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SPECIAL COLLECTION OF THE CASE LAW ON FREEDOM OF EXPRESSION



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## Meta's Oversight Board Cases

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## Special Thanks

*The Directors and Editors of the present collection would like to recognize and express their gratitude to all the people whose efforts and talents made the collection a reality. These publications were only possible thanks to the analysis and selection of cases for the database by a wide number of [experts](#) and [contributors](#) collaborating with Columbia Global Freedom of Expression. The case briefs presented in this collection reproduce the analysis of the cases published in our database, which was only possible due to their invaluable contribution.*

*In the following pages, we have systematized all the summaries of the cases from the Oversight Board published before October 31, 2022. The cases are ordered by the relevant Meta’s Community Standard and sub-standard discussed in each decision. This document systematizes the summaries of the cases in our databases that were prepared by [researchers](#) and [experts](#) affiliated with our program. At the end of each case summary, we have included a link to the database entry of the case, in which it is possible to find a more detailed description of the facts of the case and the Oversight Board’s arguments, a list of references of the international standards and relevant sources cited in the decision, an evaluation of the decision and the link to the original document, among other things.*

## 1. **Objectionable Content**

### a. **Hate Speech**

In the ***Oversight Board case of a Myanmar post about Muslims*** (2021), on January 28, 2021, the Oversight Board overturned Facebook’s (now Meta) decision to remove a user’s **Facebook** post featuring two photographs of a Syrian toddler drowned in the Mediterranean Sea, with accompanying text stating that there was “something wrong with Muslims (or Muslim men) psychologically or with their mindset”. Facebook removed the post arguing that it breached its Hate Speech Community Standard. The Board considered that although the user’s post could be considered offensive, it did not advocate hatred or incite imminent harm. Similarly, the Board considered that Facebook’s restriction on freedom of expression, although it pursued a legitimate aim, was not necessary since removing the content would not protect any particular group from discrimination and it was unlikely to reduce tensions. (More info [here](#))

In the ***Oversight Board case of Armenians in Azerbaijan*** (2021), the Oversight Board upheld Facebook’s (now Meta) decision to remove a post on **Facebook** in which a user, in the accompanying text, used the word “taziks” — “wash bowl” in Russian—, a play on words on “azik”, a slur, or derogatory term, to refer to Azerbaijanis. The user also claimed that Azerbaijanis had no history compared to Armenians. Facebook deleted the post arguing that it breached the company’s Hate Speech Community Standard. The Board agreed with Facebook, considering that the post — up-

loaded amidst a recent armed conflict between Armenia and Azerbaijan— was meant to dehumanize its target. Likewise, the Board considered that Facebook’s measure to remove the content was a restriction that complied with International Human Rights standards on freedom of expression, including that the limitation was both necessary and proportional. (More info [here](#))

In the *Oversight Board case of depiction of Zwarte Piet* (2021), on April 13, 2021, the Oversight Board upheld Facebook’s (now Meta) decision to remove specific content that violated the express prohibition on posting caricatures of Black people in the form of blackface contained in its Hate Speech Community Standard. The case originated after a **Facebook** user in the Netherlands shared a post including text in Dutch and a 17-second-long video on their timeline. The video showed a young child meeting three adults, one dressed to portray “Sinterklaas” and two portraying “Zwarte Piet,” also referred to as “Black Pete.” The two adults portraying Zwarte Piets had their faces painted black and wore Afro wigs under hats and colorful renaissance-style clothes. All the people in the video appear to be white, including those with their faces painted black. Facebook removed the post for violating its Hate Speech Community Standard.

In its decision, the Board considered that while Zwarte Piet represents a cultural tradition shared by many Dutch people without apparent racist intent, the use of blackface was widely recognized as a harmful racial stereotype. A majority of the Board saw sufficient evidence of harm to justify removing the content. They argued that allowing such posts to accumulate on Facebook would help create a discriminatory environment for Black people that would be degrading and harassing. They believed that the impacts of blackface justified Facebook’s policy and that removing the content was consistent with the company’s human rights responsibilities. (More info [here](#))

