



# NetzDG Transparency Report

July 2020

## 1. GENERAL OBSERVATIONS

General observations outlining the efforts undertaken by the provider of the social network to eliminate criminally punishable activity on the platform.

Facebook, which is provided by Facebook Ireland Limited for users in Germany, aims to create a safe and trusted platform, where people can feel free to express themselves. But we are clear that we do not allow people to post content that is against the law or encourages criminal behavior. We also do not allow for bullying or harassment in any form. In order to achieve this balance, we take a multi-faceted approach to addressing potentially criminal or harmful activity on our platform.

First, we maintain a set of Community Standards that define what is and isn't allowed on Facebook, and that in many instances tracks what is unlawful under German law. These standards apply to content worldwide and are integral to protecting both expression and personal safety on Facebook. Our Community Standards prohibit a wide range of objectionable or harmful content, including content that:

- Promotes violent and criminal behavior
- Threatens the safety of others
- Is considered hate speech
- Is considered graphic violence
- Is considered spam
- Is harmful to minors

The Community Standards are created by a global team with a wide array of backgrounds, including those who have dedicated their careers to issues like child safety, hate speech, and terrorism. This team regularly seeks input from outside

experts and organizations to help balance the different perspectives that exist on free expression and safety, and better understand the impacts of our policies on different communities globally. Our reviewers enforce these standards using [comprehensive guidelines](#), which ensure that decisions are as consistent as possible. A Community Standards report does not trigger legal review by us – in accordance with the user’s complaint, we review for violation of our Community Standards. We maintain separate reporting mechanisms for users to report content they believe violates the law (described in further detail below).

People who use Facebook can report Community Standards violations in a variety of ways, including through an option appearing with each piece of content. When content is reported through these tools, we review the content to determine whether it violates our Community Standards and remove it if it does. In addition, we use detection technology and people on our trained teams to help identify certain types of potentially violating content, including terrorist content and child exploitation imagery, and flag it for review.

Second, we provide an array of options for people to report content they believe violates local law. When something on Facebook is reported to us as violating local law, but doesn’t go against our Community Standards, we may block the content from being available in the country where it is alleged to be illegal. The legal reporting channels available for people in Germany include:

- [NetzDG reporting form](#) — This form allows people in Germany to report content they believe violates one or more of the German Criminal Code provisions set forth in NetzDG (more information on this form can be found in Sections 2 and 4 of this report).
- [Intellectual property reporting forms](#) — These forms allow people to report content they believe violates their intellectual property rights, including copyright and trademark.
- [Defamation reporting form](#) — This form allows people to report content they believe defames them. This may include content that is a false assertion of fact, leading to injury to reputation under the law. When people in Germany reach this reporting form, they are provided an option to report through our NetzDG reporting form should they believe the content constitutes criminal defamation.
- [Legal removal request form](#) — This form allows individuals in European Union Member States to report content they believe violates local laws. For people in Germany, this form provides links to all of the forms mentioned above, as well as a separate form for Right to Erasure. The form also provides a means for people to

report content they believe violates other laws not covered by the categories above.

## 2. REPORTING MECHANISMS/CRITERIA

Description of the mechanisms for submitting complaints about unlawful content and the criteria applied in deciding whether to delete or block unlawful content.

If someone believes content on Facebook is unlawful under one or more of the German Criminal Code provisions covered by NetzDG, they can report it using Facebook's dedicated [NetzDG reporting form](#). This form has been in place for people in Germany since January 1, 2018, and is intended for reports claiming violations of the German Criminal Code provisions listed in NetzDG.

The NetzDG reporting form can be found in the Facebook Help Center, on a page dedicated to helping individuals understand how to submit NetzDG reports. Everyone in Germany (users and non-users) can access this [Help Center](#) page from our homepage by clicking the link titled "Impressum/AGB/NetzDG," and then clicking a link to our NetzDG Help Center page. Once on the NetzDG Help Center page, people can reach our reporting form by clicking "submit report." In addition, the NetzDG Help Center page can be found in our Help Center under the "Policies and Reporting" tab and is otherwise searchable via the Help Center search bar.

We have also been testing options for users to reach the NetzDG reporting form through an additional link available with each piece of content. We may continue to test and potentially implement these options in the second half of 2020.

