



## Public Comment Appendix for

Case 2023-014-IG-UA

Case number

Case description

In July 2022, an Instagram account describing itself as a news platform critical of the government in Cuba posted a video of a woman urging other women to protest. A caption in Spanish includes quotes from the video, and hashtags that refer to the “regime” and “dictatorship” in Cuba. Text overlaying the video connects political change to women’s protests. At one point, the woman says that men in Cuba cannot be counted on because they are “rats.” At another point, she says that men in Cuba are “mares” carrying human waste. The video was played over 90,000 times, was shared fewer than 1,000 times, and was not reported by any users.

The content was posted around the one-year anniversary of nationwide protests against restrictions on fundamental freedoms, the Cuban government’s COVID-19 response, and economic difficulties. Additionally, the post came days after an Afro-Cuban teenager was killed in an incident involving the police. Parts of this incident were documented on social media, and the woman speaking in the video in this case appears to reference the incident when she says, “we cannot keep allowing the killing of our children.”

Seven days after posting, a hostile speech classifier identified the content as potentially violating Meta’s policies and sent it for human review. The following day, a moderator reviewed the content and found the post to violate the [Hate Speech](#) Community Standard. Tier 1 of this policy prohibits “content targeting a person or group of people ... on the basis of their aforementioned protected characteristic(s)” with “dehumanizing speech or imagery in the form of comparisons . . . to or about . . . animals in general or specific types of animals that are culturally perceived as intellectually or physically inferior.” The content was then escalated for secondary review. Two additional moderators reviewed the content and determined it violated the Hate Speech Community Standard. Meta then removed the content from Instagram on February 24, 2023, more than seven months after it was initially flagged by the company’s automated systems. The delay in the review was caused by a backlog in Meta’s Early Response Secondary Review program under the cross-check system. This system provides additional layers of human review, while keeping content online, for certain posts initially identified as violating Meta’s policies. As part of the Board’s [cross-check PAO](#), Meta disclosed that the cross-check program has operated with a backlog of content which delays decisions. In response to the Board’s recommendations around cross-check, Meta [announced](#) that “teams within Global Operations (GO) collaborated to eliminate our backlogs in cross-check reviews.”

On the same day the content was removed, the content creator appealed Meta’s decision. The content was again reviewed by a moderator, who upheld the original decision to remove the content on February 26, 2023. The content was not escalated to policy or subject matter experts for additional review at this time.

The content creator appealed the removal decision to the Board. In their statement to the Board, they highlighted the video's references to the July 2021 protests and suggested that the woman was "ask[ing] Cuban men to do something to solve the socio-economic crisis." They also advocated for social media platforms to "better understand the critical situation in Cuba."

The Board selected this case to better understand how Meta's policies and moderation practices impact calls for protest in political contexts characterized by restricted civic space. This case falls within the Board's "[Elections and civic space](#)" priority.

As the result of the Board bringing this case to Meta's attention, policy [and] subject matter experts at the company reviewed the content. Meta determined that its original decision to remove the content was correct.

The Board would appreciate public comments that address:

- Meta's moderation of content relating to anti-government protests in Cuba and elsewhere, as well as observed impacts of content moderation on political discourse in Cuba since July 2021, in particular.
- Meta's approach to violations of its Hate Speech policy that occur within the context of calls for protest against governments.
- How Meta should treat content from disadvantaged groups that targets advantaged groups.
- The political and human rights situation in Cuba, particularly as it relates to constraints on freedom of expression, including internet censorship and interruptions to social media access.

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 this case.



Public Comment Appendix for

Case 2023-014-IG-UA

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 the 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](mailto: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.



Public Comment Appendix for

Case 2023-014-IG-UA

Case number

19

Number of Comments

### Regional Breakdown

1	0	5	3
Asia Pacific & Oceania	Central & South Asia	Europe	Latin America & Caribbean
1	0	9	
Middle East and North Africa	Sub-Saharan Africa	United States & Canada	

Case 2023-014-IG-  
UA

Case number

PC-13000

Public comment number

Latin America &  
Caribbean

Region

Lewis

Commenter's first name

Lehman

Commenter's last name

English

Commenter's preferred language

DID NOT  
PROVIDE

Organization

No

Response on behalf of  
organization

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Full Comment

Meta's decision to remove the post is a violation of the freedom of speech.

