



Public Comment Appendix for
2021-013-IG-UA

Case number

Case description

In July 2021, an Instagram account for a spiritual school based in Brazil posted a picture of a dark brown liquid in a jar and two bottles, described as ayahuasca in the accompanying text in Portuguese. Ayahuasca is a plant-based brew with psychoactive properties that has spiritual and ceremonial uses in some South American countries.

The text states that "AYAHUASCA IS FOR THOSE WHO HAVE THE COURAGE TO FACE THEMSELVES" and is followed by text about ayahuasca. The text includes statements that ayahuasca is for those who want to "correct themselves", "enlighten", "overcome fears" and "break free." It further states that ayahuasca is a "remedy" and "can help you" if one has humility and respect. It states that ayahuasca shows the truth but does not work miracles. It ends with "Ayahuasca, Ayahuasca!/ Gratitude, Queen of the Jungle!"

The content was viewed over 15,500 times and no user reported it. Facebook removed the content for violating the Instagram [Community Guidelines](#), which state: "Remember to always follow the law when offering to sell or buy other regulated goods" and link to Facebook's [Community Standard on Regulated Goods](#). The Regulated Goods policy prohibits content related to "non-medical drugs", which "admits to personal use without acknowledgment of or reference to recovery, treatment or other assistance to combat usage" or "coordinates or promotes (by which we mean speaks positively about, encourages the use of or provides instructions to use or make) non-medical drugs."

The user states in their appeal that they are certain the post does not violate Instagram's Community Guidelines, as their Page is informative and never encouraged or recommended the purchase or sale of any product prohibited by the Community Guidelines. They say that they took the photo at one of their ceremonies, which are regulated and legal. According to the user, the account aims to demystify the sacred ayahuasca drink. They say that there is a great lack of knowledge about ayahuasca. The user states that it brings spiritual comfort to

people and their ceremonies can improve societal well-being. They further state that they have posted the same content previously on their account and that post remains online.

The Board would appreciate public comments that address:

- Whether Facebook's decision to remove the post is consistent with the Instagram Community Guidelines, specifically the reminder to "follow the law" regarding the sale or purchase of regulated products, and Facebook's Community Standard on Regulated Goods, specifically the rules on speaking positively about, encouraging or promoting non-medical drugs.
- Whether Facebook's policies on the regulation of non-medical drugs should take into account different legal approaches at the national level, or provide a different rule for positive discussion of non-medical drugs in the context of a religious or spiritual practice. The clarity of the relationship between Instagram's Community Guidelines and Facebook's Community Standards, including in relation to regulated goods.
- Whether Facebook's decision to remove the post is consistent with the company's stated values and human rights responsibilities and commitments, including in relation to freedom of expression and freedom of religion or belief.
- Information on the use and significance of ayahuasca, including in ceremonial or religious contexts by different groups in South America.
- Information on how ayahuasca use may affect physical and mental health, and/or people's safety.

In its decisions, the Board can issue policy recommendations to Facebook. While recommendations are not binding, Facebook must respond to them within 30 days. As such, the Board welcomes public comments proposing recommendations that are relevant to this case.



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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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7

Number of Comments

Regional Breakdown

0	0	0	1
Asia Pacific & Oceania	Central & South Asia	Europe	Latin America & Caribbean
0	0	6	
Middle East and North Africa	Sub-Saharan Africa	United States & Canada	

2021-013-IG-UA

Case number

PC-10205

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

I think that instead of restoring this comment and allowing for the promotion of non medical drugs under the guise of religion that the board should instead recommend Facebook make an explicit exception that allows for the discussion of non medical drugs used in religious ceremonies, as long as that discussion does not promote their use outside of religious ceremonies.