In the *Oversight Board case of “Two-Buttons” meme* (2021), on May 22, 2021, the Oversight Board overturned Facebook’s (now Meta) decision to remove a comment on **Facebook** that included an adaptation of the “two buttons” meme. The meme depicted a cartoon character, sweating, with the Turkish flag substituting his face, in front of two buttons with corresponding statements in English: “The Armenian Genocide is a lie” and “The Armenians were terrorists that deserved it”. Facebook considered that the line “The Armenians were terrorists that deserved it” violated the company’s Hate Speech Community Standard. After analyzing the content as a whole, the Board considered that the comment was of satirical nature, and rather than mock or discriminate against Armenians, the post criticized, and raised awareness about, the Turkish government contradictory denialism of the Armenian genocide. Likewise, the Board considered that Facebook’s restriction of the user’s freedom of expression was not necessary or proportional, under international human rights standards, since the removed content did not endorse hateful speech against Armenians, on the contrary it criticized said speech. (More info [here](#))

In the *Oversight Board case of Myanmar bot* (2021), the Oversight Board overturned Facebook’s (now Meta) decision to remove a post from **Facebook** in which a user, who claimed to be in Myanmar, used profanities to describe the Chinese Government and its governmental policy in

Hong Kong. Facebook removed the content because it considered it a Tier 2 violation of the Hate Speech Community Standard, which prohibits profane phrases from offending someone because of their race, ethnicity, or country of origin. The Board concluded that the content was directed at the Chinese state rather than the Chinese people. Specifically, the user used obscenity to refer to a Chinese policy in Hong Kong as part of a political discussion on the Chinese government's role in Myanmar. Thus, the Board argued that the content abided by the company's Community Standards. Similarly, the Board noted that the measure issued by Facebook was not necessary or proportional since political criticism and expression must be protected, especially when it supports democratic governance. (More info [here](#))

In the *Oversight Board case of Colombia protests* (2021), on September 27, 2021, The Oversight Board overturned Facebook's (now Meta) decision to remove a post on **Facebook** that included a video of a protest in Colombia in which people could be heard calling in Spanish the then-president Ivan Duque "marica". The company contended that the term had been designated as a slur by Facebook because it was inherently offensive and used as an insulting and discriminatory label primarily against gay men. In its decision, the Board concluded that, while the removal of the content was consistent with the Hate Speech Community Standard, the newsworthiness allowance should have been applied since the video was posted during widespread protests against the government at a significant moment in the country's political history. (More info [here](#))

In the *Oversight Board case of South Africa slurs* (2021), on September 28, 2021, the Oversight Board upheld Facebook's (now Meta) decision to remove a post discussing South African society under its Hate Speech Community Standard. The post, published in a public **Facebook** group, discussed "multi-racialism" in South Africa and argued that poverty, homelessness, and landlessness have increased for black people in the country since 1994. Among other things, it stated that white people hold and control most of the wealth and that, in contrast, wealthy black people may have ownership of some companies but not control them. The post then concluded with "[y]ou are" a "sophisticated slave," "a clever black," "'n goeie k\*\*ir" or "House n\*\*\*er". The Board found that in the South African context, the slur contained in the post was degrading, excluding, and harmful to the people it targeted. Therefore, the Board found that Facebook acted according to its Community Standard on Hate Speech when it decided to remove this content. (More info [here](#))

In the *Oversight Board case of Wampum belt Analysis* (2021), the Oversight Board overturned Meta's original decision to remove a post from **Facebook** in which an Indigenous North American artist posted a picture of a wampum belt, a North American Indigenous form of woven art, that referenced the May 2021 discovery of unmarked graves at a school for Indigenous children in Canada, and was titled "Kill the Indian/Save the Man". Meta removed the post under its Hate Speech Community Standard. The Board found that the content was covered by allowances to the Hate Speech policy as it was a clear example of "counter speech" in which hate speech is used to resist oppression and discrimination. The Board also expressed concern regarding Meta's content moderation system when assessing critical art and the impact on the communities who bear the burden of such mistakes. (More info [here](#))

In the *Oversight Board case of alleged crimes in Raya Kobo* (2021), on December 14, 2021, the Oversight Board upheld Meta’s original decision to remove a post alleging the involvement of ethnic Tigrayan civilians in atrocities in Ethiopia’s Amhara region. Meta initially applied the Hate Speech Community Standard to remove the post from **Facebook** but restored it after the Board selected the case. The Board found Meta’s explanation for restoration lacked detail and deemed it incorrect. The Board determined that the content violated the prohibition on unverified rumors under the Violence and Incitement Community Standard. (More info [here](#))

In the *Oversight Board case of reclaiming Arabic words* (2022), on June 13, 2022, the Oversight Board overturned Meta’s original decision to remove an **Instagram** post that, according to the user, showed pictures of Arabic words which could be used in a derogatory way toward men with “effeminate mannerisms”. Meta initially removed the content for violating its Hate Speech policy but restored it after the user appealed. After being reported by another user, Meta removed the content again for violating its Hate Speech policy. According to Meta, before the Board selected this case, it submitted the content for an additional internal review which determined that it did not violate the company’s Hate Speech policy. Meta then restored the content to Instagram.

