



Public Comment Appendix for Knin Cartoon

Case number

Case description

In early December 2021, a public Facebook Page describing itself as a news portal for Croatia posted a video and caption in Croatian. Meta translated the caption as "The Player from Čavoglave and the rats from Knin". Čavoglave is a village in Croatia, and Knin is a city in the country. The video is an edited version of Disney's cartoon "[The Pied Piper](#)". It is 2 minutes and 10 seconds long, with a voiceover in Croatian. The video is overlaid with the word "pretjerivač", which seems to refer to an online platform of the same name where users share videos and other types of content.

The video portrays a city overrun by rats. While the entrance to the city in the original Disney cartoon is labelled as "Hamelin", the city in the edited video is labelled as the Croatian city of "Knin". At the start of the video, a narrator describes how rats and humans lived in the royal city of Knin for many years. The narrator continues that the rats decided that they wanted to live in a "pure rat country", so they started harassing and persecuting people living in the city. The narrator explains that when rats took over the city, a piper from the Croatian village of Čavoglave appeared. Initially, the rats did not take the piper seriously and continued with "the great rat aggression". However, after the piper started to play a melody with his "magic flute", the rats, captivated by the melody, started to sing "their favourite song" and followed the piper out of the city.

Meta told the Board that the melody in the cartoon is from a well-known Western Balkans' folk song. The company translated the lyrics of the song sang by rats as: "What is that thing shining on Dinara, Dujić's cockade on his head [...] Freedom will rise from Dinara, it will be brought by Momčilo the warlord." Meta told the Board that the lyrics are from a song dedicated to Momčilo Dujić, "a famous Serbian warlord during the Second World War". The video then portrays the city's people closing the gate behind the piper and the rats. The video ends with the piper herding the rats into a tractor, which then disappears. The narrator concludes that once the piper lured all the rats into the "magical tractor", the rats "disappeared forever from these lands" and "everyone lived happily ever after". The Page sharing the content has over 50,000 followers. While on the platform, the content was viewed over 380,000 times, shared over 540 times, and received over 2,400 reactions and over 1,200 comments. The majority of the users who reacted to, commented on or shared the content have accounts located in Croatia. The remaining users have their accounts located in Germany and Bosnia and Herzegovina.

The content was reported over 390 times. Of those reporters, 362 reported the content for hate speech. This appeal to the Board is based on the report of one of these users, whose account appears to be located in Serbia. Based on prior consistent human review decisions,

Meta determined that the content was not in violation of the Facebook Community Standards and did not remove it. Meta said that it uses automation when subsequent reports occur on content where it may have already made a prior decision, to avoid re-reviewing content it has already reviewed. After the user who reported the content appealed against Meta's decision, Meta conducted an additional human review and upheld the original decision to keep the content on the platform.

The user who reported the content submitted their appeal to the Board in Serbian. They begin by stating that the flute player represents "the Croatian Army, which persecuted Serbs from Croatia". They also state that the rats represent Serbs. According to the user who reported the content, Meta did not assess the video correctly. They add that the video "brings national and religious hatred" to the Balkans and beyond. They also state that "this portal" spreads "national intolerance between the two nations that barely healed the wounds".

In late January 2022, as a consequence of the Board selecting the case, Meta identified its decision to keep the content on the platform as an "enforcement error" and removed it as a violation of the Hate Speech policy. Meta explained that its original at-scale decision was based on a limited amount of context available to the content reviewer.

Under its [Hate Speech Community Standard](#), Meta takes down content targeting a person or group of people based on their race, ethnicity and/or national origin with "dehumanising speech or imagery in the form of comparisons, generalisations or unqualified behavioural statements (in written or visual form) to or about: [a]nimals that are culturally perceived as intellectually or physically inferior". Meta told the Board that in light of the historical context in the case, the content contains a direct attack against Serbians by comparing them to rats. Meta concluded that the content creates an environment of intimidation and exclusion, and that it may also promote real-world harm.

In their statement to the Board, the user who posted the content stated that they are "not sure about the content" and that they are part of the page "only as business associate for advertising purposes". Meta does not consider the user who posted the content to be a public figure.

The Board would appreciate public comments that address:

- How enforcement of Meta's content policies on hate speech should take into account local context in Southeast Europe, specifically Croatia, and the history of conflict in this region.*
- How to improve human review of complex content, in particular in the form of video.*
- The nature of Meta's compliance with its human rights responsibilities in relation to avoiding or mitigating adverse human rights impacts resulting from hate speech on its platforms in Southeast Europe, specifically Croatia, and its commitments to respect freedom of expression.*

- *Historical, social, political and cultural context in Croatia, Serbia, Bosnia and Herzegovina regarding the nature, prevalence and impact of hate speech in these contexts, including in diaspora communities.*

In its decisions, the Board can issue policy recommendations to Meta. While recommendations are not binding, Meta must respond to them within 60 days. 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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Case number

13

Number of Comments

Regional Breakdown

4 Asia Pacific & Oceania	1 Central & South Asia	2 Europe	0 Latin America & Caribbean
1 Middle East and North Africa	0 Sub-Saharan Africa	5 United States & Canada	

Knin cartoon

Case number

PC-10387

Public comment number

Europe

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

Yes

Consent to Attribute

Yes

Consent to Publish

Short summary provided by the commenter

**This one is easy. Freedom of speech must always take president over censorship!
The need for different options, including those some may find offensive, demands
the right to be spoken. It ultimately leads to better understanding and
communication.**