Full Comment

The post at issue here seems to clearly violate the provision forbidding “promot[ion] (by which we mean speaks positively about, encourages the use of, or provides instructions to use or make) non-medical drugs.” This provision appears to be concerned with ensuring that people are not told to take potentially dangerous or medically unverified drugs which is an incredibly import and generally applicable safety purpose that should outweigh religious considerations. I believe Employment Division v. Smith (US Supreme Court) is a well reasoned case that counsels against creating a plethora of religious exemptions from generally applied and neutral rules. One area in which I think a religious voice concern might outweigh a safety concern is with a separate provision of the regulated goods standard: “Admits to personal use without acknowledgment of or reference to recovery, treatment, or other assistance to combat usage. This content may not speak positively about, encourage use of, coordinate or provide instructions to make or use non-medical drugs.” I think the board could recommend that Facebook include within the exceptions to this activities that are legally protected such as use within religious ceremonies and discussion of how one spiritually feels when using a non medical drug during a religious ceremony. To be sure this spiritual feeling exception would likely conflict with the latter part but I believe Facebook would be well equipped to analyze regulated good removals for cases that would fit into the proposed exception and make a policy judgement as to whether or not it would open the

floodgates on non medical drugs that could harm people uninvolved with religious ceremonies. I, however, do not believe the board should overturn Facebook's decision in this case because as of now the standard remains unchanged, is generally applicable, is neutral, and the board is not well equipped to decide for itself if the policy implications created by Facebook adding an exception.

[Link to Attachment](#)

No Attachment

2021-013-IG-UA

Case number

PC-10212

Public comment number

United States and Canada

Region

Howard

Commenter's first name

Wooldridge

Commenter's last name

English

Commenter's preferred language

Citizens Opposing Prohibition

Organization

Yes

Response on behalf of organization

Short summary provided by the commenter

ayahuasca Is not a play toy. It is a serious, mind-altering substance.-

Full Comment

I am not a doctor. I have received no medical training. I have never used nor been near anyone who was using ayahuasca. I have been involved in shaping drug policy (illegal drugs) since 1998, the last 16 full-time in the US Congress. My best information is: I have had substantive discussions with 3 military veterans who had received a guided experience with LSD, etc and the results were life-changing positive. This was at a briefing, sponsored by a Congressman in December 2019. Ayahuasca is a substance which has the potential to have a medium to severe impact on a person's mind. It is roughly in the same category as other hallucinogens like LSD, Psilocybin, etc. There is anecdotal evidence that when given to a person by an experienced mental health advisor that improvements can be made to one's mental health, particularly in the area of PTSD. That said, the drug is powerful enough to damage one's mental health if not consumed properly. Ayahuasca is absolutely not a play toy. It should only be used in a controlled, professional setting. Whether FB should delete a person's experience with the drug, or ban encouraging the drug, or allow testimonials which ignore the risks....this is beyond my pay grade. Respectfully submitted, Howard J. Wooldridge Detective, Bath Township PD, retired.

Link to Attachment

No Attachment

2021-013-IG-UA

Case number

PC-10228

Public comment number

United States and Canada

Region

P. Adem

Commenter's first name

Carroll

Commenter's last name

English

Commenter's preferred language

Justice for All

Organization

Yes

Response on behalf of organization

Short summary provided by the commenter

A member of the UN NGO Committee on Freedom of Religion and Belief, I frequently work in a multi-faith space to encourage protection of vulnerable minorities, bridge building, and mutual understanding. As staff member of the UN-accredited NGO Justice for All, I work to ensure the rights of religious minorities are respected and protected. We know social media can become a medium for persecution. Religion should not be targeted for traditional practices. As I can attest through personal experience, Ayahuasca ritual in no way constitutes a harmful traditional practice. On the contrary, this is a well-established indigenous spiritual healing tradition proven to be empowering and supportive to diverse seekers of transcendent self-knowledge.