Link to Attachment

No Attachment

Case 2023-014-IG-  
UA

PC-13001

United States &  
Canada

Case number

Public comment number

Region

Sharman

Huffstutter

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT  
PROVIDE

No

Organization

Response on behalf of  
organization

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Full Comment

Obviously the moderators were not around when the communist party with dictator took over Cuba and took away all but the elites human rights. The mass exodus to the US and other countries. The thousands that disappeared, killed or imprisoned just for disagreeing and speaking out against the government. The people of Cuba are poor and hungry and want freedom from their enslavement. I grew up during this time. Those that still escape that regime are still telling the same story.

A few years ago a German uncle of my granddaughter went to Cuba. He could only go to certain areas that showed affluent people. They were barred from taking pictures in certain areas and people.

This woman calling the men "rats" is very mellow as to what she could call them. She is basically trying to keep it clean and not as degrading as it should be if there was such a thing as free speech even in this country. I stand beside her and commend her for standing up for freedom of speech and truth. I am disappointed in the decision of the moderators and how inept they are in understanding free speech. Rats are an animal that in the wild spread diseases that destroy populations and really have no merit in societies. They just run around scared of everything around them. I believe she was trying to not go to true derogatory language as I could.

Link to Attachment

No Attachment

Case 2023-014-IG- PC-13002  
UA

Case number

Public comment number

United States &  
Canada

Region

Tommy

Commenter's first name

Tucker

Commenter's last name

English

Commenter's preferred language

DID NOT  
PROVIDE

Organization

No

Response on behalf of  
organization

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Full Comment

Free speech must always take president over the language used as long it is not directly threatening physical harm to others.

We should not censor feeling, nor should we censor language that may offend a person or a group. As a man I don't mind if she calls men "rats" that inflicts no harm on me and if I am offended by those words, so be it , I will recover! Meta must immediately stop their unfair censorship of free speech in the world. You are doing far more harm than good. You allow nudity, vulgar and profane language every day in the tens of thousands of posts yet here you want to censor a group over calling men rats" ridiculous!

Link to Attachment

No Attachment

Case 2023-014-IG-  
UA

PC-13003

United States &  
Canada

Case number

Public comment number

Region

Phillip

Weissburg

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT  
PROVIDE

No

Organization

Response on behalf of  
organization

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Full Comment

Anything other than praise for Donald Trump is considered hate speech by Facebook....If FB were running in 1944....remarks critical of Himler, Goering et al would be considered hate speech...

Link to Attachment

No Attachment



Case 2023-014-IG-  
UA

PC-13005

Europe

Case number

Public comment number

Region

Dick

van de Aa

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT  
PROVIDE

No

Organization

Response on behalf of  
organization

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Full Comment

By calling ALL men rats, any GOOD man will be discriminated in advance.

Link to Attachment

No Attachment

Case 2023-014-IG-  
UA

PC-13009

United States &  
Canada

Case number

Public comment number

Region

kirsten

zielinski

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT  
PROVIDE

No

Organization

Response on behalf of  
organization

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Full Comment

Men are the ruling group in every country in this world. they control government, speech, employment in almost all countries. they are the ruling class. calling a person a "rat" is not hate speech when you are not of the ruling class. frankly it isn't hate speech period. i do not even understand how anyone can think of 'rat' as hate speech. threatening to harm/kill someone is hate speech. calling someone a name, especially the group with most of the power, can not ever be considered hate speech. it is ridiculous to even pretend it is. i don't know who you hire to decide this or how your rules on 'hate speech' can be so ridiculous. calling out oppressors with a name is not hate speech. it is the oppressed listing how they feel about their oppressors.

