

Meta can be sued in Kenya by ex-content moderator, the country's court rules

By [Ayenat Mersie](#)

7 Feb 2023

A labour court in Kenya ruled on Monday that Meta, the parent company of Facebook, can be sued in the East African country after a former content moderator filed a lawsuit against it alleging poor working conditions.



Source: www.unsplash.com

The lawsuit was filed by one person on behalf of a group and was also filed against Meta's local outsourcing company Sama. It seeks financial compensation, an order that outsourced moderators have the same healthcare and pay scale as Meta employees, that unionisation rights be protected and an independent human rights audit of the office.

Implications on content moderation

The decision from Kenya's employment and labour relations court could have implications for how Meta works with content moderators globally. The US company works with thousands of moderators around the world, tasked with reviewing graphic content posted on its platform.

Meta had argued that the Kenyan court had no jurisdiction because the company is not based in the African country, and thus should be struck from the case.



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"Since the petition has raised certain actual issues that are yet to be determined, it would be inopportune for the country to strike out the two respondents from the matter," Judge Jacob Gakeri said in his ruling on Monday.

Meta did not immediately respond to a request for comment.

Previous lawsuits

Former content moderator Daniel Motaung, who says he developed PTSD because of his work, filed the case.

Meta has faced lawsuits over content moderation before.

In 2021 a California judge approved an \$85m settlement between Facebook and more than 10,000 content moderators who had accused the company of failing to protect them from psychological injuries resulting from their exposure to graphic and violent imagery.

Meta is also facing another lawsuit in Kenya. In December, two Ethiopian researchers and a Kenyan rights group filed a suit accusing Meta of letting violent and hateful posts from Ethiopia flourish on Facebook, inflaming the Ethiopian civil war.

Meta said hate speech and incitement to violence were against the rules of Facebook and Instagram, another of its platforms, and that it was investing heavily to remove this type of content.

Meta's local outsourcing company Sama said last month it would no longer provide content moderation services for the company.

Sama has previously rejected claims that its employees were paid unfairly, that the recruitment process was opaque, or that its mental health benefits were inadequate.

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