



KoPI-G Transparency Report

October 2021

1. GENERAL OBSERVATIONS

General observations outlining the efforts undertaken by a service provider to eliminate unlawful content on the platform.

Instagram, which is provided by Facebook Ireland Limited for users in Austria, 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 globally applicable Community Guidelines that define what is and isn't allowed on Instagram, and that in many instances tracks, to some degree, what is unlawful under Austrian law. These guidelines apply to content worldwide and are integral to protecting both expression and personal safety on Instagram. Our Community Guidelines 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 considered bullying or harassment.

The [Community Guidelines](#) 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 to 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-Guidelines-report does not trigger legal review by us – in accordance with the user's Community-Guidelines-report, we review for violation of our Community Guidelines. We maintain separate reporting mechanisms for users to report content they believe violates the law (described in further detail below).

Registered Instagram users can report Community Guidelines 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 Guidelines and remove it if it does. In addition, Instagram uses detection technology to help identify

certain types of potentially Community Guidelines violating content, including terrorist content and child exploitation imagery, and flag it for review or remove it automatically.

Second, we provide an array of options for people to report content they believe violates local law. When something on Instagram is reported to us as violating local law, but doesn't go against our Community Guidelines, we may block the content from being available in Austria. People in Austria may use various channels to report alleged violations of Austrian law such as:

- [KoPI-G reporting form](#) – This form allows people in Austria to report content they believe violates one or more of the Austrian criminal law provisions set forth in KoPI-G (more information on this form can be found in Section 2 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.
- [Legal removal request form](#) – This form allows individuals in European Union Member States to report content they believe violates locally applicable laws. For people in Austria, this form provides links to all of the forms mentioned above, as well as a separate form for Right to Data Protection/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 procedure and user-friendliness of the reporting mechanism (section 3 subsections (1) to (3)) and of the criteria applied in deciding whether to delete or block unlawful content, including the steps taken to determine whether content is unlawful or whether contractual provisions agreed between the service provider and the user have been violated.

If someone believes content on Instagram is unlawful under one or more of the Austrian criminal law provisions covered by KoPI-G, they can report it by using Instagram's dedicated [KoPI-G reporting form](#). This form has been in place for users in Austria since April 1, 2021, and is intended for reports claiming violations of Austrian criminal law provisions listed in KoPI-G. This report uses the noun "report" to mean the notification by a user of content available on the communications platform that is allegedly illegal within the meaning of Section 2 (8) of the KoPI-G and submitted via the reporting form outlined below.

The KoPI-G reporting form is directly accessible via a link next to the piece of content.

The KoPI-G reporting form can additionally be found in the Instagram Help Center, on a page dedicated to helping individuals understand how to submit KoPI-G reports. All users in Austria (i.e. registered and unregistered users) can access this [Help Center page](#) from our homepage by clicking the link titled "Help". The KoPI-G Help Center page can be found there under the "Policies and Reporting" tab and is otherwise searchable via the Help Center search bar. Once on the KoPI-G Help Center page, people can reach our KoPI-G reporting form by clicking on the button "submit a report".

So that we can properly evaluate the claim and comply with section 4 ("Reporting obligation") of KoPI-G, people are prompted to provide the following information in our KoPI-G reporting form:

- Reasons why the content is believed to be unlawful under the KoPI-G (i.e. users can select (i) it's hate speech or content that supports hateful ideologies; (ii) it's a threat or extortion; (iii) It's an insult, accusation or harassment; (iv) it supports terrorism; and/or (v) it's graphic or intimate content),

- Section(s) of the Austrian criminal law alleged to have been violated by the reported content,
- Why reported content violate the selected Austrian criminal law sections (users are given the opportunity to add any comments in a blank optional field),
- A court order, if available,
- Indication whether the report is made on behalf of a client.

If users wish to submit a KoPI-G report using the KoPI-G reporting form available on KoPI-G Help Center Page, they will be asked (in addition to the above) to provide contact information as well as the link to the specific content on Instagram that is subject to the report.

The reporting form only requires the information necessary for the correct classification and evaluation of the report as well as for the fulfillment of the reporting obligation. Where we allow users to add further information, the information is clearly marked to be *optional*.

Once an individual has completed either KoPI-G reporting form described above and clicks “send”, their report automatically reaches us through an internal review tool – no additional action is required by the reporting party. Users will also receive an acknowledgement of receipt of the report with the reference number of their report.

