



Public Comment Appendix for
2023-007-FB-UA, 2023-008-FB-UA, 2023-009-IG-UA
Case number

Case description

These three cases concern content decisions made by Meta, which the Oversight Board intends to address together.

On May 14, 2023, Turkey’s first round of voting in the presidential and parliamentary elections took place. President Recep Tayyip Erdoğan, a member of the Justice and Development Party (AKP) ran against Kemal Kılıçdaroğlu, the leader of Turkey’s main opposition group, the Republican People’s Party (CHP). A key issue in the electoral campaigns has been the public’s attitudes surrounding Turkey’s preparedness for, and response to, the recent earthquakes in the country. On February 6, 2023, a series of powerful earthquakes struck southern and south-eastern Turkey. The disaster killed over 50,000 people, injured more than 100,000, and triggered the displacement of two million people in the provinces most affected by the tremors.

Shortly after the earthquakes, Istanbul Municipality Mayor Ekrem İmamoğlu, a member of the CHP, visited Kahramanmaraş, one of the cities impacted by the disaster. During his visit, another politician, Nursel Reyhanlıoğlu, confronted him. Ms. Reyhanlıoğlu previously served as a Member of Parliament (MP) with the AKP. In the recorded confrontation, former MP Reyhanlıoğlu shouts at Mayor İmamoğlu for making “a show” with his visit, calls him a “British servant” (Turkish: İngiliz uşağı), and demands that he “get out” and return to “his” Istanbul.

Three media outlets, BirGün Gazetesi, Bolu Gündem, and Komedyaya Haber, were among those that reported on the confrontation by sharing segments of the recording on Instagram and Facebook. One of the Facebook posts was a live stream that became a permanent post after the livestream ended. It included further video footage of Mayor İmamoğlu along with CHP leader and presidential candidate Kemal Kılıçdaroğlu speaking to two members of the public requesting more aid to rescue loved ones trapped under rubble and expressing frustration at the government’s emergency response.

Meta removed all three posts from the media outlets under its [Hate Speech](#) Community Standard, which prohibits “the usage of slurs that are used to attack

people on the basis of their protected characteristics.” Multiple human moderators reviewed the Facebook posts, which were ultimately found to be violating of Meta’s Hate Speech Community Standard. At the time the videos were removed, the phrase “İngiliz uşağı” was on Meta’s non-public slur list for the Turkish language market. The Facebook posts were reported by several users and underwent multiple human reviews, including one escalated review by an internal Meta team. The Instagram post was reported by a user as well as detected by a classifier designed to identify the “most viral and potentially violating content.”

All three media outlets separately appealed the removal decisions to Meta, and the company maintained its decisions to remove each post. The outlets then individually appealed these removal decisions to the Board. In their statements to the Board, the outlets pointed out that other news channels also shared the video, emphasized the important role of news reporting in crisis situations, and contested that the content included hate speech.

The Board selected these cases to further explore Meta’s policies and moderation practices in times of crisis, including the use of crisis protocols. This is particularly relevant given that media coverage of the earthquake and the government’s response to it occurred in the months leading up to Turkey’s presidential elections in May 2023. These cases fall within the Board’s “elections and civic space,” “crisis and conflict situations,” and “hate speech against marginalized groups” [strategic priorities](#).

As a result of the Board selecting these cases, Meta determined that its removals of all three posts were incorrect. While Meta’s internal policies identified the phrase as a slur when the company originally removed the posts, Meta has informed the Board that it has now removed the phrase from its slur list following an internal audit, as the phrase is “no longer used as a slur.”

The Board would appreciate public comments that address:

- The meaning of the phrase “İngiliz uşağı” in the context of this case and more broadly, as well as the potential consequences resulting from its use.
- The situation for freedom of expression in Turkey since the February 2023 earthquake and ahead of Turkey’s presidential elections in May 2023, in particular observed impacts of Meta’s content moderation on political discourse in this period.
- Meta’s approach to developing, maintaining, and updating its confidential global and market-specific slur lists to enforce its prohibition on hate

speech, the potential advantages and risks in this approach, and its alignment with international standards on freedom of expression and other human rights.

- How Meta should approach slurs as a form of hate speech where the target is a public figure, such as a politician in a pre-electoral setting, and/or the usage of such slurs is reported by the media.
- Meta's enforcement of its policies on Turkish-language content on Facebook and Instagram, including the use of automation to detect or enforce content in Turkish on both platforms.

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 also welcomes public comments proposing recommendations that are relevant to these three cases.



