

Public Comment Appendix for

2022-011-IG-UA

Case number

Case description

In June 2022, an Instagram user posted a video which appears to have been filmed shortly after a mass shooting in a church in Nigeria. The video shows motionless bloodied bodies on the floor of a church. The sounds of a chaotic scene, including people wailing and screaming, can be heard in the background. After the user posted the content, one of Meta's Media Matching Service banks for content that relates to the Violent and Graphic Content policy identified the post. These banks automatically identify images and videos that Meta has previously determined require action. Another automated system then assessed the content and applied a warning screen to the video, marking it as disturbing. The content was also reported by three users, including for depicting death and severe injury.

About a week after posting the content, the user added an English-language caption to the video. It states that the church was attacked by gunmen, that multiple people were killed, and described the shooting as sad. It then includes a series of hashtags, primarily about recreational weapons, allusions to the sound of guns firing, and military equipment and simulations. A different Meta Media Matching Service bank for the Violent and Graphic Content policy then identified and removed the post for violating the policy. Meta later explained that it considered the caption glorified violence and that it included sadistic hashtags. The reports made by users were not reviewed and were closed once the content was removed.

The user appealed, and Meta maintained its decision to remove the content. At the time of removal, the content had been viewed more than 6,000 times. The user then appealed to the Board. In their statement to the Board, the user states that the content was to show the world what was happening in Nigeria and to raise awareness of the killing of innocent people. The user also states they do not support violence.

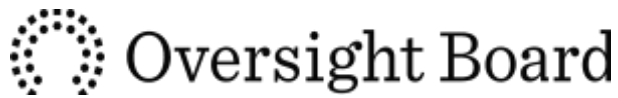
Under its Violent and Graphic Content policy, Meta states that it removes any content that "glorifies violence or celebrates suffering or humiliation of others" but allows graphic content "to help people raise awareness." The policy prohibits posting "videos of people or dead bodies in non-medical settings if they depict dismemberment, visible internal organs, or partially decomposed bodies." The policy also states that warning screens are applied to "imagery that shows the

violent death of a person or people by accident or murder,” and that such content can only be viewed by adults over the age of 18. When posted with sadistic remarks, this imagery is removed. According to its newsworthiness allowance, Meta allows violating content on its platforms "if keeping it visible is in the public interest."

The Board would appreciate public comments that address:

- **Whether Meta’s policy on Violent and Graphic Content, including its** newsworthiness allowance, strikes the right balance between protecting the rights of survivors and victims (including their families and loved ones) and documenting or raising awareness of human rights abuses or violations.
- **Whether and how Meta’s enforcement of the Violent and Graphic Content** Community Standard varies across regions, and information about the causes and impacts of any such differences.
- Insights on the socio-political and legal context in Nigeria regarding any challenges or limitations to freedom of expression, specifically about national security and documenting and raising awareness of human rights violations.
- Insights on the role of social media globally as a resource and forum for documenting and raising awareness of human rights violations.

In its decisions, the Board can issue policy recommendations to Meta. While recommendations are not binding, Meta must respond to them within 60 days. As such, the Board welcomes public comments proposing recommendations that are relevant to this case.



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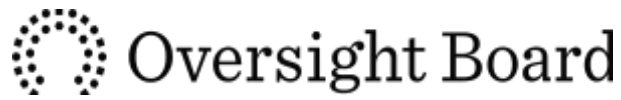
Case number

The Oversight Board is committed to bringing diverse perspectives from third parties into the case review process. To that end, the Oversight Board has established a public comment process.

Public comments respond to case descriptions based on the information provided to the Board by users and Facebook as part of the appeals process. These case descriptions are posted before panels begin deliberation to provide time for public comment. As such, case descriptions reflect neither the Board's assessment of a case, nor the full array of policy issues that a panel might consider to be implicated by each case.

To protect the privacy and security of commenters, comments are only viewed by the Oversight Board and as detailed in the [Operational Privacy Notice](#). All commenters included in this appendix gave consent to the Oversight Board to publish their comments. For commenters who did not consent to attribute their comments publicly, names have been redacted. To withdraw your comment, please email contact@osbadmin.com.

To reflect the wide range of views on cases, the Oversight Board has included all comments received except those clearly irrelevant, abusive or disrespectful of the human and fundamental rights of any person or group of persons and therefore violating the [Terms for Public Comment](#). Inclusion of a comment in this appendix is not an endorsement by the Oversight Board of the views expressed in the comment. The Oversight Board is committed to transparency and this appendix is meant to accurately reflect the input we received.