So that we can properly evaluate the claim and comply with Section 2 ("Reporting obligation") of NetzDG, people are prompted to provide the following information in our NetzDG reporting form:

- Complete contact information, including whether the reporter is an official authority (Beschwerdestelle) under NetzDG
- Links to the specific content on Facebook that is the subject of the report, if available
- Section(s) of the German Criminal Code alleged to have been violated by the reported content
- Specific statements or images in the reported content that are alleged to be

unlawful under NetzDG

- Why these statements or images are alleged to be unlawful under NetzDG
- A court order, if available
- An electronic signature

Once an individual has completed the NetzDG reporting form and clicks “send,” their report automatically reaches us through an internal review tool – no additional action is required by the reporting party. We then take a two-step approach to reviewing content that is reported through the NetzDG reporting form. First, we review the reported content under our Community Standards. If it violates our Community Standards, we want to ensure that it is removed from the platform globally. Second, if the reported content does not violate our Community Standards, we review it for legality based on the information provided in the report. Specifically, we assess whether the reported content violates the relevant provisions of the German Criminal Code listed in NetzDG. If the reported content is deemed to be unlawful under NetzDG, we will disable access to that content in Germany (see further information on how we handle NetzDG reports in Section 4). We also communicate with the reporting party to provide updates on their report, request additional information if necessary, and inform them about our decision once we have finished reviewing the report (see further information on this in Section 9).

### 3. REPORT VOLUMES

Number of incoming complaints about unlawful content in the reporting period, broken down according to whether the complaints were submitted by complaints bodies (Beschwerdestelle) or by users; according to the reason for the complaint.

The following tables show the number of reports submitted through the NetzDG reporting form between January 1, 2020 and June 30, 2020. Please note that complaints bodies and other individuals may identify multiple pieces of content in a single NetzDG report. The numbers reflected in the tables below pertain to reports submitted rather than unique pieces of content identified in the reports. It is worth noting that in the period between January 1, 2020 and June 30, 2020, there were 4,292 NetzDG reports identifying a total 6,038 of pieces of content. The tables cover two different categories of numbers:

#### 3A. NETZDG REPORTS BY REPORTER TYPE

- This section breaks down the number of reports according to whether they were

submitted by complaints bodies or other individuals.

Table 1. NetzDG Reports by Reporter Type

|                                |              |
|--------------------------------|--------------|
| Reports from Complaints Bodies | 609          |
| Reports from Other Individuals | 3,683        |
| <b>Total</b>                   | <b>4,292</b> |

### 3B. NETZDG REPORTS BY CRIMINAL CODE(S) CITED

- This section breaks down the number of reports according to the provision(s) of the German Criminal Code cited by the reporting party.
- Please note that a NetzDG report may cite multiple reasons for illegality. Therefore, the sum of reports listed in the columns in this section exceeds the total number of reports submitted.

Table 2. NetzDG Reports by Criminal Code(s) Cited

| Criminal Code Provision  | Reporter Type                 |                                |       |
|--|-------------------------------|--------------------------------|-------|
|  | Reports from Complaint Bodies | Reports from Other Individuals | Total |
| Dissemination of propaganda material of unconstitutional organizations (§ 86)        | 174                           | 366                            | 540   |
| Using symbols of unconstitutional organizations (§ 86a)                              | 129                           | 387                            | 516   |
| Preparation of a serious violent offense endangering the state (§ 89a)               | 131                           | 116                            | 247   |
| Encouraging the commission of a serious violent offence endangering the state (§ 91) | 119                           | 113                            | 232   |
| Treasonous forgery (§ 100a)  | 103                           | 105                            | 208   |
| Public incitement to crime (§ 111)   | 133                           | 275                            | 408   |
| Breach of the public peace by threatening to commit offenses (§ 126)                 | 129                           | 210                            | 339   |
| Forming criminal or terrorist organizations (§§ 129 - 129b)                          | 126                           | 119                            | 245   |
| Incitement to hatred (§ 130)   | 251                           | 1446                           | 1697  |
| Dissemination of depictions of violence (§ 131)                                      | 140                           | 460                            | 600   |
| Rewarding and approving of offenses (§ 140)  | 126                           | 210                            | 336   |

|  |     |      |      |
|--|-----|------|------|
| Defamation of religions, religious and ideological associations (§ 166)                            | 204 | 505  | 709  |
| Distribution, acquisition, and possession of child pornography (§ 184b in conjunction with § 184d) | 118 | 133  | 251  |
| Insult (§ 185)   | 261 | 2069 | 2330 |
| Defamation (§ 186)   | 226 | 1451 | 1677 |
| Intentional defamation (§ 187)   | 219 | 821  | 1040 |
| Violation of intimate privacy by taking photographs (§ 201a)                                       | 230 | 1145 | 1375 |
| Threatening the commission of a felony (§ 241)   | 154 | 212  | 366  |
| Forgery of data intended to provide proof (§ 269)  | 155 | 205  | 360  |