The Board considered that while the post contains slur terms, the content was covered by an exception for speech “used self-referentially or in an empowering way” and an exception that allowed the quoting of hate speech to “condemn it or raise awareness”. As a result, the Board found that the company’s initial decision to remove the content was an error that was not in line with Meta’s Hate Speech policy. (More info [here](#))

In the *Oversight Board case of Knin cartoon* (2022), on May 17, 2022, the Oversight Board overturned Meta’s decision to uphold a **Facebook** post in which ethnic Serbs were depicted as rats. Although Meta eventually removed the content, it initially considered the post did not infringe the company’s Hate Speech Community Standard since the policy did not prohibit attacks against groups under a protected characteristic identified implicitly. In its decision, the Board found that post breached the Hate Speech Community Standard and the Violence and Incitement Community Standard by contributing to a climate in which people could feel justified in attacking ethnic Serbs. In the Board’s view, removing the content from the platform was necessary to address severe hate speech based on ethnicity. (More info [here](#))

## b. Adult Nudity and Sexual Activity

In the *Oversight Board case of breast cancer symptoms and nudity* (2021), on January 28, 2021, the Oversight Board overturned Facebook’s (now Meta) decision to remove a post on **Instagram** with images of visible and uncovered female nipples intended to raise awareness about breast cancer and its symptoms. Facebook removed the post through an automated machine-learning classifier, enforcing Facebook’s Community Standards on Adult Nudity and Sexual Activity. Although Facebook restored the post recognizing an enforcement error, the Board issued a deci-

sion on the matter. It argued that Facebook’s decision did not comply with its Community Standards since adult nudity is allowed for educational and medical purposes such as raising awareness about breast cancer. Likewise, the Oversight Board considered that Facebook’s original decision affected the users’ right to receive information about health-related issues and disproportionately impacted women, raising discrimination concerns. (More info [here](#))

### c. Violent and Graphic Content

In the *Oversight Board case of Sudan graphic video* (2022), on June 13, 2022, the Oversight Board upheld Meta’s decision to restore a **Facebook** post depicting violence against a civilian in Sudan with a warning screen. The original post included a video showing a person lying beside a car with a significant head wound and a visibly detached eye. A caption in Arabic called on people to stand together and not to trust the military, with hashtags referencing military abuses and civil disobedience. After being identified by Meta, the post was removed for violating Facebook’s Violent and Graphic Content Community Standard. When the user appealed, the company issued a newsworthiness allowance and restored the post with a warning screen on the video. Meta then referred the case to the Board.

The Board agreed with Meta’s decision to restore the content to the platform with a warning screen and age restriction. In the Board’s view, the content sought to raise awareness of or document human rights abuses and thus was of significant public interest. Likewise, it deemed that while the initial removal of the content was in line with the rules in the Violent and Graphic Content Community Standard, Meta’s decision to restore the content with a sensitivity screen was consistent with its policies, values, and human rights responsibilities. Yet, the Board noted a lack of clarity in Meta’s content policies and no effective means of implementing this response to similar content at scale. (More info [here](#))

## 2. Violence And Criminal Behavior

### a. Dangerous Individuals and Organizations

In the *Oversight Board case of a Nazi quote* (2021), the Oversight Board overturned Facebook’s (now Meta) decision to remove content in which a user posted a quote incorrectly attributed to Joseph Goebbels, Minister of Propaganda in Nazi Germany. Facebook removed the content since it considered it to have breached the Community Standard on Dangerous Individuals and Organizations. The Board considered that the **Facebook** post did not intend to praise or support the Nazi party or Goebbels, and that comments on the post support the user’s claim that the post sought to draw comparisons between the presidency of Donald Trump and the Nazi regime. The Board also argued that Facebook’s Community Standard on Dangerous Individuals and Organizations lacks clarity, including because it fails to explain key terms. (More info [here](#))