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9

Number of Comments

Regional Breakdown

1	1	0	0
Asia Pacific & Oceania	Central & South Asia	Europe	Latin America & Caribbean
1	1	5	
Middle East and North Africa	Sub-Saharan Africa	United States & Canada	

2022-011-IG-UA

Case number

PC-10793

Public comment number

Middle East and North Africa

Region

Rima

Commenter's first name

Najjar Merriman

Commenter's last name

English

Commenter's preferred language

DID NOT PROVIDE

Organization

No

Response on behalf of organization

Short summary provided by the commenter

I believe Meta technology is only as good as the human reviewers it employs, and **that's where the energy of the OB should go in making improvements.**

Full Comment

This decision rightly states that the stakes “are especially high when ... the content consists of political speech criticizing state actors.” Political speech can only be evaluated by informed, well-educated actors (not “engineering teams”) who have the ability to think relatively, not absolutely. The factors that affect absolute judgment include feedback and that is often abused by well-organized and technologically savvy individuals who have a political agenda and who know how to manipulate the system. In my experience, the question of whether I agree or not with a decision on something with political content I had posted on Facebook made presumably by an automated system is cursory, as it does not provide space for giving a rationale. Facebook thanks the user for the feedback, stating that it helps them improve the system, but in the years I have been using Facebook, I have yet to sense any tangible improvement. I believe Meta technology is only as good as the human reviewers it employs, and that's where the energy of the OB should go in making improvements. “Media Matching Service banks” are stocked by human reviewers. Do these human reviewers get training and if so, what kind of training? Does Meta hire enough people to do this work, and are the employees given the necessary support and compensation for what must be a very emotionally taxing job? Upon reading this case, I also wondered whether the removal of the image was accompanied by **any restriction on the user's account and, if so, whether the restriction remained on the user's record after the image had been restored.**

Link to Attachment

No Attachment

2022-011-IG-UA

Case number

PC-10800

Public comment number

United States and Canada

Region

Withheld

Commenter's first name

Withheld

Commenter's last name

English

Commenter's preferred language

Withheld

Organization

No

Response on behalf of organization

Short summary provided by the commenter

Attacks against Houses of Worship are becoming more common place in Nigeria over the last several years and recent actions by the Nigerian Government can make documenting incidents more difficult.

Full Comment

Reference 2022-011-IG-UA This incident of which the video was documenting was a horrific incident and we are saddened by the loss of life however there are several areas of concerns that must be raised. First question is was this video documenting the aftermath of the attack for any potential prosecution? Or was this being used by a militant group for recruitment purposes? This is a fine line to approach and a **blanket use of "This violates our Community Standards for Violence" gives the impression that this is a policy implemented as a blanket basis. We don't condone it and you shouldn't see it no matter if you are an investigator, reporter or a jihadist supporter.** Second concern covers the Christian Community in Nigeria. Often when pressed on these concerns the Nigerian Government has stated that there is no violence being committed against Christians. This logic allowed for the Biden Administration to rescind the status of Nigeria that it was a CPC (Country of Particular Concern) for violations of Religious Freedom under US Law. However this decision raises a major issue. When Nigerian Christians approach the US and UK Governments for assistance in holding the Nigerian Government accountable for the situation on the ground they are often asked if they can verify that these incidents take place. This information requested includes documented reports which video is an option. Removing this video had a negative impact in the efforts to seek redress and to document the atrocity. This can be construed as having an indirect influence on Foreign Policy Decisions by an actor with no accountability.

When it comes to social media in Nigeria this decision will once again raise eyebrows. The spat between President Buhari and Twitter which saw that platform suspended from use in Nigeria a while ago may be seen as influencing the decision to take down this video. Recently a Christian Schoolgirl lost her life over a conversation in a WhatsApp Chat. Her death was streamed on Social Media also **why wasn't this video taken down? A young man in Kano State** is facing the death penalty for a song recorded over Social Media also. Nigeria does admit that it has a **problem with "Fake News"**. **On this level supporters of this decision may feel** vindicated that their concerns have been heard. While those who suffer abuses wonder if they will ever However the main issue is that this incident occurred and people regretfully lost their lives and it became a major international news story but **we think it's best that you don't get to see the aftermath. Nigeria does** have internal factors currently that this decision could inflame or even be exploited by not only **Jihadists but also criminal elements as well. Sometimes it's not the incident that** creates the issue but how others respond to it that creates problems. This is a perfect example.

