

1. GENERAL OBSERVATIONS

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

We strive to create a safe and trusted platform that curbs the spread of content that is criminally punishable, while also respecting our community's rights, including freedom of expression. In order to achieve this balance, we take a multi-faceted approach to addressing potentially criminal 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

People who use Facebook can report Community Standards violations in a variety of ways, including through a link appearing near each piece of content. In addition, Facebook uses detection technology and people on our trained teams to help identify potentially violating content, including terrorist content and child exploitation imagery, and flag it for review. We review content to determine if it violates our Community Standards and take action on it if it does. More information on our Community Standards can be found [here](#).

Second, when something on Facebook is reported to us as violating local law, but doesn't go against our Community Standards, we may restrict the content's availability in the country where it is alleged to be illegal. People in Germany can report certain categories of potentially violating or unlawful content through a variety of reporting channels. These include, for instance:

- [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.
- [Privacy rights reporting form](#) – This form allows people to report images or videos they believe violate their privacy rights.

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 the 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 the NetzDG.

The NetzDG reporting form can be found in Facebook’s Help Center, on a page dedicated to helping individuals understand the NetzDG and submit reports. This [Help Center](#) can be accessed in a number of ways, including through a link in Facebook’s Impressum. The Help Center page directs people to a form that walks them through the process of submitting a NetzDG report. So that Facebook can handle these reports and comply with Section 2 (“Reporting obligation”) of the NetzDG, people are prompted to provide the following information in the reporting form (in order for us to properly evaluate the claim):

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

We 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 the NetzDG. If the reported content is deemed to be unlawful under the NetzDG, we will disable access to that content in Germany. See further information on how we handle NetzDG reports in Section 4.

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, 2018 and June 30, 2018. Please note that complaint 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, 2018 and June 30, 2018, there were 886 NetzDG reports identifying a total of 1704 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 Complaint Bodies	113
Reports from Other Individuals	773
Total	886

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)	11	53	64
Using symbols of unconstitutional organizations (§ 86a)	13	53	66
Preparation of a serious violent offense endangering the state (§ 89a)	4	20	24
Encouraging the commission of a serious violent offense endangering the state (§ 91)	2	24	26
Treasonous forgery (§ 100a)	5	22	27
Public incitement to crime (§ 111)	14	109	123
Breach of the public peace by threatening to commit offenses (§ 126)	9	74	83
Forming criminal or terrorist organizations (§§ 129 - 129b)	4	26	30
Incitement to hatred (§ 130)	37	210	247
Dissemination of depictions of violence (§ 131)	17	69	86
Rewarding and approving of offenses (§ 140)	12	83	95
Defamation of religions, religious and ideological associations (§ 166)	13	79	92
Distribution, acquisition, and possession of child pornography (§ 184b in conjunction with § 184d)	3	16	19
Insult (§ 185)	56	404	460
Defamation (§ 186)	46	361	407
Intentional defamation (§ 187)	38	304	342
Violation of intimate privacy by taking photographs (§ 201a)	17	78	95
Threatening the commission of a felony (§ 241)	16	103	119
Forgery of data intended to provide proof (§ 269)	14	42	56

4. 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, RESOURCES, AND EXPERTISE

NetzDG reports are reviewed in two stages by teams of trained professionals and lawyers. There are approximately 65 individuals on these teams who process reports submitted through the NetzDG reporting form, with flexible staffing to accommodate increased volumes as needed.

First, content reported via the NetzDG reporting form is reviewed by members of the Facebook Community Operations team through our partnership with Arvato. These team members are based in Germany and are fluent in the German language, with most being native German speakers. Additionally, when reported content is in a language other than German, a Community Operations team member who is fluent in that language reviews it. The Community Operations team reviews the reported content 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. This team works closely with their Community Operations counterparts in Facebook's Dublin office, who provide training, additional guidance, and subject matter expertise on NetzDG cases as needed.

Second, all reported content not removed for violating Community Standards undergoes a multi-stage legal review process handled by the Legal Takedown Request Operations team, which is specially trained to review content for potential illegality. The members of this team have a wide variety of linguistic expertise, including German, English, French, Turkish and Arabic to account for the language diversity of the German population. They also have a wide array of backgrounds, including operational and legal, to handle the complex nature of NetzDG reports. The Legal Takedown Request Operations team carefully reviews reports and takes appropriate action in instances where apparent illegality or legality can be determined on the basis of guidance prepared by Facebook's legal counsel. Where the legality of reported content is unclear, the report is then escalated to Facebook's in-house attorneys, who work with local German counsel as appropriate to assess the content and advise as to the content's legality. The Legal Takedown Request Operations team then handles any advised content actions and corresponds directly with the reporting party and the user who posted the reported content.

4B. TRAINING AND SUPPORT

Facebook provides Community Operations and Legal Takedown Request Operations team members with distinct types of training due to the nature of their respective work. As Community Operations team members only review NetzDG reports for violations of Facebook's Community Standards, their training is focused on developing operational skills and expertise in Facebook's Community Standards (rather than training to assess legality of content). Every Community Operations team member that handles NetzDG reports undergoes at least three weeks of training in content review – focused mostly on Facebook's Community Standards, but also with background information on NetzDG to help contextualize their work.

Legal Takedown Request Operations team members receive several weeks of training focused heavily on NetzDG, including on the German Criminal Code provisions covered under NetzDG. In-house lawyers ensure ongoing training of the Legal Takedown Request Operations team through regular quality checks and meetings. In addition, consistent with NetzDG, the Legal Takedown Request Operations team receives NetzDG refresher courses and training designed by Facebook's legal counsel.