## 4. ORGANIZATION, PERSONNEL RESOURCES, EMPLOYEE EXPERTISE, TRAINING, AND SUPPORT

Organization, personnel resources, specialist and linguistic expertise in the units responsible for processing complaints, as well as training and support of the persons responsible for processing complaints.

### 4A. ORGANIZATION

NetzDG reports are reviewed in three stages by teams of trained professionals and lawyers, who cover both the Facebook and Instagram platforms. First, content reported via the Facebook NetzDG reporting form is reviewed by members of our Global Market Operations team (formerly “Community Operations”). Our Global Market Operations team is a mix of full-time employees, contractors and companies we partner with. Each NetzDG report is reviewed by an individual member of this team through our contractual partnerships with Majorel (formerly “Arvato”) in Berlin and CCC in Essen to determine whether it violates Facebook’s Community Standards (as opposed to reviewing the content for potential unlawfulness, which as discussed below is handled by separate teams). If the content is found to violate the Community Standards, then the content is removed.

Second, all NetzDG reports containing content that was not removed for violating Community Standards undergo a multi-stage legal review process handled by our Legal Takedown Request Operations team. This team is made up of two groups – a group of employees based out of Dublin and Sunnyvale and a group of contractors

based out of Dublin and Austin. NetzDG reports containing content that was not removed for violating Community Standards are first reviewed by one of the contractors. The purpose of this review stage is to ensure that manifestly unlawful content is blocked within 24 hours. Each report is reviewed by an individual member of that team, who is tasked with identifying and blocking manifestly unlawful content, and corresponding with the reporting party when the report lacks critical context. All of this is done in accordance with guidance developed by our in-house lawyers and external legal counsel. Should the report require more granular investigation, it is enqueued for review by one of the Legal Takedown Request Operations team employees. That individual will then carefully review the report and take appropriate action in instances where illegality or legality can be determined on the basis of guidance prepared for the team by our in-house lawyers and external legal counsel.

Third, where the legality of reported content is still unclear, the report is then escalated to our in-house lawyers. Should our in-house lawyers have any questions about the legality of content identified in a report, they obtain a legal assessment from outside counsel in Germany. Once a decision on how to handle the content is made, the Legal Takedown Request Operations team handles any advised content actions and corresponds directly with the reporting party and the reported user.

There are open lines of communication between content reviewers at each stage of the review process. The Majorel and CCC teams work closely with their Market Operations counterparts in Dublin, who provide training, additional guidance, and Community Standards expertise on NetzDG cases as needed. Similarly, the group of Legal Takedown Request Operations contractors work closely with the Legal Takedown Request Operations employees, who provide training, guidance, and assistance on challenging or unique reports. A similar line of communication is also open between the Legal Takedown Request Operations employees and a team of our in-house lawyers. These two teams meet multiple times a week and maintain open lines of communication to discuss legally complex NetzDG reports. Every month, the Legal Takedown Requests Operation team sends out an internal update to a cross-functional team on report volumes, trends, challenging or complex reports, questions that arose while handling the reports, and training of our teams.

