



Bonavero  
Institute  
of Human  
Rights



**PRICE MEDIA LAW MOOT COURT  
2021-2022  
VIRTUAL ROUNDS**

**CLARIFICATION  
QUESTIONS AND ANSWERS**

**Official clarifications of the 2022 International Rounds and  
the 2021/2022 Regional Rounds in South Asia, Asia  
Pacific, South-East Europe, North-East Europe, Northern  
Europe, the Americas, the Middle East, and Africa**

### ***Sargon's Constitution and Laws***

1. Does the constitutional protection of Freedom of Expression extend towards private enterprises, i.e. Natter, or is Natter's regulation of content independent from the constitutional provisions? [The term 'person' in article 10 of the Constitution includes legal persons.](#)
2. S 400 of the Penal Act of Sargon makes it an offence to 'advocate hatred against any group with the intention to incite violence, discrimination or hostility against that group'. What is the penalty imposed, and was the provision invoked in the present case before us? **No answer required.**
3. Under the laws of Sargon, what are the criteria necessary to deem a declaration, or post in this case, as a free thought and justifiable expression, or a declaration of hate speech and contempt? **No answer required.**

### ***Regulation of Social Media Act***

4. In the Regulation of Social Media Act, are there any specific authorization and punishment provisions aiming at the social media service providers? [The failure to establish an oversight mechanism within six months of the enactment of the Act could result in a fine of USD 10,000. Further fines of the same amount can be imposed after each six-month period in which no mechanism is established.](#)
5. Does the Social Media Act entail any provision on the consequences or penalties for non-compliance? [See answer to question 4.](#)
6. Does the Regulation of Social Media Act specify the consequences of failure to establish transparent and independent insight mechanisms? If yes, what are they (Case para 21)? [See answer to question 4.](#)
7. Does the Regulation of Social Media Act state the investigative procedure and penalties for non-compliance with Section 12? If yes, what is the penalty and investigative procedure to determine a finding of non-compliance? [See answer to question 4.](#)
8. Do provisions of the Regulation of Social Media Act mention any particular mechanisms that social media service providers can apply to curb online hate speech, cyber-bullying, and 'religious extremism' (e.g., content take down, temporary suspension, permanent blocking etc.)? **No.**

### ***Nationalist Campaigns***

9. If the "We were here First" campaign [par. 6 of the case] had an online presence, how did this presence manifest itself (i.e. hashtags, suspensions etc)? **No answer required.**
10. In para 6, the "emergence of several nationalist campaigns that appear to be distinctly anti-Phi" is mentioned. What kind of campaigns are these? Are they being done offline not on Natter? Are they still prevailing and what has the State been doing to curb the same (if any)? How long has it been since these campaigns commenced? **No answer required.**
11. Were there any complaints of messages with the hashtag #WeWereHereFirst? **Yes, but only where the messages also contained the hashtag #phinished.**

### ***Natter and its General Operation***

12. Is there a comment feature on Natter? **No answer required.**
13. Can Natter users leave comments under the publications, and do those comments remain available if the publication is removed? **No answer required.**
14. How does Natter generate profit and can content creators generate income when posting on Natter? **Natter generates revenue by providing advertising space on the platform. Content creators cannot generate income when posting on Natter.**
15. Do Natter users have access to the CSP, and if they do, from when and how do they access it? **Yes. It is accessible on the platform under a separate tab called 'Help Center'.**
16. Which acts include serious violations of the CSP? **No answer required.**
17. Are Natter users given prior notice that they have committed a violation of the CSP before a Content Moderator takes down or stays the algorithm with respect to their posts? **No.**
18. Do the content moderators view every single post that is posted by the users, before they are thereafter filtered to Natter Matter? In other words, do they see and, dare we say, 'scan' what is posted on "Natter", in their non-public master feed, before anything is conveyed to "Natter Matter"? Do they check and filter every post to see if they fit the CSP, before they are added to "Natter Matter", or do they not check every single one of them? **No answer required.**
19. As content moderators are allowed to take down content on Natter Matter solely based on proactive monitoring, can they do the same on Natter? In other words, can they act proactively and delete content on Natter without