Link to Attachment

No Attachment

Case 2023-014-IG- PC-13011  
UA

United States &  
Canada

Case number

Public comment number

Region

Lia

Villares

Spanish

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT  
PROVIDE

No

Organization

Response on behalf of  
organization

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Full Comment

In Cuba, there are no mechanisms in place to protect citizens, leading many to turn to social media as a platform to raise awareness of their cases. Stories of violence, censorship, job dismissal, forced exile, and countless situations exposing the vulnerability of Cuban citizens have been made known this way for over six decades. They are a stark contrast to a government that controls every aspect of people's lives and does not allow freedom of speech, opinion, or press.

People in Cuba, especially women, often find themselves in a state of helplessness, despair, and utter defenselessness against an oppressive system. This especially applies to mothers, daughters, or sisters of political prisoners and, more notably, to the prisoners of conscience themselves. In Cuba, a mere comment on Facebook or any physical or virtual space, an attempt at peaceful protest, or the practice of fundamental rights like peaceful protest, which is guaranteed in the current Constitution, could suffice to become a prisoner of conscience.

The protests on July 11, 2021, resulted in at least 1,860 victims of arbitrary detentions and forced disappearances, with at least 911 tried and sentenced, and 783 still in prison for peacefully joining the protests.

In the context of political protests, it's vital to allow dissenting voices to be heard. With this in mind, greater caution should be exercised in removing content that could serve as substantial testimonies of human rights violations, or that exemplify the censorship the Island is subjected to by the repressive apparatus.

If the victims themselves are further censored by the only means they find possible to make their situation visible, then their sense of helplessness will be complete.

Link to Attachment

No Attachment

Case 2023-014-IG- PC-13012  
UA

United States &  
Canada

Case number

Public comment number

Region

Sebastian

Arcos

English

Commenter's first name

Commenter's last name

Commenter's preferred language

DID NOT  
PROVIDE

No

Organization

Response on behalf of  
organization

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Full Comment

I am not a social media user, but I am familiar with the ongoing debate about the delicate balance between abuse of social media to spread false information or hate speech, and protecting free speech and media freedom. I believe social media should prioritize the protection of these freedoms, especially when dealing with contexts characterized by restricted civic space, as is the case in today's Cuba. I believe Meta's decision to remove this particular content is incorrect.

Cuba has been under a totalitarian regime for over six decades. Totalitarian regimes systematically restrict civic space and freedoms, in particular those like free speech and media. One of the fundamental pillars of all totalitarian regimes is to restrict speech and control media, striving to establish a monopoly on information and narrative. The totalitarian regime in Cuba, despite recent changes in leadership, continues to restrict public speech and media freedom, especially regarding political expression. It is well known that the Cuban regime has control over public internet access and actively monitors and attempts to censor speech in social media.

In July 2019 the Cuban government implemented Decree 370/2019 regulating information technology and communications, penalizing the diffusion of information contrary to social interest, public moral, and other values as defined by the government, as well as prohibiting content contrary to official laws and acts. In August 2021, the Cuban government implemented Decree 35/2021 penalizing the use of telecommunications to divulge fake news, offensive messages against the prestige of the country, and the propagation of content against constitutional, social, and economic principles established by the State.

To counter the proliferation of smart phones and the growing use of social media by average Cubans, the regime has set up numerous fake social media accounts posing as individual users to intimidate free speech and promote the

government's narrative. In February of 2023, the media reported that Meta had taken down hundreds of fake accounts linked to the Cuban government and its institutions that were posting propaganda on Facebook and Instagram and attacking critics in Cuba and the United States (<https://www.miamiherald.com/news/nation-world/world/americas/cuba/article272597368.html#storylink=cpy>). The

In my opinion, the case in question here is quite similar to your “pro-Navalny protests in Russia” decision, in which the need to protect freedom of expression supersedes policies protecting people against bullying and harassment, especially in the context of political protest in a country such as Cuba, where there are credible complaints about the absence of effective mechanisms to protect human rights. Public opposition against the totalitarian regime in Cuba has been steadily growing for decades, most notably in the last few years and especially among Cuban women. The deepening political, social, and economic crisis caused by the regime's unwillingness to abandon or reform its Marxist orthodox policies reached a highpoint with the spontaneous and widespread public protests that took place on July 11, 2021, which were brutally repressed by regime forces (<https://www.amnesty.org/en/location/americas/central-america-and-the-caribbean/cuba/>).