#### **4B. PERSONNEL RESOURCES AND EXPERTISE**

107 individuals spread across three teams are trained to process NetzDG reports. These individuals also engage in work outside of NetzDG reports, which allows for flexible staffing. When reporting volumes are low, only a subset of these individuals process NetzDG reports. When volumes increase, additional trained members of the

teams can be utilized to process reports as well. The personnel resources and expertise of each team is as follows:

- **Global Market Operations:** As of June 30, 2020, there were 85 individuals on this team eligible to handle NetzDG reports. Prior to handling NetzDG reports, all of these individuals were required to display proven operational efficiency over the course of at least 3-6 months on other types of content takedown requests. In addition, all of these individuals are fluent in German, and have received NetzDG training (as further discussed in Section 4c below). As noted above, these individuals also engage in other work outside of NetzDG to help balance their workload depending on NetzDG reporting volumes.
- **Legal Takedown Request Operations:** As of June 30, 2020, there were a total of 19 individuals eligible to handle NetzDG reports on the Legal Takedown Request Operations team. 13 of these individuals were contractors, and 6 were employees. The 13 contractors are all fluent in German and have received NetzDG training (as further discussed in Section 4c below). The Legal Takedown Request Operations employees eligible to handle NetzDG reports are fluent in a wide variety of languages, including German, English, French, and Turkish, and can rely on other members of the team for expertise in other languages, such as Polish, Russian, and Dutch. Reports are generally reviewed by members of the team that are fluent in both German and English, with occasional exceptions for reports submitted in other languages or where the reported content does not require German language expertise. The 6 employees have varied backgrounds to account for both the legal and operational complexities of NetzDG reports. Specifically, 4 have law degrees, and all 6 had operational experience in other roles before joining the team. All of these individuals have received NetzDG training (as further discussed in Section 4c below).
- **Legal:** As of June 30, 2020, there were 3 in-house lawyers involved in handling NetzDG-related reports (among other work). These three lawyers are content specialists with a breadth of experience handling legal takedown requests. These lawyers work closely with the Legal Takedown Request Operations team and correspond regularly with external legal counsel in Germany for advice on specific NetzDG reports.

#### 4C. TRAINING AND SUPPORT

We provide the teams that handle NetzDG reports with distinct types of training due to the nature of their respective work. As Global Market Operations team members only review NetzDG reports for violations of Facebook’s internal standards, their

training is focused on developing operational skills and expertise in the implementation of Facebook’s Community Standards (rather than training to assess legality of content). All Global Market Operations team members undergo at least three weeks of training in content review under Facebook’s Community Standards. Importantly, as noted above in Section 4b, NetzDG reports are only handled by a select group of Global Market Operations members who reach a certain level of tenure on the team and demonstrate consistently high operational proficiency prior to being considered for the work. Once selected, those individuals then receive training that provides background information on NetzDG to help contextualize their work.

Members of the Legal Takedown Request Operations team review content for illegality and therefore receive greater levels of training on NetzDG and the Criminal Code provisions that make up the definition of “unlawful content” under the law. Every member of this team eligible to handle NetzDG reports receives several weeks of training focused heavily on operational proficiency and NetzDG. The NetzDG-specific trainings include background material on the law, detailed breakdowns of every Criminal Code provision referenced in the law, and instruction on how to correspond with reporting parties and users. The team members also receive refresher trainings at least every six months. These refresher trainings provide reminders and updates on operational best practices, as well as breakdowns of common types of reports and commonly cited Criminal Code provisions. The refresher training for the group of contractors is conducted by a Legal Takedown Request Operations employee, and the refresher training for the group of Legal Takedown Request Operations employees is conducted by our in-house lawyers.

We have also developed a robust and diverse program to support our Global Market Operations and Legal Takedown Request Operations team members. This program currently offers the following services for team members:

- Psychological support and wellness resources through benefits programs
- One-on-one sessions with a full-time, in-house certified and experienced mental health counselor
- Group therapy
- On-site counseling sessions to support emotional well-being

We are dedicated to providing our content reviewers with a high-quality, diverse support program and will continue to add new services and improve on existing services to accomplish this goal.

## 5. INDUSTRY ASSOCIATIONS

Membership of industry associations with an indication as to whether these industry associations have a complaints service.

We are a member of the following industry associations in Germany:

- Eco - Verband der Internetwirtschaft e.V. (which includes an internal complaints service)
- Bitkom - Bundesverband Informationswirtschaft, Telekommunikation und neue Medien e.V. (which do not have an internal complaints service)
- BVDW - Bundesverband Digitale Wirtschaft e.V. (which do not have an internal complaints service)

In addition to the industry associations above, we are a party to FSM (Freiwillige Selbstkontrolle Multimedia-Diensteanbieter e. V.) as well as to DsiN (Deutschland sicher im Netz e. V.), and maintain a close working relationship with Jugendschutz.net. While not industry associations, these organizations also operate in the field of combating illegal content and promoting safety online.

