeated reports of a creator or content do not lead to their account or videos automatically being removed or a higher likelihood of removal.⁹⁸ They also clarified that reported content is not automatically removed by technology: it is reviewed by moderators.⁹⁹ Amnesty International asked TikTok about user appeals on content or accounts that discuss abortion and face sanctions on the platform. TikTok stated that they do not track abortion as a separate category in their Community Guidelines Enforcement Report and cannot provide additional metrics regarding these appeals.¹⁰⁰

ADVERTISING POLICIES AND ABORTION SERVICES

TikTok does not allow advertised abortion content. Before April of 2024, TikTok explicitly listed “abortion services” under their list of “unsuitable businesses, products, or services”. In April of 2024, TikTok removed abortion services from this list, and stated their advertising policies “prohibit the promotion of services and activities that

are unsuitable, illegal, or that violate Community Guidelines”.¹⁰¹ When Amnesty International asked TikTok in a follow up letter if abortion services are still banned from advertisement under the new policy, TikTok stated in a 29 May letter that they still “do not allow advertised abortion content”, as this falls under their “unsuitable businesses, products, or services” policy.

Under this policy, telehealth abortion clinics, which use social media to spread awareness of the availability of telehealth abortion, cannot advertise their services. It is unclear if other advertisements that reference abortion, or explicitly use the word “abortion” in other contexts, are prohibited. While the advertisement of abortion services is prohibited by TikTok, other healthcare advertisements served in North America are often permitted with certain restrictions: they must target users aged 18 or older and must comply with applicable laws and regulations of the target country.

The prohibition of abortion service advertising limits the ability of telehealth abortion providers to reach potential patients who may be seeking reproductive health services online. Furthermore, framing abortion services, which are essential reproductive healthcare services, as something that is “unsuitable” to be advertised is deeply stigmatizing. This policy and language reinforces the view that abortion is inherently inappropriate to be advertised publicly, and it deepens negative biases against abortion.

META'S POLICIES

Meta’s Corporate Human Rights policy, which lays out the company’s commitments to respect human rights, was first introduced in 2021.¹⁰² In 2022, the company released their Human Rights Report, which serves as a progress report on their commitment to the United Nations Guiding Principles on Business and Human Rights.¹⁰³ In response to questions from Amnesty International, a spokesperson for Meta



THE PROHIBITION OF ABORTION SERVICE ADVERTISING LIMITS THE ABILITY OF TELEHEALTH ABORTION PROVIDERS TO REACH POTENTIAL PATIENTS WHO MAY BE SEEKING REPRODUCTIVE HEALTH SERVICES ONLINE.

specifically mentioned a section of the report focused on the right to health with examples of “salient human rights risks” to the right to health.¹⁰⁴ While the most recent Human Rights Report notes risks related to medical misinformation and disinformation, the issue of access to accurate medical information was not noted as a salient risk in the report.¹⁰⁵

Meta’s Community Standards mainly lay out the types of content prohibited or restricted on the company’s platforms. There is no mention of abortion, or reproductive healthcare more broadly, in any of the Community Standards. When asked about how their policies apply to content educating users about medication abortion, Meta stated that organic (non-paid) content on its platforms that educates users about medication abortion does not violate their Community Standards.¹⁰⁶ In a letter to Amnesty International, Meta noted that providing guidance on legal access to pharmaceutical drugs is permitted, and organic content related to abortion is only violative if it goes against their policies on Restricted Goods and Services.¹⁰⁷

In some of the examples of abortion content removals provided by reproductive health and rights organizations in the section above, account owners were not told the specific Community Standards policy they violated. Meta stated that they seek to provide a link to the specific policy to “educate the user”.¹⁰⁸ Without the citation of specific Community Standards, users are unable to understand what led to their content being removed,

and it makes it more difficult for users to question content moderation decisions that seem erroneous.

In an additional inquiry, Amnesty International asked Meta questions regarding the company’s guidance provided to content moderators on reproductive rights content, moderator training, and potential systematic health information suppression on their platforms. Meta did not respond to this inquiry.