Using epithets such as “rats” (ratas o ratones in Spanish) or “mares” (yeguas in Spanish) to imply cowardice is common in Cuban culture and vernacular. The use of such words should not be interpreted as violent or dehumanizing speech, harmful stereotypes, or statements of inferiority seeking to exclude or segregate specific groups, in this case, male Cubans. Furthermore, you should consider the following facts and circumstances in this case:

- Cuban women represent a growing proportion of Cubans expressing their public opposition to the current regime, and many of the most recognizable leaders of this opposition are women.
- The vast majority of the repressive forces used by the regime to suppress its opponents are composed by men.
- The brutality of the repressive forces in suppressing public, non-violent demonstrations and the aftermath of arrests, trials, and disproportionate sanctions.
- The pain of mothers, sisters, and wives of victims of the regime's repression, which included teenagers and minors (<https://www.nytimes.com/2022/01/14/world/americas/cuba-mass-trials-crackdown.html>).

To conclude, I believe that considering the current political context in Cuba —a despairing population confronting an entrenched, repressive totalitarian regime— as well as the nation's culture and traditions, removing the Instagram post in question here was not the right decision. As in your “pro-Navalny protests in Russia” decision, this case is about protecting political expression in the context of political protest in a country such as Cuba, where there are

credible complaints about the absence of effective mechanisms to protect human rights.

Link to Attachment

[PC-13012](#)

Case 2023-014-IG- PC-13014 Europe  
UA

Case number

Public comment number

Region

Javier

Larrondo

English

Commenter's first name

Commenter's last name

Commenter's preferred language

Prisoners  
Defenders  
International

Yes

Organization

Response on behalf of  
organization

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Full Comment

Dear,

Without wanting to add any polemic and only with the aim of clarifying the situation of human rights in Cuba and how the Government should not be consider as such but a regime in violation of all basic human rights, please accept these documents sent.

Please find attached a complete report on the Human Rights Situation in Cuba that exposes United Nations Legal condemnations on Cuba, as well many other sources extremely well detailed. What is exposed here is a compendium and not an opinion of Prisoners Defenders, proven through the evidences and condemnations on 10 human rights thematic from many international organismos as United Nations, the IACHR and others.

Best regards,

Javier Larrondo

President

Prisoners Defenders

Link to Attachment

[PC-13014](#)



Case 2023-014-IG- PC-13015  
UA

Europe

Case number

Public comment number

Region

Pablo

Díaz Espí

Spanish

Commenter's first name

Commenter's last name

Commenter's preferred language

Diario de Cuba

Yes

Organization

Response on behalf of  
organization

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Full Comment

Buenos días, gracias por la invitación. Me habría gustado extenderme más o ser más preciso en mi respuesta, pero carezco del tiempo esta semana. Sobre la moderación de META y el caso en cuestión:

Me parece loable, necesaria y muy difícil la tarea de META de moderar los discursos de odio en sociedades cerradas. En Cuba, el régimen no solo impide la libertad de expresión, ejerce la censura digital y reprime a los ciudadanos que discrepan de la situación política, social y económica, sino que es el principal promotor de los discursos de odio: por un lado, ejerciéndolo abiertamente mediante sus voceros e intoxicando la discusión pública en ambientes de protesta mediante agentes infiltrados entre los manifestantes; por otro, normalizando ese lenguaje a través de una educación y de una prensa ideologizadas y totalitarias, que constantemente apelan a estigmatizar a los ciudadanos que disienten, a los que históricamente han llamado “escorias”, “gusanos”, etc. Como resultado, generaciones enteras de cubanos han crecido y se han educado “dentro” del lenguaje de odio, algo que requerirá un gran esfuerzo, mucho tiempo y labor pedagógica para ser revertido. Más allá de la política, el daño del castrismo al pueblo cubano tiene dimensiones antropológicas. De esta manera, es comprensible que incluso los grupos reprimidos apelen, en momentos críticos y de manera inconsciente o “natural”, a expresiones de odio. Estas expresiones han formado parte de su “lengua materna”.