In the *Oversight Board case of Punjabi concern over the RSS in India* (2021), on April 29, 2021, the Oversight Board overturned Facebook’s (now Meta) decision to remove a user’s **Facebook** post containing a 17-minute video of an interview with Professor Manjit Singh, a social activist and supporter of the Punjabi culture. Additionally, the post criticized a Hindu nationalist organization, India’s Prime Minister, and his party. Upon review, Facebook restricted the user’s account since it considered the content breached the platform’s Dangerous Individuals and Organizations Community Standard. However, after the Board identified the case for review, Facebook realized that the content was removed in error and restored it. The Board found that Facebook’s original decision was inconsistent with the company’s Community Standards or human rights responsibilities. It noted that the post highlighted the concerns of minority and opposition voices in India that were allegedly discriminated against by the government. Additionally, the Oversight Board expressed concerns about the vagueness of rules that prohibit the praise of dangerous individuals and organizations, the impact that restrictive measures on freedom of expression have on the political speech of minorities, and the lack of translation of Facebook’s Community Standards into Punjabi. (More info [here](#))

In the *Oversight Board case of former President Trump’s suspension* (2021), on May 5, 2021, the Oversight Board upheld Facebook’s decision to restrict then-President Donald Trump’s access to posting content on **Facebook** and **Instagram**. On January 6, 2021, during the counting of the 2020 U.S. presidential electoral votes, a mob forcibly entered the Capitol Building in Washington, D.C. Five people died, and many were injured during the violence. During these events, then-President Donald Trump posted two pieces of content: a video on Facebook and Instagram, followed by a written statement on Facebook. Facebook found the content violated its content policies and thus decided to remove them and suspend his account for 24 hours. After further reviewing Mr. Trump’s publications, his recent communications off Facebook, and additional information about the severity of the violence at the Capitol, Facebook extended the block indefinitely and for at least the next two weeks until the transition of power was completed.

The Board analyzed Facebook’s decision in light of the company’s human rights responsibilities through international standards on freedom of expression, and the rights to life, security, and political participation set out under Article 19 of the ICCPR. By employing a three-part analysis, it determined that the company’s decision to impose restrictions on freedom of expression —by restricting Mr. Trump’s access to the accounts— was justified. However, it considered Facebook’s determination to impose an indeterminate and standardless penalty of indefinite suspension inappropriate. The Board urged that Facebook review this matter to determine and justify a proportionate response consistent with the rules applied to other users of its platform. The Board also made policy recommendations for Facebook to implement in developing clear, necessary, and proportionate policies that promote public safety and respect freedom of expression. (More info [here](#))

In the *Oversight Board case of Öcalan’s isolation* (2021), on July 8, 2021, the Oversight Board overturned Facebook’s (now Meta) original decision to remove an **Instagram** post encouraging people to discuss the solitary confinement of Abdullah Öcalan, a founding member of the

Kurdistan Workers' Party (PKK). When the user appealed the company's decision and the Board selected the case for review, Facebook found that a piece of internal guidance on the Dangerous Individuals and Organizations policy was "inadvertently not transferred" to a new review system and therefore decided to restore the content. While analyzing the company's original decision, the Board found that the content should never have been removed. It determined that the user sought to highlight human rights concerns about Öcalan's prolonged solitary confinement. Thus, the Board concluded that the post was unlikely to result in harm, and its removal was not necessary or proportionate under international human rights standards. (More info [here](#))

In the *Oversight Board case of Shared Al Jazeera post* (2021), on September 14, 2021, the Oversight Board agreed that Facebook (now Meta) was correct to reverse its original decision to remove content on **Facebook** that shared a news post about a threat of violence from the Izz al-Din al-Qassam Brigades, the military wing of the Palestinian group Hamas. The company had initially removed the content under the Dangerous Individuals and Organizations Community Standard and restored it after the Board selected this case for review. The Board concluded that removing the content did not reduce offline harm and restricted freedom of expression on an issue of public interest. (More info [here](#))

In the *Oversight Board case of Colombian police cartoon* (2022), on September 15, 2022, the Oversight Board overturned Meta's decision to remove a post on **Facebook** of a cartoon depicting police violence in Colombia. Meta removed the content originally under its Dangerous Individuals and Organizations Community Standard because the post matched with an image in a Media Matching Service bank for content that breached this community standard. The Board held that the content was consistent with Meta's content policies and values and that Meta's decision to delete the post was unnecessary and disproportionate. The Board highlighted the heightened protection of freedom of expression regarding political and social issues and urged Meta to enact controls on its media banks, a system of automated content moderation. (More info [here](#))