CONTENT RECOMMENDATION AND DEMOTION

Another recurring issue reported by reproductive health and rights organizations is shadowbanning, which is commonly understood as the action of limiting the visibility of a user’s account and content on a social media platform or other online space without the user being notified.¹⁰⁹ Shadowbanning can also lead to a user’s account not being found using the platform’s search function. When Amnesty International asked about this issue, a Meta spokesperson responded by saying that “shadowbanning” is not a term that the company uses and provided no additional comment on reports of shadowbanning.¹¹⁰

While Meta did not recognize shadowbanning, they did, however, share additional information on their recommendation guidelines that can lead to limited visibility of certain types of content. They stated that content that promotes the use of “certain regulated products” such as “pharmaceutical drugs”

is not eligible for recommendations, which Facebook and Instagram use to introduce users to content, accounts, and entities that they do not already follow.¹¹¹ This could potentially impact content that discusses the drugs used in medication abortions or how to access these pharmaceuticals- both types of content are commonly shared by reproductive health and rights organizations.

In their letter to Amnesty International, Meta also shared resources on the types of content the company demotes on its platforms.¹¹² Meta's Content Distribution Guidelines¹¹³ highlight the types of content that may be "problematic", so Meta reduces the distribution of this content in Feed for everyone.¹¹⁴ According to Meta's guidelines, reduced distribution of a user's content can vary depending on how many times that user has violated Community Standards in the past, the degree of confidence from Meta systems' predictions (which are artificial intelligence-driven)¹¹⁵ and "other things" (with no details on what these "other things" are). Included under the list of content that may be problematic is content "likely violating" Meta's Community Standards, which is content Meta's systems have predicted to likely violate their standards but that have not been confirmed to be violative.¹¹⁶ The language used in these

guidelines is imprecise, and the threshold between content that is "likely" violative rather than actually violative is not explained. This potentially puts content that discusses abortion pills at risk, as Meta's systems may identify such content as being "likely violative" of policies on restricted goods, and therefore hindering the availability of that information.

Additionally, Meta stated that they will no longer proactively recommend political content from accounts that users do not follow on Instagram. Instagram defines political content as content "potentially related to things like laws, elections, or social topics".¹¹⁷ While access to abortion is, at its core, a medical care issue, societally and in the U.S. context it is often framed as a political issue, as the legality of this care depends on who is holding political office in a particular state, and legislators frequently leverage their views on abortion rights for support from voters.¹¹⁸ Meta does not have publicly available information on what falls specifically under the category of political content, which provides essentially no transparency to users who want to be informed of how Instagram's policies impact the visibility of their content, specifically abortion rights content.

7. CONCLUSION AND RECOMMENDATIONS

Social media companies can play a crucial role in facilitating the enjoyment of reproductive health and rights, especially where access to information and services is otherwise restricted. Instances of abortion content being removed from social media post-*Roe* often have inadequate justification, or appear to be a misapplication of platform guidelines, and disrupt the flow of essential reproductive healthcare information. The UN Guiding Principles on Business and Human Rights underscore the responsibilities of social media companies to neither cause nor contribute to human rights abuses through their activities,

and to address impacts in which they are involved. When these companies fail to uphold these principles, they risk infringing upon the rights of their users to access healthcare information, which contributes to the threats to reproductive rights imposed on users living in places that restrict access to reproductive healthcare. Stronger transparency around community guidelines and content moderation practices is essential to ensure accountability and to prevent arbitrary removal of vital reproductive health and rights information, and is currently lacking.

“

**SOCIAL MEDIA COMPANIES
MUST RECOGNIZE THEIR IMPACT
AND TAKE DECISIVE ACTION TO
UPHOLD HUMAN RIGHTS IN BOTH
THEIR POLICIES AND PRACTICES.**

SOCIAL MEDIA COMPANIES SHOULD:

1

Ensure that accurate reproductive health and rights information can be easily accessed and make any necessary changes to their content moderation practices to ensure that such information can be shared.

2

Undertake proactive, ongoing human rights due diligence to identify, mitigate, prevent, and address any potential and actual harms arising from their content moderation and potential systematic suppression of abortion-related content.

3

Be more transparent about how their community guidelines apply to abortion content.

4

Improve transparency in relation to the use of content-shaping and content-moderation algorithms, ensuring that their mechanics are publicly available and explained as part of the continued user experience.

5

Exercise due diligence to assess and mitigate the human rights risks stemming from the spread of false and harmful information related to abortion on their platforms.