Full Comment

**Freedom of speech must be allowed in order for a nation to be truly free. Even
speech we do not like or agree with!**

Link to Attachment

No Attachment

Knin cartoon

Case number

PC-10406

Public comment number

Asia Pacific and Oceania

Region

Harry

Commenter's first name

Melkonian

Commenter's last name

English

Commenter's preferred language

**Macquarie University Law School –
Media Law Students**

Organization

No

Response on behalf of organization

Yes

Consent to Attribute

Yes

Consent to Publish

Short summary provided by the commenter

Although respecting freedom of expression is particularly important through the globalisation of the internet and social media, the content of expression must also be considered. The concept of appropriating ‘The Pied Piper’ video with heavy connotations to culturally and ethnically insensitive inference is moving away from the very idea of freedom of speech and expression. The association of the Serbian people with ‘rats’ and the message that this insinuates (e.g., hygiene, infestations etc.) falls within Tier 1 and Tier 2 of Meta’s Hate Speech Guidelines. Therefore, it is in violation of such guidelines and should be withdrawn. This comment was prepared as a group project by students at Macquarie Law School.

Full Comment

PLEASE NOTE - THIS COMMENT IS PROVIDED ON BEHALF OF A GROUP OF LAW STUDENTS WHO ARE CURRENTLY STUDYING MEDIA LAW. THIS COMMENT DOES NOT REFLECT THE VIEWS OF MACQUARIE UNIVERSITY OR THE MACQUARIE LAW SCHOOL

Introduction As a free state, Croatia regulates their freedom of expression. Croatia is also a signatory to the European Convention on Human Rights (‘ECHR’) and is bound by the provisions. Freedom of expression is enshrined in Article 10 of the ECHR but it is not absolute. In this situation, be restricted in accordance with both Article 10(2), which protects, among other rights, ‘the reputation or rights of others’, as well as Meta’s own Hate Speech Policy.

Freedom of Expression and Violation of Hate Speech Guidelines Meta’s Hate Speech Guidelines present a framework for defining the relationship between freedom of expression and what crosses over such freedom into hateful, hurtful and harmful

content. Freedom of expression, as expressed in Article 10 of the ECHR offers the protection of rights to hold opinions and express them freely, and this can be done through a variety of media including videos, and the internet and social media. Everyone has the right to hold opinions and to exchange information and ideas without interference. This is fundamentally important in the consideration of the Knin cartoon and the interpretations the cartoon has inferred. This folk song pays homage to a Serbian Warlord and is sung by rats. It is insinuated that the rats are Serbian as they are singing about their Warlord leading them to freedom. The Piper is portrayed as a Croatian, leading the Serbian rats out of the Croatian city and thereby freeing the Croatian population to live a peaceful life - "everyone lived happily ever after". Former Harvard philosophy professor and free speech scholar Thomas Scanlon defined expression as being 'any act that is intended by its agent to communicate to one or more persons, some proposition, or attitudes'. He further stated that in order for any act to be classified as an act of expression, 'it is sufficient that it be linked with some proposition or attitude which it is intended to convey.' The video in question, had a clear attitude it wanted to convey, that being to use the story of the Piped Piper of Hamelin to reflect a negative relationship between the people of Serbia and Croatia. Because of this negative portrayal, the video in its entirety violates the ECHR and Meta's Hate Speech Community Standards, as reflected in Meta's removal of the subsequent content and 'enforcement error' explanation. Under Meta's Hate Speech Policy, the portrayal of Serbians as rats undoubtedly attacks a national origin, it is dehumanising, and an expression of contempt. It creates an environment of intimidation and exclusion which may promote offline violence. The user who posted the content argued that they weren't sure as to the specifics of the content and were only affiliated with the page as an advertising assistant. However, this is largely irrelevant as Hate Speech is not a matter of subjective intent. Some Possible Strategies Going Forward A possible strategy to implement would be to incorporate a questionnaire posed to the user once content is reported adversely. This would include questions relating to Meta's Hate Speech Community Guidelines and the content of the post. If the user is found to have answered dishonestly, this could be grounds for removing the content regardless of whether it is against Hate Speech Community Standards. This could result in removal of subject matter more expeditiously. Another approach is to incorporate human review when the number of adverse reports increase instead of when an appeal is lodged. It may also be worthwhile to establish geographically local review panels. This would improve the awareness the Board possesses regarding global issues regarding oppression and hate speech, both historically and in the present. Further. in order to improve review of content attracting complaints as 'hate speech', reviewers should have a working knowledge of the languages of the content and comments. The post was offensive to a number of people from the region, being reported as hate speech 362 times. That should have triggered an additional human review of not only the video but the comments. We recommend that whenever content is reported more than 100 times from a region, that an additional human review be carried out by individuals educated on the historical, social, political, and cultural context of that region. Conclusion Although respecting freedom of expression is particularly important through the globalisation of the

internet and social media age, the content of expression must always be taken into consideration. The concept of appropriating 'The Pied Piper' video with heavy connotations to culturally and ethnically insensitive inference is moving away from the very idea of freedom of speech and expression. The association of the Serbian people with 'rats' and the message that this insinuates (e.g., hygiene, infestations etc.) falls within Tier 1 and Tier 2 of Meta's Hate Speech policy. Therefore, it is in violation of the guidelines and is outside of the general concepts supporting freedom of speech. Pursuant to Tiers 1 and 2 of Meta's Hate Speech Policy, the relevant video should be permanently removed from Facebook as it crosses the line from mere freedom of expression to derogatory racial and ethnic remarks and images.

[Link to Attachment](#)

No Attachment