



**Meta's attempt to avoid SA law is
slapped down by Information
Regulator**

freeexpression.org.za

22 AUGUST 2024



South Africa's Information Regulator (IR) has rejected an attempt by the international tech giant, Meta, to say that local law does not apply to them.

This is a significant step in making one of the world's biggest social media companies accountable for their conduct in this country.

Earlier this year, the Campaign for Free Expression (CFE) asked Meta and other major social media and search platforms to provide information on the steps they were taking to protect our election integrity.

freeexpression.org.za

It was commonly believed that the country – like many others around the world – was vulnerable to election interference through social media.

The information was essential to protect South Africans' right to vote in safety, CFE argued. CFE also asked what steps were being taken to prevent hate speech, disinformation and harassment of individuals, particularly women journalists.

Meta issued a broad statement to say they had taken steps to ensure they did not carry material that would interfere in the election, and to prevent hate speech and disinformation, but would give few details or specifics.

CFE made a formal application for the Information under the Promotion of Access to Information Act (PAIA), but Meta said PAIA did not apply to them.

Although they had an office and staff in this country, their head office and data were not in this country, they said.

CFE asked the IR, Pansy Tlakula, to use her office's powers to intervene to enforce PAIA. After a preliminary investigation, she has now shot down Meta's argument and said CFE had a *prime facie* right to the information.

She will now launch a full investigation into exactly what information Meta must provide.

Since Meta controls Facebook, Whatsapp, Instagram and Threads, this is an important step in the push to ensure social media platforms are held accountable for their role in spreading information and disinformation in this country and for the way they are sometimes used to disrupt elections.

Three other platforms – Google, X and TikTok – have also denied CFE’s PAIA applications for election disruption information on the basis that they are not based here. All three cases are also before the IR for a ruling.

Contact:

Anton Harber – anton@harber.co.za

+27 083-3039497

freeexpression.org.za

The Campaign for Free Expression is a non-profit organisation dedicated to protecting and expanding the right to free expression for ALL, and enabling EVERYONE to exercise this right to the full, whether it by speaking out, by protesting, by revealing information, by blowing the whistle on wrong-doing, by arguing, debating, writing, painting, composing or just by shouting out your opinion.

For more information, please contact Anton Harber at
083-3039497.

Email: info@freeexpression.org.za

freeexpression.org.za