6

Ensure consistency in content moderation decision making, ensure adequate human oversight of automated content moderation, robust appeals processes, and appropriate investment in content moderation resourcing across all languages.

APPENDIX: RESPONSE LETTERS FROM META AND TIKTOK

Meta's Written Response of 21 February 2024



February 21, 2024

Mr Michael Kleinman
Senior Director, Human Rights and Tech
Amnesty International USA
by email

Dear Michael,

Thank you for your letter of January 30. As you know, we have interacted with you, your colleagues, and a variety of civil society groups and social impact businesses on a variety of these questions. We also worked with you on a variety of escalations in quarters 1-3 of 2023, many of which had to do with users navigating advertising permissions for the first time.

Knowing how important these topics are, we realize it may be useful for us to share the following:

Right to Health

Meta has identified its salient human rights risks in an extensive salient risk assessment, and publicly shared assessment findings in its most recent human rights report. Meta's salient human rights risks include the right to health, among others.

You can find details on page 33 of our report text, available (in multiple languages) at [Human rights report](#).

Organic Content on Reproductive Health

The goal of our content policies is to create a place for expression and give people a voice. Meta wants people to be able to talk openly about the issues that matter to them. Our policies are based on feedback from people and the advice of experts in fields like technology, public safety and human rights.

Organic content (i.e., non paid content) educating users about medication abortion is allowed and does not violate our Community Standards. Additionally, providing guidance on legal access to pharmaceuticals is allowed. Organic content related to abortion does not violate our policies except if covered by our [Restricted Goods and Services](#) policies as it relates to pharmaceutical drugs.

Meta's Written Response of 21 February 2024

2

Abortion medication is generally understood to refer to pregnancy termination protocols requiring the administration of pharmaceutical drugs. **Pharmaceutical drugs are highly regulated worldwide and require a prescription or medical professionals to administer.**

Our content policies prohibit any "attempts to buy, sell, trade, donate, gift or ask for pharmaceutical drugs". **Providing guidance on how to legally access pharmaceuticals is permitted as it is not considered an offer to buy, sell or trade these drugs, which is the area of pharmaceutical drugs that is regulated.**

You can find further details in our [Restricted Goods and Services](#) policies.

Whenever a piece of content is removed for violating our policies, we seek to provide a link to that specific policy/section to educate the user.

What About Advertisers Who Promote Prescription Drugs?

Prescription drugs are highly regulated goods. That's why promoting prescription drugs in paid content (ads) is not allowed without prior written permission from Meta to ensure the body in question is eligible under local law to promote the drugs. Eligibility is limited to online pharmacies, telehealth providers and pharmaceutical manufacturers.

You can see more information here: [About Meta's Prescription Drugs advertising policy | Meta Business Help Center](#).

To apply for permission, one needs to complete the prescription drug advertiser application with verification through Legitscript. See <https://www.facebook.com/help/contact/794928850913577>

Once a qualified advertiser has written permission from Meta, they can run ads that promote prescription drugs in order to share information around medical efficacy, accessibility and affordability of different types of treatments, as long as they:

- Only target people in eligible countries (United States, Canada or New Zealand).
- Only target people in the countries in which they are certified.
- Only target people 18 years or older.
- Comply with all other applicable policies (for example, online pharmacies will need to comply with our [Online Pharmacies](#) policy).

This policy is based on legal requirements.

Allegations of Shadowbanning

Shadowbanning is not a term we use at Meta, and you've not provided a definition in your letter. We will assume you are using it to mean actions that do not remove a piece of content from our platforms but instead reduces its distribution.

Content Distribution Guidelines and Recommendability Guidelines

Meta's Written Response of 21 February 2024

3

On [Facebook](#) and [Instagram](#) we have multiple rules governing how we rank and recommend content. There are currently five categories of content that are permitted on our platforms but are not eligible for recommendations. These include "Content that promotes the use of certain regulated products, such as tobacco or vaping products, adult products and services, or pharmaceutical drugs."

In addition, on Facebook our Content Distribution Guidelines describe the types of content we think may either be problematic or low quality, so we reduce its distribution in Feed for everyone. We also reduce distribution where a user tells us they want to see less of something. These reductions in distribution, also called demotions, are rooted in our commitment to the values of Responding to People's Direct Feedback, Incentivizing Publishers to Invest in High-Quality Content, and Fostering a Safer Community.