Sobre el caso en cuestión, reconozco la dificultad de evaluarlo. En mi opinión — a partir de la descripción—, no se trata de un conflicto de “disadvantaged groups that targets advantaged groups”. La mujer, por lo que leo, no se enfrenta a hombres al llamarlos “rats” o “mares”, sino que apela a este lenguaje para movilizar a esos hombres. Para movilizar o amonestar a quienes deberían ser sus aliados. Es decir, los hombres no son sus enemigos. Ella está intentando despertar sus conciencias, convencer a esos que comparten situación con ella y que, a pesar de tener más fuerza física, no se suman a la lucha. El lenguaje que usa es admonitorio. Es el mismo lenguaje que leemos en la Biblia o en la

tragedia griega. Ya en la Ilíada, a los hombres que no quieren luchar se les feminiza, son categorizados con desprecio por sus propios compatriotas.

Creo que, si se decide censurar contenidos de “disadvantaged groups” que caen en expresiones de odio, META haría una buena labor pedagógica si explicara brevemente a los afectados la razón de la censura. La censura, sin una explicación, aunque sea muy breve, no aporta pedagogía, no contribuye a mejorar la situación de esos grupos o poblaciones en desventaja, reprimidas.

La crisis política, económica y social que afecta Cuba comienza ya a convertirse en crisis humanitaria. Lo más grave, es que hablamos de una crisis inducida por las propias autoridades, renuentes a conceder espacios de independencia a los ciudadanos, por no poner en peligro su poder absoluto. La ciudadanía cubana está desvalida, carece de espacios y de vías de acción más allá de la protesta pública, extrema y espontánea. En un ambiente tan desesperado y tóxico, tan deshumanizado por parte de las propias autoridades, el lenguaje de odio aflorará. Felicito y agradezco la preocupación de META y su disposición a revisar sus políticas en entornos cerrados como el cubano.

[Link to Attachment](#)

No Attachment

Case 2023-014-IG- PC-13016 Europe  
UA

Case number

Public comment number

Region

Sam Dubberley English

Commenter's first name

Commenter's last name

Commenter's preferred language

Human Rights Watch Yes

Organization

Response on behalf of organization

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Full Comment

Dear Oversight Board, due to the timeline we, as Human Rights Watch, do not have time to make a full text submission, but would like to submit the following research conducted by Human Rights Watch for consideration on this case.

<https://www.hrw.org/report/2022/07/11/prison-or-exile/cubas-systematic-repression-july-2021-demonstrators>

<https://www.hrw.org/news/2021/10/19/cuba-peaceful-protesters-systematically-detained-abused>

<https://www.hrw.org/news/2021/08/25/cuba-telecommunications-decree-curtails-free-speech>

<https://www.hrw.org/world-report/2022/country-chapters/cuba>

<https://www.hrw.org/news/2020/10/19/cubas-government-targets-social-media-influencers>

Link to Attachment

No Attachment

Case 2023-014-IG- PC-13017  
UA

Case number

Public comment number

United States &  
Canada

Region

Hannah

Commenter's first name

Van Dijcke

Commenter's last name

English

Commenter's preferred language

Human Rights  
Foundation

Organization

Yes

Response on behalf of  
organization

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Full Comment

In its public comment on case 2023-014-IG-UA, the Human Rights Foundation (HRF) encourages the Oversight Board to advise Meta to be particularly cautious when moderating content “at times of protest” in authoritarian regimes such as Cuba. In these regimes, where spaces for dissent are limited, social media often becomes the only outlet for citizens to express their opinions freely.

Additionally, HRF recommends that the board should prompt Meta to develop a more nuanced, context-specific Hate Speech policy. This policy should consider that some expressions, while perhaps inappropriate under normal circumstances, can constitute a form of resistance against authoritarianism when borne from oppressive conditions.