In the *Oversight Board case of mention of the Taliban in news reporting* (2022), on September 15, 2022, the Oversight Board overturned Meta's original decision to remove a **Facebook** post from a news outlet page reporting a positive announcement from the Taliban regime in Afghanistan on women and girls' education. The case originated in July 2022 when a popular Urdu-language newspaper in India reported on its Facebook page that Zabiullah Mujahid, a member of the Taliban regime in Afghanistan and its official central spokesperson, announced that schools and colleges for women and girls would reopen in March 2022. Meta removed the post, imposed "strikes" against the page administrator, and limited their access to certain Facebook features. The company then informed the user that it had removed the content for violating its Dangerous Individuals and Organizations Community Standard under its prohibition on praising a designated terrorist group. Nevertheless, after the Board selected the case for review, Meta determined that this was an enforcement error and that the content fell into the Dangerous Individuals and Organizations Community Standard policy exception for reporting and, thus, should not have been removed.

According to the Board, Meta’s original decision to remove the post was inconsistent with Facebook’s Dangerous Individuals and Organizations Community Standard since the content fell under the policy’s allowance on “reporting on” designated entities. More, the Board also deemed that Meta’s decision was inconsistent with the company’s human rights responsibilities since it unjustifiably restricted freedom of expression, which encompasses the right to impart and receive information, including on terrorist groups. While Meta reversed its decision due to the Board selecting the case, the Board concluded that the user had already experienced several days of feature-limits that were not fully rectified. (More info [here](#))

## b. Violence and Incitement

In the *Oversight Board Case of a claimed COVID cure* (2021), on January 28, 2021, the Oversight Board overturned Facebook’s (now Meta) decision to remove a user’s **Facebook** post criticizing the *Agence Nationale de Sécurité du Médicament* for refusing to authorize hydroxychloroquine combined with azithromycin for use against COVID-19. Facebook removed the post since it considered the content breached the platform’s misinformation and imminent harm rule, part of its Violence and Incitement Community Standard. The Board considered that Facebook failed to demonstrate how the post contributed to imminent physical harm. The Oversight Board also argued that Facebook’s misinformation and imminent harm rule was too vague, making it “difficult for users to understand what content is prohibited”. According to the Board, Facebook also failed to prove that it chose the least intrusive measure balancing both freedom of expression and the protection of public health. (More info [here](#))

In the *Oversight Board case of protest in India against France* (2021), on February 12, 2021, the Oversight Board overturned Facebook’s (now Meta) decision to remove a **Facebook** user’s post that contained a meme featuring an image from a Turkish television show depicting a character in leather armor holding a sheathed sword. A text overlay said the sword should be “taken out of its sheath” if “kafirs” speak against the Prophet. The accompanying text referred to the President of France, Emmanuel Macron, as the devil and called for the boycott of French products. After reviewing the content, Facebook considered the user’s post a veiled threat that breached its Violence and Incitement Community Standard. However, in its decision, the Board determined that the post was not a call for physical harm, nor did the context surrounding the publication suggest that the post was likely to lead to violent acts. The Board also highlighted that speech on religious and political matters is protected under International Law. (More info [here](#))

In the *Oversight Board case of COVID lockdowns in Brazil* (2021), on August 19, 2021, the Oversight Board upheld Facebook’s (now Meta) decision to leave up a post on **Facebook** by a state-level medical council in Brazil that claimed that COVID-19 lockdowns were ineffective and had been condemned by the World Health Organization (WHO). The Board found that Facebook’s decision to keep the content on the platform was consistent with its Community Standard on Vi-

olence and Incitement. The Board found that while the content contained some inaccurate information which raised concerns considering the severity of the pandemic in Brazil and the council’s status as a public institution, it did not create a risk of imminent harm. (More info [here](#))

In the *Oversight Board case of Tigray Communication Affairs Bureau* (2022), on October 4, 2022, the Oversight Board upheld Meta’s decision to remove a Facebook post that threatened violence during the conflict in Ethiopia. The content was posted on the official page of the Tigray Regional State’s Communication Affairs Bureau and was viewed more than 300,000 times. The post discussed the losses suffered by federal forces, encouraged the national army to “turn its gun” toward Prime Minister Abiy Ahmed’s group, and warned government forces that they would die if they refused to surrender. After being reported by users and identified by Meta’s automated systems, the content was assessed by two Amharic-speaking reviewers who initially determined that the post did not contravene Meta’s policies. However, through the Integrity Product Operations Centre for Ethiopia, the company found the content violated Meta’s Violence and Incitement policy and removed it two days later. Subsequently, Meta referred the case to the Board.