You can see more details at: [Types of content we demote | Transparency Center](#) and: [What are recommendations on Facebook? | Facebook Help Center](#).

If you'd like to learn more about our approach to Facebook Feed Ranking please check: [Our Approach to Facebook Feed Ranking | Transparency Center](#)

Instagram's [recommendability guidelines](#) are designed to maintain a higher standard than our Community Standards, because recommended content and connections are from accounts or entities you haven't chosen to follow. Therefore, not all content allowed on Instagram will be eligible for recommendation. We work to avoid making recommendations that could be low-quality, objectionable, or sensitive, and we also avoid making recommendations that may be inappropriate for younger viewers.

You can see full details for Instagram at: [Recommendations on Instagram](#)

You may also find it useful to be aware of our recent announcement that we're extending our [existing approach](#) to how we treat [political content](#). That is, Meta won't proactively recommend content about politics on recommendation surfaces across Instagram and Threads. But if you still want these posts recommended to you, you will have a control (and customization tools) to see them.

For more details see: [Update on Political Content on Instagram and Threads](#) and [Control What You See in Feed | Facebook Help Center](#)

Other Topics

Adversarial reporting is a behavior, like bullying and harassment, that is quite frequent across multiple contexts and policy areas. We have system safeguards, such as rate limiting and other protections, to mitigate the impact of such behaviors. The number of times something is reported doesn't determine whether or not it's removed. (See <https://www.facebook.com/help/408181689281891>)

Our Restricted Goods and Services policies related to abortion-related content have not changed since the Supreme Court decision of June 2022. You can check our Change Log to confirm.

Meta's Written Response of 21 February 2024

4

Note we renamed our Advertising Policies in October 2022: they're now called Meta Advertising Standards, and they're available in our Transparency Center. We did not change policy scope, substance or details in doing so, but we made them clearer and easier for people and businesses to understand.

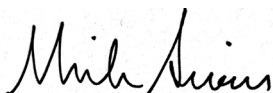
More details are available here: [Facebook Advertising Policies are now Meta Advertising Standards](#).

You can find relevant definitions related to teen protections here: [New Protections to Give Teens More Age-Appropriate Experiences on Our Apps | Meta](#) and also in our Safety Center: eg [Teen Privacy and Safety Settings | Meta Store](#)

I hope the above information is useful, and you've gained a stronger awareness of how our policies govern organic speech; how the advertising and promotion of prescription drugs is handled on platform; and also of our recommendability and distribution guidelines.

As far as we know, however, we have not seen any of the content you're referring to in your incoming letter, which refers to media reporting from 2022. Without identifying specific posts, **we simply can't speculate** about potential content policy violations, impersonation, product limitations, or any other questions that require us to investigate actual posts.

Yours, very sincerely,



Miranda Sissons
Director, Human Rights Policy

TikTok's written response of 20 February 2024



February 20, 2024

Dear Mr. Kleinman,

Thank you for your letter dated January 29, 2024, which asked questions related to reproductive rights and abortion content on TikTok. We appreciate the opportunity to address these inquiries and have reproduced your questions, followed by TikTok's answers, below.

Q1. Is TikTok monitoring the potential suppression of reproductive health and rights content?

A1. TikTok's policies do not prohibit or suppress topics such as reproductive health and abortion content, including access information. We expect creators to adhere to our Community Guidelines, which prohibit content including medical misinformation, hate speech, and graphic content.

Q2. Has TikTok identified the specific risk to the right of access to information and the right to health by suppressing abortion related content? If so, do you have dedicated staff focused on addressing this issue?

A2. As referenced in answer to question one, TikTok's policies do not prohibit or suppress topics such as reproductive health and abortion content, including access information. TikTok remains steadfast in our [commitment to human rights](#), as reflected in our policies, products, and practices. We leverage a multifaceted approach incorporating international legal frameworks and industry best practices. Additionally, we consult our community, public health experts, and regional Advisory Councils to refine our approaches.

Q3a. How do TikTok's policies apply to organic content that is not directly selling drugs associated with medication abortion, but instead simply educating users about medication abortion and/or alerting users to where they can legally access these drugs from reputable (i.e. licensed or verified) third party sources?