Link to Attachment

[PC-13017](#)

Case 2023-014-IG- PC-13018  
UA

Latin America &  
Caribbean

Case number

Public comment number

Region

Dilmar

Villena

Spanish

Commenter's first name

Commenter's last name

Commenter's preferred language

Hiperderecho

Yes

Organization

Response on behalf of  
organization

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Full Comment

Las políticas relacionadas con la moderación de contenidos, particularmente, en lo que se refiere a discursos de odio, deben tomar en consideración de manera indispensable el contexto en el cual se emite dicho discurso y el grupo que puede resultar afectado por él. En el caso específico de los discursos pronunciados en contextos de protestas contra gobiernos, es importante destacar que la posición de un funcionario público o un agente gubernamental difiere considerablemente de la de un ciudadano común o civil, de acuerdo con los estándares interamericanos y muchas legislaciones regionales. Se reconoce que los funcionarios públicos están en mejor posición para resistir o tienen un ámbito de protección más reducido en cuanto a sus derechos fundamentales. En consecuencia, se espera y es deseable que los funcionarios públicos o representantes del gobierno puedan tolerar un mayor nivel de intromisión o afectación en sus derechos fundamentales cuando se trata de discursos ofensivos.

Además, el enfoque hacia los discursos de odio parte de la premisa de proteger a los grupos históricamente vulnerables y oprimidos. Por ende, al abordar la problemática del discurso de odio, se debe tener en cuenta que un grupo social en una posición de poder o privilegio históricamente favorecido no se encuentra en la misma situación que un grupo en una posición de desventaja, dominación u opresión. Es esencial considerar las asimetrías en las relaciones de poder históricamente establecidas. Por ejemplo, la situación de un hombre y una mujer en América Latina, o de una mujer blanca eurodescendiente en comparación con una mujer afro-latinoamericana o una mujer indígena, presenta distintas asimetrías y requiere diferentes niveles de protección frente a discursos que podrían incitar violencia o afectar la vida o integridad de estos grupos históricamente marginados y oprimidos.

En este sentido, el abordaje de los discursos de odio debe ser asimétrico, ya que no todos los grupos pueden ser tratados en igualdad de condiciones debido a sus históricas desigualdades. El nivel de protección que se otorga a un grupo históricamente vulnerado, como las mujeres indígenas analfabetas, no es el

mismo que se otorgaría a un hombre blanco millonario.

En el caso concreto de análisis del Oversight Board, podemos observar que son mujeres quienes emplean lenguaje ofensivo hacia un grupo de hombres durante una protesta, esta situación también debe ser analizada en términos de las relaciones asimétricas de poder. Dado que las mujeres se encuentran en un ámbito de relación asimétrica de poder con respecto a los hombres, este examen debe ser considerado en el momento de llevar a cabo la moderación de contenidos y decidir si ciertos discursos son permitidos en las plataformas de Meta (Facebook, Instagram, etc.).

En resumen, la protección del discurso en contextos de protesta social contra gobiernos debe ser más amplia, ya que implica que los funcionarios públicos toleren mayores restricciones hacia sus derechos y libertades. Por lo tanto, las normas que restringen el discurso, como las políticas de moderación de contenidos, deben ser aplicadas con mayor cautela en estos contextos para favorecer la libre circulación del discurso, ya que existe un interés público detrás de estas protestas. Además, el análisis de las relaciones de poder asimétricas en los grupos que pueden ser objeto de discursos de odio u ofensivos debe tener en cuenta la situación sistemática e histórica de desigualdad de poder. No es apropiado valorar a todos los grupos como si estuvieran en una situación de igualdad de condiciones, exigiéndoles el mismo nivel de cumplimiento o restricción en sus discursos. Siempre y cuando el discurso no promueva explícitamente actos de violencia o afectación a la integridad física de personas, este enfoque asimétrico es deseable, ya que permite que los grupos históricamente marginados busquen la justicia histórica que merecen.

Asimismo, cuando nos encontramos frente a contenidos publicados en redes sociales que a simple vista puedan ser clasificados como contenido hostil o que viola la normativa respecto a discursos de odio, es imperativo entender el contexto en el que los mismos son emitidos, así como la situación socio-emocional en la que se encuentran las personas que emiten los comentarios a analizar. Entendemos que los clasificadores automatizados no pueden realizar el análisis humano requerido en estos casos, por lo que aplaudimos contar con una ruta que incluya la revisión humana en contextos en los que grupos sistemática e históricamente desfavorecidos y discriminados se dirigen o se expresan sobre grupos o personas favorecidas o con poder/capacidad de decisión.