## 6. EXTERNAL CONSULTATION

Number of complaints for which an external body was consulted in preparation for making the decision.

We have not consulted any external bodies in preparation for making a decision on individual reports. However, we have established an agreement with Freiwillige Selbstkontrolle Multimedia-Diensteanbieter e.V. (FSM) and intend to begin referring cases to them in the second half of 2020.

Of the 4,292 reports received between January 1, 2020 and June 30, 2020, we consulted external legal counsel (who we do not consider to be an “external body” but rather an extension of our legal team) 8 times in preparation for making a decision on individual reports. All of these consultations were with outside counsel in Germany, who we work with for clarification on the law for reports when needed.

## 7. DELETION/BLOCKING VOLUMES

Number of complaints in the reporting period that resulted in the deletion or blocking of the content at issue, broken down according to whether the complaints were submitted by complaints bodies or by users, according to the reason for the complaint, according to whether the case fell under section 3 subsection (2) number (3) letter (a), and if so, whether the complaint was forwarded to the user, and whether the matter was referred to a recognized self-regulation institution pursuant to section 3 subsection (2) number (3) letter (b).

The following table depicts the number of times in which content was deleted or blocked following reports submitted through the NetzDG reporting form between January 1, 2020 and June 30, 2020. Please note the following about this table:

- This table breaks down the number of times a report led to the deletion or blocking of content according to the provision(s) of the German Criminal Code cited by the reporting party.
- Individuals may identify multiple pieces of content in a single NetzDG report. The numbers reflected in the tables below pertain to reports submitted rather than unique pieces of content identified in the reports. It is worth noting that in the period between January 1, 2020 and June 30, 2020, 1,344 NetzDG reports resulted in the deletion or blocking of content. This amounted to a total of 2,308 deleted or blocked pieces of content.
- Individuals may cite multiple reasons for illegality in a single NetzDG report. If we took action on content pursuant to a report, it is listed in the table under every provision cited in the report. Therefore, the sum of deletions/blocks listed in the table below exceeds the total number of reports that led to the deletion or blocking of content.

Table 3. Deletion/Blocking Volumes

| Criminal Code Provision  | Reporter Type                  |                                |       |
|--|--------------------------------|--------------------------------|-------|
|  | Reports from Complaints Bodies | Reports from Other Individuals | Total |
| Dissemination of propaganda material of unconstitutional organizations (§ 86)                      | 4                              | 31                             | 35    |
| Using symbols of unconstitutional organizations (§ 86a)  | 8                              | 198                            | 206   |
| Preparation of a serious violent offense endangering the state (§ 89a)                             | 3                              | 3                              | 6     |
| Encouraging the commission of a serious violent offence endangering the state (§ 91)               | 3                              | 7                              | 10    |
| Treasonous forgery (§ 100a)  | 2                              | 5                              | 7     |
| Public incitement to crime (§ 111)   | 7                              | 58                             | 65    |
| Breach of the public peace by threatening to commit offenses (§ 126)                               | 4                              | 18                             | 22    |
| Forming criminal or terrorist organizations (§§ 129 - 129b)  | 3                              | 5                              | 8     |
| Incitement to hatred (§ 130)   | 47                             | 598                            | 645   |
| Dissemination of depictions of violence (§ 131)  | 5                              | 132                            | 137   |
| Rewarding and approving of offenses (§ 140)  | 3                              | 24                             | 27    |
| Defamation of religions, religious and ideological associations (§ 166)                            | 9                              | 52                             | 61    |
| Distribution, acquisition, and possession of child pornography (§ 184b in conjunction with § 184d) | 2                              | 31                             | 33    |
| Insult (§ 185)   | 12                             | 1086                           | 1098  |
| Defamation (§ 186)   | 9                              | 689                            | 698   |
| Intentional defamation (§ 187)   | 7                              | 184                            | 191   |
| Violation of intimate privacy by taking photographs (§ 201a)                                       | 7                              | 617                            | 624   |
| Threatening the commission of a felony (§ 241)   | 4                              | 20                             | 24    |
| Forgery of data intended to provide proof (§ 269)  | 2                              | 14                             | 16    |

Number of times a case fell under section 3 subsection (2) number (3) letter (a) and we reached out to the user who posted the reported content for additional facts: 1.