3b. Would this content be removed or otherwise suppressed in any way? If so, on what basis or under which TikTok policy?

3c. If an organization, that itself is not a registered telehealth provider, shared a link on TikTok to a telehealth website where medical providers can prescribe abortion pills to patients, would this violate TikTok's community guidelines? If so, which guidelines would they violate?

A3. We cannot speculate on hypothetical content, but in general, our policies allow a wide range of content about the topic of reproductive rights and abortion, including information about access and medical care. Abortion, like many medical topics, is nuanced, and to protect our community, we are committed to removing all medical misinformation regardless of the topic area.

Q4. Have there been any changes to TikTok's community guidelines or how TikTok moderates abortion-related content in response to the Supreme Court's decision on *Dobbs v. Jackson Women's Health Organization*? If so, please enumerate these changes, and the reasons for making these changes.

A4. TikTok continues to iterate its Community Guidelines, enforcement, and tools to support our creators and community. To direct community members to authoritative medical sources, we have put in place a keyword strategy that applies a label to all short videos and searches that include the term abortion in the United States. This search intervention and video tag remind people to consult authoritative sources about abortion-related information and links to the National Library of Medicine. This is consistent with our approach to other public health topics such as COVID-19 and mpox.

Q5. Organic content related to reproductive rights on TikTok is often flagged by those who oppose reproductive rights, even if that organic content does not violate any of TikTok's policies. How does TikTok respond to these attempts to leverage TikTok's own reporting functions to suppress reproductive rights-related content? How many organizations or individuals have you sanctioned for this behavior, if any, since the *Dobbs* decision?

A5. TikTok has safeguards to protect against abuse of our reporting tools, including attempts to mass report a creator's account or videos. Multiple or repeated reports of a creator or content do not lead to automatic removal or a higher likelihood of removal. Moderators review reported content, and it is not removed automatically by technology. When content is removed for violating our Community Guidelines, creators can appeal that determination. We regularly provide aggregate transparency reports regarding our Community Guidelines enforcement [here](#).

Q6a. What plans has TikTok developed for how it would approach state-level censorship in the US of specific types of content, such as content that provides information on abortion, or how to acquire one? For instance, several states have previously introduced bills (such as this Texas bill) that would require internet service providers in that state to "make every reasonable and technologically feasible effort to block Internet access to information or material intended to assist or facilitate efforts to obtain an elective abortion or an abortion-inducing drug."

6b. How would TikTok respond to the passage of such a bill, and what steps would TikTok take to avoid causing human rights abuses as a result?

A6. TikTok has a process for government removal requests and considers requests made to us through proper channels and where otherwise required by law. As a global company, we must recognize and abide by local laws in our countries. However, we recognize that local laws may conflict with international human rights standards in some situations. When presented with these cases, our commitment to human rights remains, and we seek to uphold our community members' rights to free expression and privacy. To do this, we assess the validity of the government request that is in conflict and interpret it as narrowly as possible. In cases where we

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believe this is insufficient to respect our community members' rights, we will explore legal means to push back against requests that may undermine international law and international human rights standards.

Q7a. Would content explaining to users either how to travel out-of-state for reproductive health services, including abortion, (e.g. travel from a state where abortion is illegal to a state where abortion is legal), or how to access funding to support such travel, violate your community guidelines? If so, which guidelines?

7b. When reproductive rights content is removed, do you provide the user with a link to the specific community guidelines that they violated?

7c. What percentage of user appeals regarding content restrictions or account sanctions for using the terms "abortion," "medication abortion" or "abortion pills" are successful - i.e. you determine that the content was not, in fact, violative?

A7. TikTok moderates all content using our Community Guidelines, which do not prohibit the topic of abortion. When a violation of our Community Guidelines is identified, and content is removed, TikTok notifies the creator of the reason for the removal. Creators have the opportunity to appeal the decision. We regularly provide aggregate transparency reports regarding our Community Guidelines enforcement [here](#). Since we do not track abortion as a separate category, we cannot provide additional metrics regarding appeals.

Q8. Are videos that use the word "abortion" prohibited from being shown on the For You Feed?