Oversight Board

Public Comment Appendix for

2023-007-FB-UA, 2023-008-FB-UA, 2023-009-IG-UA

Case number

12

Number of Comments

Regional Breakdown



2023-007-FB-UA,
2023-008-FB-UA,
2023-009-IG-UA

PC-11249

Europe

Case number

Public comment number

Region

Maksym

Dvorovyi

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

I welcome the opportunity provided by the Oversight Board to continue the dialogue concerning the suitability of Meta's current policies on content governance in times of crisis. Despite my activities being concentrated in Ukraine, where I work as a Legal Counsel for various NGOs (most notably - Digital Security Lab Ukraine and Committee for Journalists' Ethics), my intervention will be based on the harmful implications of the present Meta's stance towards slur lists on the freedom of political debate in the Ukrainian segments of Facebook and Instagram.

At the outset, I agree that, in principle, the list of prohibited slurs and its use to facilitate automated content moderation is a legitimate step towards a healthier environment in social media. It may assist in eliminating the most brutal types of denigrating speech from the platform and should be subject to safeguards, such as the right to appeal and review by human moderators. These lists may also serve as guidelines for human moderators in making decisions regarding content removal. At the same time, these lists' existence in their current form is likely to breach international human rights law standards, especially the standard of legality.

Under the legality standard, a norm must be foreseeable for individuals to properly align their conduct with the existing prohibitions, and the users should be provided with appropriate safeguards embedded in the norms governing the respective situation. The ban on "the usage of slurs that are used to attack people on the basis of their protected characteristics" might be foreseeable when it comes to some outright insulting words known by an ordinary citizen to constitute slurs. However, the practice of dealing with content escalations by the Ukrainian organizations in the context of the Russian-Ukrainian War evidences the tendency of overblocking users' speech and accounts on the basis of the lists formed internally and non-transparently by Meta - confidentially, as put by the Oversight Board in this case's description, and not disclosed even to its partners working with escalations. An emblematic example is numerous bans for the words "moskal" and "rusnya", used to generalize Russian inside the society at war in a neutral manner. Thus, the existence of such lists and Meta's practice of a very general indication of reasons for deleting certain pieces of content deprives users of their opportunity to appeal the decision since they might not even know that a particular word is included in the respective list.

Another problematic issue concerning the list of prohibited slurs and its enforcement is the balancing exercise, not entirely embedded in the current Meta policies on hate speech. In some particular contexts, the slurs may be used as a part of other legitimate types of speech such as political speech, artistic speech, and statements made in the exercise of the right to self-defense and targeted against groups "described as having carried out violent crimes or sexual offenses" (see the Russian Poem case of the Oversight Board). Thus, additional consideration shall be given to contextual elements of the slur's use when analyzing the need to remove such types of content.

In this light, I am mindful of the possible risks of evasion of the discussed prohibition by malicious actors in case the slur lists for specific markets are published: by changing a single letter or a symbol, a user may breach not only Meta's policies but criminal law prohibitions. The discussion of whether these risks outweigh the benefits of clarity of Meta's policies provisions is not clear-cut and does not have a correct answer. Part of the answer to improving transparency on this matter lies, in my opinion, in the improvement of engagement with local partners (trusted partners/flaggers) on the stage of these lists formation, update, and review. They are best placed to assist Meta on local matters, meanings and usage of certain words in various contexts, and the likelihood of harm their dissemination may entail.

In this light, I suggest Meta to:

- engage with local partners working in different markets and knowledgeable at specific

regional, linguistic, and other contexts while forming the list of prohibited slurs;

- use these organizations' expertise to review the current lists of slurs used by its content moderation teams;

- ensure trusted partners' access to these lists to facilitate the process of communicating with Meta regarding the bans of prominent public figures, activists, journalists, and media;

- provide the users who breached the prohibition on the use of slurs with a direct indication and reasoning for their content removal, explicitly mentioning the slur included in the list;

- guide its content moderation teams to properly assess the context of the alleged slurs' use prior to adopting any content-related decisions.

[Link to Attachment](#)

No attachment

2023-007-FB-UA,
2023-008-FB-UA,
2023-009-IG-UA

PC-11250

Europe

Case number

Public comment number

Region

Cahit Kutay

Aykan

Turkish

Commenter's first name

Commenter's last name

Commenter's preferred language

Bolu Gündem

Yes

Organization

Response on behalf of
organization

Full Comment

Öncelikle, konuyla ilgili geri dönüşünüz adına Oversight Board Administration Content Team ve size çok teşekkür ederiz.

Gelişen olaylar neticesinde bizim itirazımızla birlikte bu kararın düzeltilmesi ve Facebook'un topluluk yönergelerini düzenlemesi bizi çok mutlu etti.