We then take a two-step approach to reviewing content that is reported through the KoPI-G reporting form. First, we review the reported content under our Community Guidelines. If it violates our Community Guidelines, we want to ensure that it is removed from the platform globally. Second, if the reported content does not violate our Community Guidelines, 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 Austrian criminal law listed in KoPI-G. If the reported content is deemed to be unlawful under KoPI-G, we will disable access to that content in Austria (see further information on how we handle KoPI-G reports in Section 5). 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 Sections 5 and 7).

3. REPORT VOLUMES

Presentation of the number of incoming reports about allegedly unlawful content in the reporting period.

The following table shows the number of reports submitted through our KoPI-G reporting forms between April 1, 2021 and September 30, 2021. Please note that users identify in some cases multiple pieces of content in a single KoPI-G report if they submit a report using the KoPI-G reporting form in the Instagram Help Center. Only one piece of content can be reported at a time with the reporting form available directly at the content. The numbers reflected in the table below pertain to reports submitted rather than unique pieces of content identified in the reports. It is worth noting that in the period between April 1, 2021 and September 30, 2021, there were 6392 KoPI-G reports identifying a total of 13665 pieces of content (when the same piece of content was reported to us multiple times, we counted it as one piece of content).

The number of reports is broken down as follows according to the Austrian criminal law provisions listed in KoPI-G and cited by the reporting party. Please note that a report may cite multiple reasons for illegality. Therefore, the sum of reports listed in the rows in this Section exceeds the total number of reports submitted:

Table 1. KoPI-G Reports by Selected Austrian Criminal Law Provision

Criminal Law Provision	Reports from Users
Coercion (section 105 StGB)	1206
Dangerous threat (section 107 StGB)	1139
Stalking (section 107a StGB)	1000
Harassment by way of telecommunication (section 107c StGB)	1281
Accusation of a criminal offense for which the sentence has been served (section 113 StGB)	696
Insults (section 115 StGB)	1766
Unauthorized publication of a privacy-violating picture (section 120a StGB)	1546
Extortion (section 144 StGB)	1469
Disparagement of religious teachings (section 188 StGB)	1011
Pornographic depictions of minors (section 207a StGB)	1370
Initiation of sexual contacts with minors (section 208a StGB)	1375
Terrorist criminal offenses (sections 278b, 278f, 282a StGB)	2180
Incitement to hatred (section 283 StGB)	2154
Nazi propaganda (section 3d, section 3g or section 3h of the Prohibition Act)	2185

4. DELETION/BLOCKING VOLUMES

Overview of the number of reports of allegedly unlawful content in the reporting period that resulted in the deletion or blocking of the content at issue, including information on which step of the review led to the deletion or blocking and an outline description of the type of content

4A. NUMBER OF REPORTS RESULTING IN DELETION OR BLOCKING

The following table depicts the number of times content was deleted or blocked following reports submitted through our KoPI-G reporting forms between April 1, 2021 and September 30, 2021. 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 Austrian criminal law cited by the reporting party.

- In some cases individuals identify multiple pieces of content in a single KoPI-G report if they submit a report using the KoPI-G reporting form in the Instagram Help Center. Only one piece of content can be reported at a time with the reporting form available directly at the content. The numbers reflected in the table below pertain to reports submitted rather than unique pieces of content identified in the reports. It is worth noting that in the period between April 1, 2021 and September 30, 2021, 1204 KoPI-G reports resulted in the deletion or blocking of content. This amounted to a total of 1489 deleted or blocked pieces of content (please note regarding the latter number of deleted or blocked pieces of content that the same piece of content is sometimes reported in several reports - when accounting such content removals, if the same piece of content is reported in several reports, we counted the same piece of content reported multiple times only once).
- Individuals may cite multiple reasons for illegality in a single KoPI-G 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 2. Deletion/Blocking Volumes

Criminal Law Provision	Number of Deletions/Blocks
Coercion (section 105 StGB)	86
Dangerous threat (section 107 StGB)	82
Stalking (section 107a StGB)	90
Harassment by way of telecommunication (section 107c StGB)	127
Accusation of a criminal offense for which the sentence has been served (section 113 StGB)	56
Insults (section 115 StGB)	169
Unauthorized publication of a privacy-violating picture (section 120a StGB)	313
Extortion (section 144 StGB)	117
Disparagement of religious teachings (section 188 StGB)	71
Pornographic depictions of minors (section 207a StGB)	458
Initiation of sexual contacts with minors (section 208a StGB)	436
Terrorist criminal offenses (sections 278b, 278f, 282a StGB)	122
Incitement to hatred (section 283 StGB)	193
Nazi propaganda (section 3d, section 3g or section 3h of the Prohibition Act)	125

Of the 1489 deleted or blocked pieces of content, 1475 were deleted globally for a violation of our Community Guidelines, and 14 did not violate our Community Guidelines, but were blocked in Austria due to a violation of a provision of the Austrian criminal law listed in the KoPI-G.