In its decision, the Board held that by removing this post, Meta complied with Facebook’s Violence and Incitement Community Standard, Meta’s values, and the company’s human rights responsibilities. Moreover, the Board considered that the “context in Ethiopia, the status and intent of the speaker; the content of the speech as well as its reach; and the likelihood of offline harm all contributed to a heightened risk of offline violence” [p.14].

While the Board recognized Meta had taken positive steps to improve content moderation in some conflict zones, it highlighted that Meta should do more to meet its human rights responsibility to establish a principled, transparent system for moderating content in such contexts to reduce the risk of its platforms being used to incite violence or violations of international law. Particularly, the Board deemed that Meta provided insufficient information on how it implements its Violence and Incitement policy in armed conflict situations. Further, the Board considered that Meta’s current approach to content moderation in conflict zones suggested inconsistency, noting that observers had accused the company of differential treatment responses to conflicts, especially when considering the Russia-Ukraine conflict vis-à-vis others. (More info [here](#))

### c. Regulated Goods

In the *Oversight Board case of Ayahuasca brew* (2021), on December 12, 2021, the Oversight Board overturned Meta’s decision to remove a post from **Instagram** that contained a picture of a dark brown liquid in a jar and two bottles, with a caption in Portuguese, discussing ayahuasca in the context of religious or traditional use. After reviewing the post, the company deemed it violated its Regulated Goods Community Standard. In its decision, the Board found that while the content violated the Regulated Goods Community Standard, which prohibits content that speaks positively

about the use of non-medical drugs, it did not violate Instagram’s Community Guidelines, which, at the time, only covered the sale and purchase of illegal or prescription drugs. It further noted that the user’s post, which mainly discussed the use of ayahuasca in a religious context, was not closely linked to the possibility of harm. Thus, the Board overturned Meta’s decision to remove the content and required that the post be restored. (More info [here](#))

#### d. **Restricted Goods and Services**

In the *Oversight Board case of Asking for Adderall®* (2022), the Oversight Board overturned Meta’s original decision to remove a post from **Facebook** in which a user asked in a private group for adults —with attention deficit hyperactivity disorder (ADHD)— how to approach a doctor about the prescription medication Adderall (dextroamphetamine and amphetamine). The user had been prescribed a different medication and wanted to be prescribed Adderall. Their post sought advice from other people with ADHD. In August 2021, Meta removed the content under Facebook’s Restricted Goods and Services Community Standard. After the removal, Meta restricted the user’s account for 30 days. The Board concluded that the content did not violate Facebook’s Community Standards since the Restricted Goods and Services Community Standard does not prohibit seeking advice about pharmaceutical drugs in medical contexts. The Board also considered that the measure issued by Meta was both unnecessary and disproportionate because there was no real connection between the deleted content and the possibility of harm. (More info [here](#))

### 3. **Safety**

#### a. **Bullying and Harassment**

In the *Oversight Board case of Pro-Navalny protests in Russia* (2021), on May 26, 2021, the Oversight Board overturned Facebook’s (now Meta) decision to remove a comment from **Facebook** in which a supporter of imprisoned Russian opposition leader Alexei Navalny referred to another user as a “cowardly bot”. Facebook determined that the term “cowardly” was a negative character claim against a “private adult” and since the attacked user reported the content, it was removed. Although the Board concluded that the removal was in line with the Bullying and Harassment Community Standard, it considered the measure unnecessary and disproportionate restriction on free expression under International Human Rights and did not comply with Facebook’s values. (More info [here](#))

#### b. **Child Sexual Exploitation, Abuse and Nudity Policy**

In the *Oversight Board case of Swedish journalist reporting sexual violence against minors* (2022), the Oversight Board overturned Meta’s decision to remove a post from **Facebook** in which a user reported the rape of two minors and provided graphic detail of the impact on one of the

survivors. The content was posted in August 2019. Meta, applying the Community Standard on Child Sexual Exploitation, Abuse and Nudity, removed it two years later. For the Board, the broader context of the post led to the conclusion that the user was reporting on an issue related to the Swedish criminal justice system and condemning the sexual exploitation of minors. The content was not referring to them in a “sexualized context” nor sexually exploiting them. The Board determined that the post did not violate the policy against depictions of sexual exploitation of minors and required it to be restored. Similarly, the Board considered that the Community Standard on Child Sexual Exploitation failed a legality test since it does not clearly define some of its own key terms (depiction, sexualization). The Board also argued that Meta’s removal of the post was also unnecessary, since the deletion of content on matters of public interest, such as sex crimes against minors, is not the least intrusive way to protect the rights of children. (More info [here](#))

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