A8. As referenced in the answer to question one, TikTok's policies do not prohibit the topic of abortion, including access to information. We expect creators to adhere to our Community Guidelines, which prohibit content including medical misinformation, hate speech, and graphic content. We maintain content [eligibility standards for the FYF](#) that prioritize safety and are informed by the diversity of our community and cultural norms. We make ineligible for the FYF certain content that may not be appropriate for a broad audience related to (1) Behavioral Health, (2) Sensitive and Mature Themes, (3) Integrity and Authenticity, and (4) Regulated Goods. There is no standard blanket determination for FYF eligibility in the case of abortion content, and the determination will depend on the context and whether or not it includes other factors (such as profanity, graphic detail, etc.).

Q9a. Do videos that use the word "abortion" automatically get placed on a specific Content Level? If so, what are the consequences of being placed at this Content Level?

9b. How are content levels and content maturity scores on videos determined? Which factors in a piece of content are considered when calculating maturity scores?

A9. Like FYF eligibility, we do not have a blanket rating for abortion content or term usage. The content leveling depends on further context and whether factors such as profanity, graphic detail, and other elements are incorporated. TikTok provides content ranging from very family-

TikTok's written response of 20 February 2024

friendly to more mature. We recognize that some people may want to avoid certain categories of content based on their personal preferences. Some content may contain mature or complex themes reflecting personal experiences or real-world events unsuitable for younger community members. Our content classification program categorizes content based on its thematic maturity. Absent additional context, the sole usage of the term "abortion" would not sufficiently place the content at a specific content level.

Q10. Under your Sensitive and Mature Themes policy, it states that “reproductive health and sex education content, such as the use of birth control and abortion discussed in a medical way” is allowed. Can you define content that discusses abortion in a medical way vs. content that discusses abortion in a non-medical way?

A10. TikTok does not have a standard blanket rating for abortion content regarding whether it is discussed in a medical way or not. However, other factors like profanity and graphic detail may affect classification. As explained in the answer to question 9, our content classification program categorizes content based on its thematic maturity and limits mature content to adults 18 and older.

Q11. What is TikTok's process for determining what is “sensitive content”? What process, if any, does TikTok have to review and potentially modify this determination going forward?

A11. We partner with our advisory councils, human rights experts, doctors, and safety professionals to deepen our understanding of various content topics and cultures and leverage their feedback to iterate upon our Community Guidelines.

Thank you for your time and consideration. We welcome a continued dialogue with your offices regarding our shared priorities of maintaining a safe platform for our users and protecting human rights.

Sincerely,



Lisa Hayes

Head of Safety Public Policy & Senior Counsel, Americas, TikTok

TikTok's written response of 12 April 2024



April 12, 2024

Dear Ms. Satija,

Thank you for your email dated April 8, 2024, inviting TikTok to respond to an inquiry regarding reproductive rights-related content on our platform. We appreciate the opportunity to provide more detail on our policies and practices.

TikTok's policies prohibit inaccurate, misleading, or false content that may cause significant harm to individuals or society, regardless of intent. This includes physical and psychological harm. Medical misinformation, such as misleading statements about abortion access, abortion processes, inaccurate medical advice that discourages people from getting appropriate medical care, and other misinformation that poses a risk to an individual's safety and/or public health, is not allowed on the platform. In addition to content policies, we direct community members to authoritative medical sources; we implemented a keyword strategy that applies a label to all short videos and searches that include the term "abortion" in the United States. This search intervention and video tag remind our community members to consult authoritative sources about abortion-related information and links to the National Library of Medicine. This is consistent with our approach to other public health topics such as COVID-19 and mpox.

Our moderators are provided with training materials on reproductive health and rights, including content allowed on the platform and content violating our Community Guidelines. In addition to receiving these training materials, moderators are trained on these materials at regular intervals, which includes an overview of visual, textual, and audio signals of allowed and violative content. Moderators also refer to these materials when reviewing relevant content. Policy guidance is updated regularly, incorporating new narratives and signals of violative content identified by moderators, external fact-checkers, and internal teams that search for violative content. When there are new developments related to reproductive rights, such as the 2022 *Dobbs v. Jackson Women's Health Organization* decision by the US Supreme Court, we issue additional guidance to our moderators to ensure the accurate application of relevant policies.