4B. OUTLINE DESCRIPTION OF THE TYPE OF CONTENT

Please see the table in Section 4A above for a summary of the type of content reported and deleted or geoblocked under KoPI-G.

5. ORGANIZATION, PERSONNEL AND TECHNICAL RESOURCES, EMPLOYEE EXPERTISE, TRAINING, AND SUPPORT

Description of the organization, personnel and technical resources, specialist expertise of the personnel responsible for processing reports as well as training and support of the persons responsible for processing reports

5A. ORGANIZATION

KoPI-G reports are reviewed in two steps by teams of trained professionals and lawyers, who cover both the Instagram and Facebook platforms.

First, content reported via the Instagram KoPI-G reporting form is reviewed for potential violations of Community Guidelines. This review is handled by members of our Global Partner Operations & Enablement team. Our Global Partner Operations & Enablement team consists of full-time employees and companies we partner with. Each KoPI-G report is reviewed by an individual member of this team through our contractual partnerships with our contractors Majorel in Berlin and Telus/CCC in Essen (Germany) to determine whether the reported content violates Instagram's Community Guidelines (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 Guidelines, then the content is removed globally.

Second, all KoPI-G reports containing content that was not removed for violating Community Guidelines undergo a multi-stage (if necessary) 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, Ireland and Sunnyvale, California and a group of contractors based out of Dublin, Ireland and Austin, Texas.

KoPI-G reports containing content that was not removed for violating Community Guidelines 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.

Where the legality of reported content is still unclear, the report is then escalated to our in-house lawyers for review. In particularly complex cases, our in-house lawyers may obtain a legal assessment from German-speaking outside counsel who have knowledge of Austrian law. 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 - if content is blocked - the reported user.

There are open lines of communication between content reviewers at each stage of the review process.

In the Global Partner Operations & Enablement team the Majorel and Telus/CCC contractor teams work closely with the Global Partner Operations & Enablement employees in Dublin. The Majorel and Telus/CCC contractor teams receive training, additional guidance, and Community Guidelines expertise on KoPI-G cases as needed. Specifically, both sites conduct content moderation introductory training. Content assessed in KoPI-G tickets forms part of content moderation training. Content moderation refresher training does happen regularly as CM-related policy updates do occur.

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 KoPI-G reports.

5B. PERSONNEL AND TECHNICAL RESOURCES AND EXPERTISE

As of 30 September, 2021, 124 individuals spread across three teams are eligible and have been trained according to the tasks carried out by these teams to process KoPI-G reports. These individuals also engage in work outside of KoPI-G reports, which allows for flexible staffing. When reporting volumes are low, only a subset of these individuals process KoPI-G 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 are as follows:

- **Global Partner Operations & Enablement team:** As of September 30, 2021, there were 93 individuals on this team eligible to handle KoPI-G reports. Prior to handling KoPI-G 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 the training as further set out in Sections 5 A and C. As noted above, these individuals also engage in other work outside of KoPI-G to help balance their workload depending on KoPI-G reporting volumes.
- **Legal Takedown Request Operations team:** As of September 30, 2021, there were a total of 30 individuals eligible to handle KoPI-G reports on the Legal Takedown Request Operations team. 20 of these individuals were contractors, and 10 were employees. These 20 contractors are fluent in German, and have received KoPI-G training (as further discussed in Section 5C below). The Legal Takedown Request Operations employees eligible to handle KoPI-G 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, Spanish, 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 10 employees have varied backgrounds to account for both the legal and operational complexities of KoPI-G reports. Specifically, 5 have law degrees, and 9 had operational experience in other roles before joining the team. All of these individuals have received KoPI-G training (as further discussed in Section 5C below).
- **Legal:** As of September 30, 2021 there was 1 in-house lawyer involved in handling KoPI-G reports (among other work). This lawyer is a specialist for the assessment of potentially problematic content and has extensive experience regarding handling legal questions

concerning takedown requests. This lawyer works closely with the Legal Takedown Request Operations team and corresponds regularly with external legal counsel in Austria for advice on specific KoPI-G reports.