Uzun zamandır Facebook ve Instagram'a yoğun bir şekilde içerik üretiyor ve yerel bir gazete olmamıza karşın milyonlarca kişiye ulaşıyoruz. Yıllardır Facebook politikalarına hakimiz, algoritmaları kendimizce çözümlüyor ve hem takipçilerimize hem de Facebook kullanıcılarına özgün ve kaliteli içerik sunmak için çalışıyoruz.

Öncelikle belirtmeliyim ki, Facebook'un topluluk standartlarına aykırı içerikleri belirleyen yapay zeka mekanizması birçok konuda sorunlu çalışıyor. Genellemeler üzerinden değerlendirmeler yapan yapay zeka olaylara özel karar veremediği için biz içerik üreticilerine ciddi zararlar veriyor. En az Facebook kadar toplumun hassasiyetlerine önem veren 35 yıllık bir medya kuruluşu olarak yapay zeka karar algoritmasının düzeltilmesi için çaba harcıyoruz.

Bu bağlamda, Ekrem İmamoğlu videosu özelinde; video birçok sayfada yayınlanıyorken sadece biz ve birkaç sayfa süzgece takıldı. Bolu Gündem Facebook sayfamızın kitlesi

oldukça aktif ve etkileşimi yüksek bir kitle olduğundan video çok kısa sürede milyonlara ulaştı ve binlerce yorum, paylaşım aldı.

Facebook algoritması sanıyorum ki bu hızla büyüyen videonun yayımını acilen durdurdu. Yaptığımız itirazlar sonucu bize geri dönülmedi ve sistem daha bizim itirazımızı beklemeden videoyu kaldırdı, dağıtımımızı engelledi ve kazancımızı kapattı.

2 aylık koca bir süreçte çalışma partnerimiz olarak gördüğümüz Facebook'a özgün içerikler yollamaya devam ettik. Ama bu noktada insanlar Facebook'ta videolarımızı ve gönderilerimizi bulamadı. Bolu Gündem'in kurumsal itibarı bu noktada zarar gördü. Aynı zamanda 2 ay boyunca maddi olarak da büyük bir kazanç kaybımız oluştu.

Daha önceden sayfa partnerimize konuyu iletebiliyorduk. Ama şuan müşteri temsilcimiz olmadığından dolayı olayı Oversight Board'ı şans eseri keşfederek gönderme fırsatı yakaladık.

Bundan önce de algoritmaya hızla takılan ve itiraz edemeden sayfamızdan kaldırılan içerikler doğrultusunda bunun gibi hakkımızı savunamadığımız konularda Facebook tarafından kısıtlamalar almıştık.

Bu durumun bir daha yaşanmaması adına, belli bir hacimde olan ve kendini kanıtlamış medya kuruluşlarına özel ayrı bir bölüm açılarak, içeriklerin kaldırılmadan önce bizimle iletişime geçilmesi ve savunmanın ardından gerekçeleri göstererek içeriklerin kaldırılması ve ceza verilmesi olumlu olacaktır.

Kesin hükümlerle içeriklerin kaldırılması ardından haklı olduğumuzu belirtene kadar sayfamıza uygulanan engeller ve kazanç kısıtlamaları hem itibarımız hem de kazancımız bakımından bizi zor durumda bırakmıştır.

O dönemde takipçilerimizin birçoğu bizi arayarak, "Facebookta yeni paylaştığınız videoları izleyemiyoruz, bir sorun oluştu! uyarısı alıyoruz" demişler ve bu konuların bizden kaynaklı olduğunu düşünüp bizi eleştirmişlerdir.

Bu mağduriyetlerimizin giderilmesi ve tarafımıza bir account manager atanmasını istiyoruz. Böylelikle algoritma ve yapay zekaya takılan içeriklerimizin kaldırılmadan ve belli mağduriyetlerin tekrardan yaşanmaması adına bizle iletişime geçilmesini talep ediyoruz.

Facebook tarafından sonradan haklı bulunduğumuz dönemde oluşan kazanç, takipçi, etkileşim, gösterim zararlarımızın karşılanacağını umuyoruz.

Sonuç olarak özgün içerik üretmeyi, Meta uygulamalarını ve Facebook ailemizi

seviyoruz. Facebook'unda, 35 yıllık bir kurum olarak bölgesine hizmet eden Bolu Gündem Yayın Grubunu sevmesi için elimizden geleni yapmak arzusundayız.