Guidance and policy reminders include information on common conspiracies about reproductive rights, including conspiracy theories related to organizations that provide reproductive health services like abortion. Medical misinformation about procedures, including abortions, abortion methods that are not medically certified (e.g., physical trauma, consuming alcohol, herbal remedies), and content discouraging people from consulting with healthcare professionals is similarly not allowed on our platform. In addition to harmful misinformation, we do not allow language or behavior that harasses, humiliates, threatens, or doxxes anyone, including those who have sought or advocated for reproductive health services. Moderators are provided with guidance on these and other relevant topics, including information on what is allowed on our platform.

As part of our commitment to transparency, we biannually publish reports on our Community Guidelines actions. Our most [recent report](#), covering October - December 2023, denotes that TikTok proactively removed 96.9% of misinformation content. This category includes medical misinformation, such as false and misleading claims about reproductive rights and related medical procedures.

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TikTok's written response of 12 April 2024

Thank you again for the opportunity to address this critical issue and provide more information on our commitment to maintaining a safe platform for our community members.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Hayes".

Lisa Hayes
Head of Safety Public Policy & Senior Counsel, Americas

TikTok's written response of 29 May 2024



May 29, 2024

Dear Ms. Eklund,

Thank you for your letter dated May 15, 2024, regarding reproductive rights and abortion content on TikTok. We appreciate the opportunity to address your questions and have provided our answers below.

1. Is TikTok monitoring the potential suppression of reproductive health and rights content?

A1. While TikTok has measures in place to detect content that violates our Community Guidelines, our policies do not prohibit or suppress topics such as reproductive health and abortion content, including access information. We expect creators to adhere to our Community Guidelines, which prohibit content including medical misinformation, hate speech, and graphic content. For example, in our latest [Community Guidelines Enforcement Report](#), you will see that we proactively removed 96.9% of content identified as misinformation in the prior quarter, including medical misinformation.

We have found that medical misinformation relating to reproductive health is especially harmful due to the potential for immediate life-threatening impact. As a result, we will remove harmful medical misinformation content to preserve the safety of our community. To direct community members to authoritative medical sources, we have put in place a keyword strategy that applies a label to videos and searches that include the term abortion in the United States. This search intervention and video tag remind people to consult authoritative sources about abortion-related information and links to the National Library of Medicine. This is consistent with our approach to other public health topics such as COVID-19 and mpox.

2. If an organization that itself is not a registered telehealth provider, shared a link on TikTok to a telehealth website where medical providers can prescribe abortion pills to patients, would this violate TikTok's community guidelines? If so, which guidelines would they violate?

A2. No, this would not violate TikTok's Community Guidelines. TikTok's policies do not prohibit the topic of reproductive rights or abortion, including access information.

3. Does TikTok conduct ongoing human rights due diligence? What specific steps does the company take to identify, prevent, mitigate, and account for the potential and actual harms, including reproductive rights, of the TikTok platform?

A3. Human rights due diligence is conducted across different parts of our

TikTok's written response of 29 May 2024

platform. We employ a multi-pronged approach to human rights. For example, when developing new policies (including the medical misinformation policy under which this type of abortion-related content sits), we examine relevant global case examples on our platform, consult with external experts, including those representing vulnerable groups, and review potentially impacted human rights. We consider local culture as we apply our policies in different markets worldwide. We also prioritize training our moderators on new policies, ensuring their readiness and understanding.

4. **Does TikTok have a human rights policy that covers a broad range of human rights, including the rights to privacy, freedom of thought, and health, and is this publicly available? Could you please share TikTok's human rights policy with us?**

A4. TikTok is committed to adhering to international human rights standards and respecting the human rights of all people impacted by our platform. Our human rights commitments are available on our [website](#) and are informed by several international human rights frameworks. These include the [UN Guiding Principles on Business and Human Rights](#), the [International Bill of Human Rights](#), the [Convention on the Rights of Children](#), and the [Santa Clara Principles](#). Our Community Principles, also available on our [website](#), represent our commitment to human rights. These principles include preventing harm, enabling free expression, fostering civility, respecting local context, championing inclusion, protecting individual privacy, providing transparency and consistency, and being fair and just. These eight guiding community principles shape our day-to-day work and guide how we approach enforcement decisions.

5. **If such a policy exists, who within the senior management of the company is responsible for its implementation?**

A5. Our human rights commitments are overseen by our Head of Trust and Safety and our General Counsel.