Full Comment

Commentary: My comments on religious freedom must be divided into two parts: a very brief analysis of the religious freedom issue, which is relevant to our NGO Justice for All, especially consider the relationship our Canadian office is building with traditional indigenous communities. Moreover, our US Office is a regular participant in the US Commission on International Religious Freedom (USCIRF) and other roundtables on religious freedom, and over the years have spoken at various panels at the Ministerial for International Religious Freedom, Parliament for World Religions, and various houses of worship. Our mission emphasizes protecting religious freedom. With expertise gained through its long running program Burma Task Force, Justice for All regrets the impact of Facebook as a communications vehicle for the Rohingya genocide in Burma as well as its unfortunate role in the spread of disinformation during the current pandemic. We appreciate very much that the Oversight Board is now in the position to sort through complex cultural, political and human questions. While the freedom of expression and expression can

be said to be “sacred” so can freedom of religion and belief. Arbiters of global cultural norms must be extremely cautious when addressing sincere religious and spiritual practice. One might compare the current case, which considers the ayahuasca ritual, to the current problematical spread of claims about ivermectin. Yes, neither medicine is habit forming. However, there is no similarity to the current claims made for ivermectin as a cure for COVID 19, for example, for at least two reasons: 1) Ivermectin claims are unfounded and unsupported by any studies while an increasing number of academic studies do support the use of Ayahuasca in its ritual setting as a healing tool. Healing does not equate to cure, but rather to supporting self-integration strategies for people facing a variety of unresolved personal issues. Michael Pollan and Dr Joseph Tafur are two of the more well-known authors working to demystify these healing modalities. I am confident that others commenting here can point to many other studies. 2) Crucially, Ivermectin is not used in a religious communion ceremony to enhance human potential. It cannot enjoy the same protections as Ayahuasca does as a spiritual tool. Through my human rights work I am familiar with how Facebook and other social media can become a transmitter and amplifier of xenophobia and disinformation. It would be distressing to see Big Tech restrict a minority indigenous religion with its close relationship to and reverence for nature. And this brings me to the second part, in which I must speak personally, not on behalf of my organization. I just returned from a faith-based Ayahuasca retreat, my first, so it was quite a coincidence to find in my inbox a message from the UN NGO Committee on Freedom of Religion and Belief requesting comments on this case. My experience (not in Brazil) was a very wonderful and meaningful ritual and basically a communion service at a very deep level. The temple I visited was very serious about authenticity and transmission of tradition from the Shipibo people of Peru. Everything was done very responsibly. Many ritual participants return more than once a year. I happen to be a Muslim American but have no problem working with other spiritual frameworks, though the ritual did remind me of Sufi ceremonies in its orchestration. Yes, there is a different religious vocabulary of the divine. I heard no false claims or promises, only the offer of a sincere and empowering connection to the transcendent. The use of the Ayahuasca plant is completely embedded in traditional ritual. It may sound like I have "drunk the kool aid" but this communion also creates a deep sense of community, a creative which feels like the essence of religion and spirituality. In “sharing circles” held afterward the ceremonies, participants expressed profound human questions they wrestled with, with support from ritual leaders. Many were able to gain truly significant insights, with the aid of the Ayahuasca plant, the chanting and songs of praise. Therefore, the Oversight Board should guide Facebook to show respect for our diverse world heritage of spiritual practice, especially with such positive effects. Facebook pages for Ayahuasca healing centers should not be shut down. At the most, faith-based cultural groups and spiritual communities should be provided guidance on areas of potential concern. P. Adem Carroll September 28, 2021

[Link to Attachment](#)

No Attachment

2021-013-IG-UA

Case number

PC-10237

Public comment number

Latin America and Caribbean

Region

João Victor

Commenter's first name

Archegas

Commenter's last name

English

Commenter's preferred language

**Institute for Technology and Society
of Rio | ModeraLab**

Organization

Yes

Response on behalf of organization

Short summary provided by the commenter

In this public comment, we focus on the Brazilian context to show how the country has come to terms with ayahuasca given its use in religious ceremonies. We then proceed to argue that Facebook should take Brazil's socio-political context into account. Finally, we offer some remarks about the relevance of consistency in Facebook's content moderation practices in this case, including automated decision-making, and ask the Board to consider an existing religious exemption in the company's policies.

Full Comment

[Please refer to the attachment for the full comment]

Link to Attachment

[PC-10237](#)