The people processing the reports access them via a technical system. For example, Legal Takedown Request Operations communicates with the reporter via an internal review tool.

5C. EDUCATION, TRAINING AND SUPPORT

The teams which handle KoPI-G reports (see also Sections 5A and 5B above regarding the education of these teams), receive distinct types of training based on the nature of their respective work.

As Global Partner Operations and Enablement team members who review KoPI-G reports only review these reports for violations of Instagram's Community Guidelines, their training is focused on developing operational skills and expertise in the implementation of Instagram's Community Guidelines (rather than training to assess legality of content according to KoPI-G). They undergo at least several weeks of training in content review under Instagram's Community Standards.

Members of the Legal Takedown Request Operations team review content for illegality and therefore receive greater levels of training on KoPI-G and the provisions of Austrian criminal law that make up the definition of "unlawful content" under the law. Every member of this team eligible to handle KoPI-G reports receives ahead of the start of their processing of KoPI-G reports several weeks of training focused heavily on operational proficiency and KoPI-G. The KoPI-G-specific training includes background material on the law, detailed breakdowns of every criminal law provision referenced in the KoPI-G, and instruction on how to correspond with reporting parties and users, whose content was reported.

We have also developed a robust and diverse program to support our Global Partner Operations & Enablement and Legal Takedown Request Operations team members. Depending on with which task the team members are entrusted with, this program currently offers e.g. 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

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.

6. DELETION/BLOCKING TURNAROUND TIMES

Overview of periods between receipt of a report by the service provider, beginning of review, and deletion or blocking of unlawful content, broken down into the periods "within 24 hours", "within 72 hours", "within seven days" and "at some later point".

Every KoPI-G report is picked up within less than 24 hours.

The following table contains a breakdown of the time taken to block or delete content deemed unlawful or in violation of our Community Guidelines after receiving a KoPI-G report. This table concerns reports submitted through our KoPI-G reporting forms between April 1, 2021 and September 30, 2021.

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

- As set forth under section 4 subsection (2) number (7) KoPI-G, we report on the following time periods between receipt of a report and deletion/blocking of content: (a) within 24 hours, (b) within 72 hours, (c) within 7 days, and (d) at a later date.
- The numbers reflected in the table below pertain to reports submitted rather than unique pieces of content identified in the reports.
- 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 KoPI-G report. If we took action on content pursuant to a report, it is listed in the table under every provision of the Austrian criminal law 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. It is worth noting that of the 1204 reports that led to a block or deletion, our last block/deletion action occurred within 24 hours 1114 times, within 72 hours 82 times, within 7 days 6 times, and after 7 days 2 times (e.g. due to necessary alignment with internal lawyers in particularly complex / difficult cases).

Table 3. Deletion/Blocking Turnaround Time

Criminal Law Provision	Reports from Users			
	24 Hours	72 Hours	7 Days	> 7 Days
Coercion (section 105 StGB)	82	4	0	0
Dangerous threat (section 107 StGB)	76	6	0	0
Stalking (section 107a StGB)	84	6	0	0
Harassment by way of telecommunication (section 107c StGB)	122	5	0	0
Accusation of a criminal offense for which the sentence has been served (section 113 StGB)	51	5	0	0
Insults (section 115 StGB)	154	13	1	1
Unauthorized publication of a privacy-violating picture (section 120a StGB)	283	25	3	2
Extortion (section 144 StGB)	114	3	0	0
Disparagement of religious teachings (section 188 StGB)	67	4	0	0
Pornographic depictions of minors (section 207a StGB)	419	35	3	1

Initiation of sexual contacts with minors (section 208a StGB)	401	32	1	2
Terrorist criminal offenses (sections 278b, 278f, 282a StGB)	115	7	0	0
Incitement to hatred (section 283 StGB)	183	10	0	0
Nazi propaganda (section 3d, section 3g or section 3h of the Prohibition Act)	114	11	0	0

7. SPAM

Overview of the number and types of cases in which the service provider refrained from carrying out a reporting procedure.

Between April 1, 2021 and September 30, 2021, we have carried out the procedure described in Section 2 above for all reports sent to us via the KoPI-G reporting form. We received several reports that used email addresses that almost certainly did not belong to the reporting party. To protect the true owners of those email accounts from spam, we reviewed the reports and actioned the reported content according to the result of our review, but did not send notifications about the results of the review to the email address.