En primer lugar, es preciso entender las situaciones de desigualdad, inequidad e injusticia en la que muchos países de Latinoamérica y otros continentes se encuentran. Esta situación genera importantes tensiones entre los grupos menos favorecidos y los grupos más favorecidos, llevando a los mismos a espacios de enfrentamiento en el espacio físico y también en los espacios virtuales. Al tratarse de situaciones de discriminación históricas e insostenibles, las personas menos favorecidas utilizan diferentes recursos para alarmar, concientizar y hacer un llamado al cambio del status quo. Entre ellos, utilizar lenguaje no neutral (y comparativo-que puede resultar ofensivo), evidenciando que estas situaciones son insostenibles y no pueden seguir siendo normalizadas. Estas expresiones, además de tener un componente estratégico, suelen ser producto de la indignación, así como el enojo e ira.

Un ejemplo de ello es cuando la población reclama por los actos de corrupción cometidos por la clase política, equiparandolos con ratas, delincuentes, entre otros. Otro ejemplo ocurre cuando las mujeres y activistas hacen llamados a la protesta y denuncias públicas a través de redes sociales o posts sobre violencia de género. En estos se compara a los agresores con animales y/o entes que no tienen control de sus instintos. Los posts sobre violencia de género se caracterizan por incluir sentimientos de indignación y enojo por la situación de desigualdad en la que se encuentran las mujeres respecto a los varones y a las conductas machistas replicadas en sociedades patriarcales. En este sentido, no se está buscando insultar a los hombres o a la clase política como venganza, sino que se está intentando alertar a las personas y generar conciencia en las acciones que realizan, evidenciando que las mismas no son correctas y que no son propias de personas que respetan los derechos de los demás y que buscan el bienestar de la comunidad/sociedad en conjunto.

En segundo lugar, es imperativo comprender que las redes sociales, entre ellas, Meta, son canales de comunicación y de información, pero también espacios de protesta y de convocatoria; por ello, las limitaciones y moderación de contenidos en estos contextos deben ser mínimas y acontecer únicamente cuando la situación lo amerite. Al analizar estos mensajes debe evaluarse qué otros mensajes se encuentran incluidos y cuál es la finalidad del contenido publicado, entendiendo que existe una importante diferencia entre los discursos de odio y los llamados a la acción o críticas al sistema.

En este sentido, el tratamiento que se le debe dar a este contenido no debe ser restrictivo ni moderado a menos que se trate de llamamiento a la violencia. La indignación en las declaraciones también forma parte del núcleo de protección del derecho a la libertad de expresión pues el lenguaje usado puede tornarse violento o tender a adjetivar a los actores involucrados de forma despectiva, pero no ser un llamado a la violencia por venganza, sino a la re-acción y al cambio. Del mismo modo, esta protección también incluirá la estrategia que pueda ser usada para llamar la atención o generar indignación. Por ello, y tras un análisis de ponderación sobre la idoneidad, necesidad y proporcionalidad del retiro de determinadas publicaciones por contener comentarios ofensivos o que quebrantan las políticas de Meta, debe analizarse el contenido completo dentro de su contexto y finalidad.

En conclusión, abordar la moderación de contenidos en redes sociales, especialmente en lo que respecta a discursos de odio, exige una comprensión profunda del contexto en el cual se emiten dichos contenidos, así como de las emociones y circunstancias de quienes los generan. Los clasificadores automatizados no pueden realizar el análisis humano necesario para discernir adecuadamente entre discursos de odio y llamados a la acción o críticas legítimas. Estas expresiones, si bien emotivas, buscan generar un cambio en el statu quo y denunciar prácticas de poder injustas. En consecuencia, la moderación de contenidos en plataformas como Meta debe aplicarse con cautela y solo en situaciones que verdaderamente lo justifiquen, evitando restringir innecesariamente la libertad de expresión y permitiendo la expresión legítima de la indignación y el llamado al cambio en contextos de protesta y denuncia.

Link to Attachment

No Attachment