Link to Attachment

[PC-10800](#)

2022-011-IG-UA

Case number

PC-10803

Public comment number

United States and Canada

Region

Susana

Commenter's first name

Min

Commenter's last name

English

Commenter's preferred language

UC Irvine School of Law International Justice Clinic

Organization

Yes

Response on behalf of organization

Short summary provided by the commenter

In keeping with the Oversight Board's evaluations of Meta's practices in the context of international human rights law, we urge the Oversight Board to evaluate how Meta may meet its express commitment to human rights principles by addressing gaps in its Violent and Graphic Content Policy. We recommend that Meta clarify its Violent and Graphic Content Policy, drawing from the Rabat factors, to explicitly **take into account the user's intent. We also urge Meta to issue clear guidelines on their policy assessments, including its newsworthiness exception, specifically at which stage in the review process newsworthiness is assessed.**

Full Comment

The comment is attached below.

Link to Attachment

[PC-10803](#)

2022-011-IG-UA PC-10804 Central and South Asia
Case number Public comment number Region

Yasal Munim English
Commenter's first name Commenter's last name Commenter's preferred language

Media Matters for Democracy Yes
Organization Response on behalf of organization

Short summary provided by the commenter

The comment highlights the reasons why Meta's decision to take down the video should be upheld against the backdrop of its newsworthiness allowance that is far outweighed by the sensitive nature of the visuals under discussion. The visuals were disturbing and violated the right to dignity of the victims. Qualifying sensitive content on the basis of newsworthiness will lead to more sensitive content to circulate freely on Meta-owned platforms. If the company feels obliged to allow sensitive content on its platform then, significant alterations can be made to the posts. Besides many growing challenges posed by social media platforms, exposure to violent and sensitive content requires effective and timely management.

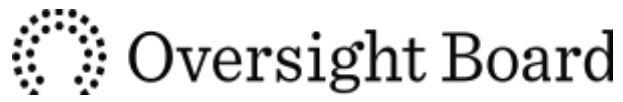
Full Comment

This case needs to be significantly deconstructed in light of Meta's policy on Violent and Graphic Content and the exceptions laid out in its newsworthiness allowance in order to grasp the sensitivity of the issue. Hence, the discussion is going to be divided into three parts. A) The major reason Meta's decision to take down the video in the first place should be upheld is because the nature of the visuals it carries can not only be disturbing to some sections of the audiences but also violates the right to dignity of the victims depicted in the video. Allowing the post to stay online brings **the victims' bodies in sensitive states** to widespread exposure, which may not be a most appropriate action on part of a platform that offers high convenience in terms of **global exposure. Moreover, Meta's newsworthy allowance is far outweighed** when it is being afforded at the cost of human dignity: letting victims of a horrific incident become viral content and make it to the feeds of an audience comprising

various demographics, segments of which may not necessarily have the **understanding to comprehend the exceptions outlined in the company's content moderation policies in a case such as this one. The "sadistic" nature of hashtags** accompanying the post that Meta considered to be glorifying violence further supports the removal of the video as they expressly violate the Violent and Graphic Content policy. B) If Meta starts qualifying sensitive content on the basis of newsworthiness for, as claimed in this case by the user who uploaded the video to Instagram, the purpose of raising awareness regarding the killings of innocent people, similar episodes of violence exhibited in other developing markets (such as South Asian countries grappling with electoral and ethnic volatilities) will, by **default, merit a similar treatment in light of the decision made in Nigeria's case.** This will allow more sensitive content to circulate freely on Meta-owned platforms, with or without the application of a warning screen. If the company, however, feels obliged to allow certain sensitive content to stay on its platforms both on the basis of newsworthiness allowance and to raise awareness, significant alterations can be made to the posts to blur the victims and any of their identifying features to preserve their dignity, prevent them turning into a subject of virality throughout digital circles, and make the video mute **so that the sounds in the videos don't prove** to be triggering for anyone. C) On the other hand, Meta needs to acknowledge that its age screen may not always be most effective, especially when younger audiences acquire access to platforms like Instagram and WhatsApp by easily bypassing the age restrictions set up during the sign-up. Therefore, sensitive content, if frequently qualified for newsworthiness allowance, will not only be made broadly accessible to large sections of relatively young users, but will also demonstrate adverse impacts on their wellbeing. Besides many growing challenges posed by social media platforms, exposure to violent and sensitive content requires effective and timely management. However, it is reiterated that the role of social media in bringing forth untold stories of human rights abuses around the world is indisputable, but the very comprehensive nature of online platforms and lack of timely handling of sensitive issues leave them vulnerable to an excess of subtle serious challenges. Leading social media corporations with strong influence and dominance in the digital market must look forward to playing a role in setting up precedents for content moderation practices which, while not impeding the flow of information, compromising the right to expression, and undermining the awareness component of certain sensitive stories that need to be brought to the world, maintain the right to dignity and overall wellbeing.

[Link to Attachment](#)

No Attachment



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End of public comments