We did not refer any of these matters to a recognized self-regulation institution.

## 8. DELETION/BLOCKING TURNAROUND TIMES

Time between complaints being received by the social network and the unlawful content being deleted or blocked, broken down according to whether the complaints were submitted by complaints bodies or by users, according to the reason for the complaint, and into the periods “within 24 hours”/“within 48 hours”/“within a week”/“at some later point”.

The following table contains a breakdown of the time taken to delete or block content deemed unlawful or in violation of our Community Standards after receiving a NetzDG report. This table concerns reports submitted through the NetzDG reporting form between January 1, 2020 and June 30, 2020.

This table shows the following details for each report where a piece of content was deleted or blocked: (1) the type of reporter who submitted the report, (2) the time it took to delete or block the reported content, and (3) the provision(s) of the German Criminal Code cited by the reporter in the report. Please note the following about this table:

- As set forth under section 2 subsection (2) number (8), our removal time is divided into: (a) 24 hours, (b) 48 hours, (c) 7 days, and (d) > 7 days.
- The time periods refer to the time between when the report was submitted and the last action we took in response to the report. As an example, if a report identified two pieces of content and we actioned one piece within 24 hours and the other within 7 days, then that report would be listed in the table as taking action within 7 days.
- Individuals may cite multiple reasons for illegality in a single NetzDG report. If we took action on content pursuant to a report, it is listed in the table under every provision cited in the report. Therefore, the sum of blocks listed in the table below exceeds the total number of reports that led to the deletion or blocking of content. It is worth noting that of the 1344 reports that led to a block or deletion, our last block/deletion action occurred within 24 hours 1229 times, within 48 hours 60 times, within 7 days 43 times, and after 7 days 12 times.

Table 4. Deletion/Blocking Turnaround Time

| Criminal Code Provision  | Reporter Type                  |          |        |          |                                |          |        |          |
|--|--------------------------------|----------|--------|----------|--------------------------------|----------|--------|----------|
|  | Reports from Complaints Bodies |          |        |          | Reports from Other Individuals |          |        |          |
|  | 24 Hours                       | 48 Hours | 7 Days | > 7 Days | 24 Hours                       | 48 Hours | 7 Days | > 7 Days |
| Dissemination of propaganda material of unconstitutional organizations (§ 86)                      | 4                              | 0        | 0      | 0        | 26                             | 1        | 4      | 0        |
| Using symbols of unconstitutional organizations (§ 86a)  | 6                              | 0        | 0      | 2        | 178                            | 15       | 4      | 1        |
| Preparation of a serious violent offense endangering the state (§ 89a)                             | 3                              | 0        | 0      | 0        | 3                              | 0        | 0      | 0        |
| Encouraging the commission of a serious violent offence endangering the state (§ 91)               | 3                              | 0        | 0      | 0        | 7                              | 0        | 0      | 0        |
| Treasonous forgery (§ 100a)  | 2                              | 0        | 0      | 0        | 4                              | 0        | 1      | 0        |
| Public incitement to crime (§ 111)   | 7                              | 0        | 0      | 0        | 56                             | 1        | 1      | 0        |
| Breach of the public peace by threatening to commit offenses (§ 126)                               | 4                              | 0        | 0      | 0        | 17                             | 0        | 1      | 0        |
| Forming criminal or terrorist organizations (§§ 129 - 129b)  | 3                              | 0        | 0      | 0        | 4                              | 0        | 0      | 1        |
| Incitement to hatred (§ 130)   | 22                             | 20       | 4      | 1        | 557                            | 18       | 21     | 1        |
| Dissemination of depictions of violence (§ 131)  | 5                              | 0        | 0      | 0        | 125                            | 1        | 5      | 1        |
| Rewarding and approving of offenses (§ 140)  | 3                              | 0        | 0      | 0        | 22                             | 1        | 0      | 1        |
| Defamation of religions, religious and ideological associations (§ 166)                            | 8                              | 0        | 1      | 0        | 43                             | 2        | 7      | 0        |
| Distribution, acquisition, and possession of child pornography (§ 184b in conjunction with § 184d) | 2                              | 0        | 0      | 0        | 30                             | 0        | 1      | 0        |
| Insult (§ 185)   | 10                             | 0        | 2      | 0        | 1016                           | 36       | 30     | 4        |
| Defamation (§ 186)   | 9                              | 0        | 0      | 0        | 640                            | 17       | 25     | 7        |
| Intentional defamation (§ 187)   | 7                              | 0        | 0      | 0        | 158                            | 7        | 12     | 7        |