Facebook has also developed a robust and diverse program to support its Community 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 psychologist
- Group therapy
- On-site counseling sessions to support emotional well-being

Facebook is dedicated to providing its 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

Facebook is a member of the following industry associations in Germany:

- eco - Verband der Internetwirtschaft e.V. (which has an internal complaints service)
- Bitkom - Bundesverband Informationswirtschaft, Telekommunikation und neue Medien e.V. (which does not have an internal complaints service)
- BVDW – Bundesverband Digitale Wirtschaft e.V. (which does not have an internal complaints service)

In addition to the industry associations listed above, Facebook is a party to FSM (Freiwillige Selbstkontrolle Multimedia-Diensteanbieter e.V.) as well as to DsiN (Deutschland sicher im Netz e.V.), and maintains a close working relationship with [Jugendschutz.net](https://www.jugendschutz.net). While not industry associations, these organizations also operate in the fields 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, of the 886 reports received between January 1, 2018 and June 30, 2018, we consulted external legal counsel (who we do not consider to be an “external body” but rather an extension of our legal team) 54 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, 2018 and June 30, 2018. 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, 2018 and June 30, 2018, 218 NetzDG reports resulted in the deletion or blocking of content. This amounted to a total of 362 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 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 Complaint Bodies	Reports from Other Individuals	Total
Dissemination of propaganda material of unconstitutional organizations (§ 86)	1	12	13
Using symbols of unconstitutional organizations (§ 86a)	2	19	21
Preparation of a serious violent offense endangering the state (§ 89a)	1	1	2
Encouraging the commission of a serious violent offense endangering the state (§ 91)	0	1	1
Treasonous forgery (§ 100a)	0	1	1
Public incitement to crime (§ 111)	4	22	26
Breach of the public peace by threatening to commit offenses (§ 126)	1	15	16
Forming criminal or terrorist organizations (§§ 129 - 129b)	0	0	0
Incitement to hatred (§ 130)	8	66	74
Dissemination of depictions of violence (§ 131)	2	16	18
Rewarding and approving of offenses (§ 140)	2	19	21
Defamation of religions, religious and ideological associations (§ 166)	2	22	24
Distribution, acquisition, and possession of child pornography (§ 184b in conjunction with § 184d)	0	0	0
Insult (§ 185)	8	106	114
Defamation (§ 186)	7	83	90
Intentional defamation (§ 187)	3	63	66
Violation of intimate privacy by taking photographs (§ 201a)	1	15	16
Threatening the commission of a felony (§ 241)	3	28	31
Forgery of data intended to provide proof (§ 269)	0	3	3

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: 5.

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, 2018 and June 30, 2018.

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 blocked one piece within 24 hours and the other within 7 days, then that report would be listed in the table as taking action on 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.

TABLE 4. Deletion/Blocking Turnaround Time

Criminal Code Provision	Reporter Type							
	Reports from Complaint 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)	1	0	0	0	9	1	1	1
Using symbols of unconstitutional organizations (§ 86a)	2	0	0	0	18	0	1	0
Preparation of a serious violent offense endangering the state (§ 89a)	1	0	0	0	1	0	0	0
Encouraging the commission of a serious violent offence endangering the state (§ 91)	0	0	0	0	1	0	0	0
Treasonous forgery (§ 100a)	0	0	0	0	1	0	0	0
Public incitement to crime (§ 111)	3	0	1	0	18	1	1	2

Breach of the public peace by threatening to commit offenses (§ 126)	1	0	0	0	11	2	1	1
Forming criminal or terrorist organizations (§§ 129 - 129b)	0	0	0	0	0	0	0	0
Incitement to hatred (§ 130)	5	0	3	0	55	8	3	0
Dissemination of depictions of violence (§ 131)	2	0	0	0	14	2	0	0
Rewarding and approving of offenses (§ 140)	0	0	1	1	15	4	0	0
Defamation of religions, religious and ideological associations (§ 166)	1	0	1	0	18	4	0	0
Distribution, acquisition, and possession of child pornography (§ 184b in conjunction with § 184d)	0	0	0	0	0	0	0	0
Insult (§ 185)	6	0	1	1	80	9	12	5
Defamation (§ 186)	6	0	0	1	56	8	13	6
Intentional defamation (§ 187)	3	0	0	0	44	4	9	6
Violation of intimate privacy by taking photographs (§ 201a)	0	0	0	1	11	0	3	1
Threatening the commission of a felony (§ 241)	3	0	0	0	21	3	4	0
Forgery of data intended to provide proof (§ 269)	0	0	0	0	3	0	0	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 members of our community whose content is deleted or blocked under NetzDG. When someone submits a report, we send an automatic response informing that party that their report is being reviewed. 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. Once we decide what, if any, action to take on the reported content, we email the reporting party to inform them of that action. This email is specifically tailored to the reporting party's report and informs them of why we did or didn't take action on the reported content.

If users' content is deleted or blocked following a NetzDG report, we inform them via email and through on-platform notifications of any action taken. We also correspond with reported parties 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.

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. NetzDG Help Center contains information about (1) the type of content individuals can report under NetzDG, (2) what happens after an individual submits a NetzDG report, (3) how to report content 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, and (6) the difference between NetzDG and Facebook's Community Standards.