6. **Are TikTok users permitted to show medications used for medication abortions in their content (i.e., showing pills in their hands, putting pills in their mouth, or showing the packaging for mifepristone or misoprostol)? Are users allowed to show pills or the consumption of pills in any context (for a medication abortion or not)?**

A6. TikTok users are permitted to show medications used for medication abortions in their content. We will take necessary measures to prioritize the safety of our community if it is unclear what type of pills are in the video to avoid medication abuse, the promotion of recreational drug use, or trade on the platform. We would also take the appropriate action on content if we ascertain that the user was promoting, making a false claim, or giving misleading advice

TikTok's written response of 29 May 2024

about medical abortion treatment in line with our misinformation policies. See examples [here](#), [here](#), and [here](#) of medication abortion content currently on the platform.

7. Which stakeholders does TikTok involve in its human rights due diligence process, and how often?

A7. As mentioned above, TikTok consults with various stakeholders, including our [Safety Advisory Councils](#), [Article One Advisors](#), and [fact-checking partners](#) to inform our human rights due diligence. We have embedded a human rights approach across our Community Guidelines. We engage our multifaceted approach each time we create or review policy guidance on a topic.

8. What are the specific Content Levels that TikTok uses to categorize content based on its thematic maturity?

A8. We anticipate sharing more information about our Content Levels in the coming months.

9. In your letter from 20 February 2024, it was stated that the use of the word “abortion” in content would not sufficiently place it at a specific level. Would the use of the word “abortion” automatically place it at a less visible level?

A9. Several contextual factors play into whether the content is deemed mature, regardless of whether abortion is the topic. These factors include the presence of profanity (e.g., using slur terms for body parts rather than their clinical terms, which could result in a higher rating), violence and gore (e.g., blood or similar imagery in non-medical contexts), substances (e.g., alcohol and/or illegal drug use), and unsafe conduct (e.g., instructions for at-home abortions that may be unsafe or cause harm if they do not violate misinformation policies). Abortion as a term does not sufficiently place it at any specific level, whether more restrictive or least restrictive; it can appear at both/all levels and for adults.

10. TikTok's new advertising policies state that “unsuitable” content is prohibited from being advertised. Who is responsible for determining if content is “suitable” to be advertised?

A10. We consult with a range of stakeholders and experts when developing our policies. All advertising must adhere to our Community Guidelines and our advertising policies.

11. TikTok's new advertising policies also state that “illegal” services cannot be advertised. In the United States, the legality of abortion is determined on a state-by-state basis. Do services advertised on TikTok in the U.S. have to be legal in every state for them to be advertised?

A11. At TikTok, while users can share abortion content organically in line with our [Community Guidelines](#), we do not allow advertised abortion content. Abortion

TikTok's written response of 29 May 2024

services fall under our "Unsuitable Businesses, Products, or Services" policy. It's worth noting that this policy is not limited to abortion alone; we also prohibit ads regarding other services such as plastic surgery, organ transplants, and others. The goal is to ensure that we are showing advertising to our community that is suitable for the widest possible audience.

Our Community Guidelines do not prohibit or suppress the topic of abortion, including access to information. We further empower access to reproductive health information through our search feature. Users searching for abortion-related information in our app are directed to the National Library of Medicine, ensuring access to reliable information.

We value and celebrate self-expression and are focused on promoting an environment where community members feel safe and comfortable sharing their experiences, including difficult conversations around bodily autonomy and reproductive health.

Thank you again for the opportunity to address this critical issue and provide more information on our commitment to maintaining a safe platform for our community members.

Sincerely,



Lisa Hayes

Head of Safety Public Policy & Senior Counsel, Americas, TikTok

DIGITAL RESOURCES FOR ABORTION SEEKERS IN THE U.S.

If you need an abortion, visit ineedana.com

If you need help paying for an abortion, visit the National Network of Abortion Funds at [NNAF.org](https://nnaaf.org)

If you want to talk to someone about an abortion decision, call the All-Options Talkline: visit all-options.org/find-support/talkline or call 1-888-493-0092

**YOU ARE NOT ALONE, AND THERE
ARE PEOPLE WHO CAN HELP YOU
ACCESS THE CARE YOU NEED.**

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