|  |   |   |   |   |     |    |    |   |
|--|---|---|---|---|-----|----|----|---|
| Violation of intimate privacy by taking photographs (§ 201a) | 7 | 0 | 0 | 0 | 587 | 13 | 16 | 1 |
| Threatening the commission of a felony (§ 241)               | 4 | 0 | 0 | 0 | 19  | 0  | 1  | 0 |
| Forgery of data intended to provide proof (§ 269)            | 2 | 0 | 0 | 0 | 13  | 0  | 1  | 0 |

## 9. CORRESPONDENCE

Measures to inform the person who submitted the complaint, and the user for whom the content at issue was saved, about the decision on the complaint.

We take a variety of measures to correspond with people who report content through the NetzDG reporting form, and with members of our community whose content is deleted or blocked under NetzDG.

### 9A. CORRESPONDENCE WITH REPORTING PARTY

When someone submits a report, we correspond with them over email and through their Facebook Support Inbox (if the reporter is logged into their Facebook account and provides an email address associated with that account when submitting their report). Immediately after receiving a report, we send the reporting party an automatic response that informs them their report is being reviewed, and that provides them with a reference number and link to our NetzDG Help Center. If we are still looking into a report 24 hours after submission, we inform the reporting party that we are continuing to review the report. If at any point we need additional information from the reporting party to review the report, we will ask the reporting party for that information.

Once we decide what, if any, action to take on the reported content, we provide the reporting party with tailored correspondence that informs them of why we did or didn't take action on the reported content. This can take a variety of forms depending on the result of our review, but can broadly be categorized into the following:

- **Reported content is deleted for violating Community Standards.** In this circumstance, we inform the reporting party that the content has been removed because it violated our Community Standards. We also provide links to our NetzDG Help Center page and our Community Standards in case the reporting party would

like additional information.

- **Reported content is blocked for violating a German Criminal Code provision covered by NetzDG.** In this circumstance, we inform the reporting party that the content is no longer accessible in Germany, and state the specific Criminal Code provision(s) under which we determined the content was unlawful. We also provide a link to our NetzDG Help Center page in case the reporting party would like additional information.
- **Reported content does not violate Community Standards or a German Criminal Code provision covered by NetzDG.** In this circumstance, we inform the reporting party that we have reviewed the report, but are not in a position to remove the content because we determined it was not unlawful.
- **Variety of actions taken on reported content.** Individuals may identify multiple pieces of content in a single NetzDG report. We review each piece of content individually and act accordingly. In order to limit the amount of correspondence we send the reporting party, we generally will review and act on each piece of reported content before informing them of our decisions. If we take different actions on content identified in a report (e.g., we block one piece of content and do not take any action on another piece of content), we will provide the reporting party with specific information on what we did, using a hybrid of the responses explained above.

In addition to the information we provide in response to specific reports, individuals can also find comprehensive educational information about NetzDG in our [NetzDG Help Center](#). The NetzDG Help Center contains information about (1) the types of content individuals can report under NetzDG, (2) what happens after an individual submits a NetzDG report, (3) how to report content that an individual believes is subject to NetzDG, (4) what information to include in a NetzDG report, (5) what content an individual can report to the Zustellungsbevollmächtigter under Sec. 5(1) NetzDG, (6) the difference between NetzDG and Facebook's Community Standards, and (7) where individuals can find Facebook's NetzDG Transparency Reports.

## **9B. CORRESPONDENCE WITH POSTING USER**

We also correspond with users whose content is deleted or blocked following a NetzDG report. If we delete content for violating our Community Standards, we inform the posting user of our action through the Facebook Support Inbox and let them know their content violated our Community Standards. If we block content for violating a German Criminal Code provision covered by NetzDG, we inform the posting party via email of our action and of the specific German Criminal Code

provision the content violated. We also correspond with posting users whose content is reported as defamatory to get additional facts or substantiation when necessary to determine if the content is unlawful. If a report results in no action being taken on a user's content, we don't notify the user.