Saygılarımla,

Cahit K. Aykan

Link to Attachment

[PC-11250](#)

2023-007-FB-UA,
2023-008-FB-UA,
2023-009-IG-UA

Case number

PC-11251

Public comment number

Europe

Region

Yaman

Commenter's first name

Akdeniz

Commenter's last name

English

Commenter's preferred language

İfade Özgürlüğü
Derneği - İFÖD

Organization

Yes

Response on behalf of
organization

Full Comment

İFÖD's submission is included as a PDF file in relation to the Oversight Board Case Nos:
2023-007-FB-UA, 2023-008-FB-UA, 2023-009-IG-UA

Link to Attachment

[PC-11251](#)

2023-007-FB-UA, 2023-008-FB-UA, 2023-009-IG-UA	PC-11252	Central & South Asia
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Case number

Public comment number

Region

Noor

Waheed

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Digital Rights
Foundation

Yes

Organization

Response on behalf of
organization

Full Comment

The use of the expression “Ingiliz uşağı” or “British Servant” poses an interesting question regarding the severity and impact of certain slurs, especially slurs that are not racially, religiously or parochially oriented. Speaking as an organization based in Pakistan, the expression is equivalent to the accusation of being “foreign funded” in Pakistan which is a frequent derogatory phrase used especially in conjunction with human and women’s rights movements or more recently “Imported Hakoomat” or “Imported Government” used to accuse the current caretaker government of being supported by Imperial agendas. Whilst understanding that these terms can prove to be harmful or may be used to diminish or delegitimize individuals, organizations or institutions etc. placing a ban on these expressions poses a threat to online freedom of expression. Especially in this case, the posts containing the offending audio were put up by new outlets and hence should be covered under Meta’s newsworthy allowance. In fact, it seems counterintuitive that newsworthy allowance can cover graphic and disturbing content in the public interest but not language that may be considered “hate speech”.

More importantly, as per Meta’s own internal audit the term no longer means hate speech. It is important to note that the harmful effects of hate speech are also contingent on the speaker. For example, in this case the person levying the slur is the same gender, ethnic background, and enjoys a similar position of power and privilege, despite varying political affiliations. The use of the phrase can be said to be the equivalent to saying “commie”. During the height of the Cold War such a word was akin to a slur that had material consequences for people such as discrimination in employment and increased scrutiny and harassment by law enforcement and intelligence agencies, etc. However, the word has since lost its weightage and can no longer be considered the case as appears to be the case for “İngiliz uşığı”. This further reinforces the importance of context in determining the harm and level of impact of a word, especially since in some context slurs (former or current) can be used together with other words and phrases that can make it hate speech, or in some cases (such as this one) the use of a slur word should not be automatic grounds for removal.

Political affiliation as such is not a protected characteristic; the decision to remove the word from the list of offensive words was correct and the decision to restore the content was also correct. Removal of such content published by verified news outlets negatively impacts the Turkish people’s right to information because removing this content removes public access to an interaction between two public figures which may inform public opinion and discourse on the people and parties they represent. It also offers a way to hold politicians accountable especially in a country that has been flagged for its internet censorship and particularly dissenting opinions against the ruling party AKP including legitimate criticisms or critique of their emergency response to the earthquakes in Turkey.

Meta should also consider making its list of derogatory slurs publicly accessible or at least provide access to a searchable database where words can be entered and be checked for whether they are allowed on its platforms.

Link to Attachment

[PC-11252](#)

2023-007-FB-UA,
2023-008-FB-UA,
2023-009-IG-UA

Case number

PC-11257

Public comment number

Europe

Region

Dick

Commenter's first name

van de Aa

Commenter's last name

English

Commenter's preferred language

DID NOT
PROVIDE

Organization

No

Response on behalf of
organization

Full Comment

Are 'British' servants good or bad? Do you believe that a Turkish tyran is better?

Link to Attachment

No attachment

2023-007-FB-UA,
2023-008-FB-UA,
2023-009-IG-UA

PC-11260

Europe

Case number

Public comment number

Region

Irem

Erturk

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT
PROVIDE

No

Organization

Response on behalf of
organization

Full Comment

To whom it may concern,

Firstly I'd like to start thanking to the board for such an initiative.

My main concern is regarding Meta's advertising policies during the elections.

It seems that Meta did not apply any fact-checking filters to political opponents in marketing campaigns during the elections and allowed fakenews to spread and even take over the country's agenda. We should also highlight the fact that Meta made a turnover of TL 65 million from these campaigns.

It is understandable that fact-checking is still an ongoing debate, a controversial issue not providing fruitful results yet. But I still believe that there can be a minimum standart applied, maybe through manuel filtering that is used in y hate spech casus. I'm attaching one example of these campaigns to which I'm refering. This account apparently creates and spread his own fake campaign in the name of the presidency candidate of Ms. Kılıçdaroğlu.

Essentially, I'd be willing to see that these kind of ads are contested, removed and advertising privileges of related accounts be limited.

Yours,

Irem

Link to Attachment

[PC-11260](#)