

OVERTURNED

2023-016-FB-UA

Metaphorical statement against the president of Peru

A user appealed Meta's decision to remove a Facebook post, which included a metaphorical statement against Peru's then-President Pedro Castillo. After the Board brought the appeal to Meta's attention, the company reversed its original decision and restored the post.

Policies and topics

 Politics

 Violence and incitement

Region and countries

 Latin America and the Caribbean

 Peru

Platform

 Facebook

This is a summary decision. Summary decisions examine cases where Meta reversed its original decision on a piece of content after the Board brought it to the company's attention. These decisions include information about Meta's acknowledged errors. They are approved by a Board Member panel, not the full Board. They do not consider public comments and do not have precedential value for the Board. Summary decisions provide transparency on Meta's corrections and highlight areas of potential improvement in its policy enforcement.

Case summary

A user appealed Meta's decision to remove a Facebook post that included a metaphorical statement against Peru's then-President Pedro Castillo. After the Board brought the appeal to Meta's attention, the company reversed its original decision and restored the post.

Case description and background

On 24 November 2022, a Facebook user from Peru posted content in Spanish stating that "we" will hang the then-President of Peru Pedro Castillo and compared this to the execution of Italian dictator Benito Mussolini. The post says that this was a "metaphorical" statement, not a threat to be feared and referred to the potential "suspension" of the president by a vote of the legislature amidst corruption allegations. The post also states that Pedro Castillo does not need to worry about the user's metaphorical statement because they are not "filosenderista" like Mr Castillo – an idiomatic reference comparing the leftist president to Sendero Luminoso – a communist terrorist group from Peru.

The user posted this content approximately two weeks before Peru's Congress ultimately impeached Mr Castillo, soon after he attempted to dissolve the country's legislative body and install an emergency government.

Meta initially removed the post from Facebook under its Violence and Incitement policy. In their appeal to the Board, the user stated that Meta had misinterpreted the text, which was not a call to violence and that the post should be understood in the context of the presidential impeachment process being discussed at that time.

Under Meta's Violence and Incitement policy, the company removes "language that incites or facilitates serious violence" including "statements of intent to commit high-severity violence", when Meta believes that "there is a genuine risk of physical harm or direct threats to public safety". The policy further explains that the company considers "language and context in order to distinguish casual statements from content that constitutes a credible threat to public or personal safety".

After the Board brought this case to Meta's attention, the company determined that the content did not violate its Violence and Incitement policy. Given the metaphorical nature of the statement and the context of impeachment proceedings against Pedro Castillo, who was president at the time, Meta concluded that the user appears to advocate "suspending" (or impeaching) the then-president, not committing violence against him. Therefore, the initial removal was incorrect and Meta restored the content on Facebook.

Board authority and scope

The Board has authority to review Meta's decision following an appeal from the user whose content was removed (Charter Article 2, Section 1; Bylaws Article 3, Section 1).

Where Meta acknowledges that it made an error and reverses its decision in a case under consideration for Board review, the Board may select that case for a summary decision (Bylaws Article 2, Section 2.1.3). The Board reviews the original decision to increase understanding of the content moderation process, to reduce errors and increase fairness for people who use Facebook and Instagram.

Case significance

The case highlights an inconsistency in how Meta enforces its Violence and Incitement policy as applied to political metaphorical statements, which can be a significant deterrent to open online expression about politicians. This underlines the importance of designing context-sensitive moderation systems with awareness to irony, satire or rhetorical discourse, especially to protect political speech. That is why, in its case decisions, the Board has urged Meta: to execute proper procedures for evaluating content in its relevant context ("[Two Buttons' meme](#)" recommendation no. 3); to allow users to indicate in their appeals whether the content falls under any of the exceptions to its policies ("[Two Buttons' meme](#)" recommendation no. 4); to provide criteria for when threatening statements directed at heads of state are permitted to protect clearly rhetorical political speech ("[Iran protest slogan](#)" recommendation no. 1); and ultimately to develop and publish a policy that governs Meta's response to crises or novel situations where its regular processes would not prevent nor avoid imminent harm ("[Former President Trump's suspension](#)" recommendation no. 18). Meta has committed to implement, or implemented, all of these recommendations. Their complete implementation may help to decrease the error rate of content moderation in times of political crisis in which the value of voice is especially important.

Decision

The Board overturns Meta's original decision to remove the content. The Board acknowledges Meta's correction of its initial error once the Board brought the case to Meta's attention .