

FILED UNDER SEAL

EXHIBIT 41

Child Safety State of Play *Interim update - September 2020*

Note: Updates have been ported over to [Child Safety State of Play \(9/24\)](#). Please highlight any additions and tag [REDACTED] in comments.

July document [Child Safety - State of Play \(7/20\)](#)

Public Policy landscape

Europe

- FB EMEA leadership sees a concerted effort to go after tech in Europe and Facebook's business model specifically.
 - Google and Microsoft all considered to have too much power in the European and Global marketplace.
 - Surveillance narrative (as expounded by Zuboff) broadly accepted in Europe and US tech has not been able to mount an effective counter narrative.
- Safety, due to the consensus around the importance of protecting children in the digital space, being used successfully in Europe, by the EU and Member States, through regulation, in part, to reassert control of Europe's digital destiny.
- Our decision to encrypt Messenger is seen as symptomatic of a pivot to privacy, at the cost of children's safety. That US notion of data privacy, is not the same in Europe and therefore exacerbates the situation.
 - The European Union Internet Forum for example, consciously excluded Facebook from its draft technical paper on encryption.
- A number of separate stakeholder groups (predominantly privacy, safety and security but including some of our competitors) are mounting well-coordinated attacks, leveraging the regulatory momentum both within countries (member states) and across the European Union.
 - Our competitors (Microsoft in particular and Google to a lesser degree) are accentuating that approach and along with so-called experts, seek a EU legislative response during Q2 2021, that could be detrimental to our plans and in Microsoft's case, have little impact.
- Regulations:
 - Member States
 - Belgium - NCII Law (July 2020)
 - Germany - Federal (December) and Interstate Youth Protection Law (September)/NetzDG (November - 2.0/3.0)
 - Ireland - Online Safety and Media Bill (January 2021)
 - UK - Online Harms Bill (October 2020)/Age Appropriate Design Code (September 2020)
 - Danish government announced plans to regulate content on social media but no concrete plans yet.
 - In the UK, the Women and Equalities Select Committee Changing the Perfect Picture asked us to prepare a submission for their inquiry into body image (<https://urldefense.proofpoint.com/v2...>) to study impact of advertising and social media on body image

European Union

ePrivacy Directive (21st December 2020)

Audio Visual Media Services Directive (AVMSD) (September 2020)

Digital Services Act (July 2020)

CSAM Legislation (March 2021)

Key European regulatory trends

Overall, a number of countries are implementing child safety regulation, often enforced by a dedicated child safety regulator. In many cases these regulations are extending the scope of harms from illegal CSAM/terrorism/hate speech) to legal but harmful (developmental harmful to children), as well as broader online media (On demand video/self-generated video). Germany's NetzDG began this in 2018 and the UK Online Harms Bill includes a spectrum of harms (23) continues that approach. Many of these existing or emerging harms include new reporting and enforcement obligations.

Age verification will become a dominant factor in much child safety regulation. Age management will not be seen as sufficient protection

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o **Public accounts:** Instagram as a place for discovering new creators also means a large percentage of minors on the platform live their lives out in the public eye. Encouraging more use of private accounts for minors would allow them to creatively express themselves without immediately opening them up to strangers or unknown interactions. We currently have a two-week test running to explore the viability of Private by Default for all minors; we should strongly advocate from the policy side that the safety, privacy, and legal benefits of defaulting minors to private accounts should outweigh any Growth concerns. Private by Default for Teens would provide a tangible example of IG not only generally considering the interests of minors, but actually implementing distinct product features/experiences catering to their needs. This could go a long way towards helping us address regulatory pressure in Europe and avoid legislation requiring us to implement even more restrictive default settings.

o **Media perception of new Instagram products like Reels:** We are generally perceived as being 'behind' our competitors - especially TikTok - in youth safety. For example, they do not allow anyone under 16 to receive direct messages, and have parental controls that allow a parent to link their TikTok account to their teen's and set controls. As we advance our commitment in Reels and make it the next big bet for Instagram, we need more visible interventions and product commitments to avoid fuelling this external narrative.

o Child Safety landscape - Instagram for more details

• Age

o **The best performing age model (the "Adult Classifier") is not yet globally operational, which leads to a patchwork of integrity measures across the company that leverage age, including our Child Safety models that provide protections for minors on our platform. We need more review resources to establish ground truth data on age in priority markets.**

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- Create a well-funded digital citizenship and wellbeing program combining Get Digital (Global), We Think Digital (APAC) and other outliers (e.g., My Digital World - SSA) into a robust, global learning platform engaging families, educators and youth to take an active role in online safety.
- Address the general lack of knowledge regarding safety tools currently available on the platform:
 - Elevate positioning of existing online safety resources (e.g., Facebook Safety Center) for increased awareness and usage. Create greater visibility within the Facebook platform - linked from the profile page and elsewhere.
 - Embrace opportunity to proactively promote safety tools and resources pushing out through house ads and other internal mechanisms to increase visibility.
- Create a Child Safety Hub - an online, global resource that explains Facebook's approach to combating child exploitation - targeting Policymakers, CSE experts, industry leaders, and the general public (perhaps housed in the Facebook Safety Center).