- recourse to received complaints from users? [There is no company policy that prohibits proactive monitoring.](#)
20. Is it technically possible for Natter moderators to edit user posts (e.g., remove obscenities from user posts) when in editor mode? [No answer required.](#)
  21. Are there any other content-moderation measures Natter can implement apart from content take-down, temporary suspension and permanent ban? For example, can Natter edit users' posts? [No answer required.](#)
  22. Do the content moderators take the insulting posts down if they are only referred to and complained by 'offended users', or do they do it automatically as a standard procedure, without a concrete complaint before them? [No answer required.](#)
  23. What hiring criteria does Natter use when deciding to hire content moderators and senior reviewers for its platform? [No answer required.](#)
  24. Regarding Page 3, Paragraph 14, section 4: What training and/or guidelines does Natter provide to content moderators to use to decide which posts violate or adhere to Natter's Community Standards Policy, particularly concerning training concerning the terms "violent speech," "dehumanising speech," and "calls for exclusion?" [No answer required.](#)
  25. What is the extent of the impact of "staying" the Natter Matter algorithm? [No answer required.](#)
  26. Does the term 'Stay on Algorithm' in Paragraph 19 imply that the content moderators are permitted to take down the said posts? [No answer required.](#)
  27. In the competition case it is stated that Natter already had their Community Standards Policy (CSP) before the government passed the Regulation of Social Media Act. Was there any legislation regarding social media regulations before the mentioned Act, and if so, was Natter's Community Standards Policy implementing that national legislation? [No answer required.](#)
  28. What is the makeup of the Oversight Council? Do the council members have the expertise, personally and as a whole, in adjudicating freedom of expression issues, especially those concerning hate speech and incitement to violence, discrimination and intolerance? [No answer required.](#)
  29. What is the gender, ethical and religious affiliation of the members of the Oversight Council? [No answer required.](#)
  30. What is the procedure for formation of the Oversight Council? [No answer required.](#)
  31. Does Natter use any specific criteria when appointing or hiring senior reviewers and members of the Oversight Council? [No answer required.](#)

32. Is the national percentage of adherents of Phi (p. 2 of competition case) reflected in the make-up of the moderator team and Oversight Council or does it differ? **No answer required.**
33. Does Natter internally define “transparent and independent” in relation to the Regulation of Social Media Act and, if so, how? **Natter has interpreted this requirement to mean that the oversight mechanism must comprise persons who are not paid employees of Natter, and who are reputed experts in relevant fields.**
34. How is the independence of the Oversight Council secured? **See answer to question 33.**
35. Is the Oversight Council a part of Natter as an organisation and does its complaints portal only receive temporary suspension appeals? **No answer required.**
36. By which voting majorities are decisions made in the Oversight Council? **Simple majority.**
37. Did users whose posts were taken down have a right to appeal to the Oversight Council as per Natter’s CSPs? Despite there being no mention of right to appeal being there in the proposition anywhere, Natter’s OC considered the appeal and did not dismiss it for want of jurisdiction. **No answer required.**
38. Can a user appeal an indefinite suspension of their account to the Oversight Council? **No answer required.**
39. What are the other mainstream media platforms owned by Natter (Case para 7)? **No answer required.**
40. Are there any specific mechanisms to update the topic of interest, which are periodically updated by Natter (Case para 9)? **No answer required.**
41. What does the suspension of the user profile mean? **A suspension means that the user cannot access their profile. Their posts are not visible on Natter during the period of suspension.**

### ***Removal of Posts on Natter in the Context of the Elections***

42. In para 36, did the content moderator remove the post with the hashtag '#Phinished' based on the hashtag’s emergence, or the whole content of the post? Did the content moderator proactively remove any post with the hashtag '#phinshed' even when there was no complaint or the post did not appear on Natter Matter? **No answer required.**
43. According to para 36 of the Competition case, content moderators proactively removed any post with the hashtag “#Phinished”. Did they

- remove publications with that hashtag only from Natter Matter or from the whole platform? [The whole platform.](#)
44. According to the removal procedure, all posts that could be considered as violating the CSP should be assessed by the moderators. Instead, they made the decision to delete all posts with hashtags #WeWereHereFirst and #Phinished! without the assessment of their context. Did they have the power to do so according to the CSP? Was this decision justified? **No answer required.**
  45. Did Natter consider only the hashtags carried or did it also consider the specific speech content of the posts when deleting Darl's 55 posts? **No answer required.**
  46. Were there any other bloggers' accounts blocked after the presidential election campaign? **No answer required.**
  47. Does the CSP allow the take-down of all posts solely based on a word/hashtag? **No answer required.**
  48. Did Darl post any other publications (not containing hashtags about Bos) during the election time? **No answer required.**
  49. Were there any complaints from users about Bos' posts at 12.00am and 12.35am? [Yes. A few complaints were made, but not as many as the number of complaints against the 1.05am post.](#)
  50. Did Emilia Bos and Santos Darl receive a reasoning as to how and in what manner their removed posts violated the CSP? [A notice that reads 'This post was removed due to violation of Section \[relevant section\] of the Community Standards Policy' is made visible to the user concerned at the location of the removed post.](#)
  51. What changes took place in the Sargon situation after the blocking of Bos' account and the refusal of Darl's appeal? **No answer required.**

### ***The Elections/Election Campaigns***

52. How many people exercised their right to vote in Sargon's 2021 Elections? **No answer required.**
53. The Election Commission of Sargon took only 45 minutes to conclude that there was no evidence of election fraud. Had it ever conducted any investigation on the fraud? If it had, how was the investigation conducted, and what was reviewed? **No answer required.**
54. What are the details of the composition of the Oversight Council and Election Commission, especially in terms of their ethnicity and religious belief? **No answer required.**

55. Was there any indication of "growing religious extremism" in Sargon [par. 30 of the case]? **No answer required.**
56. Was the crowd of Bos's supporters already gathered outside the headquarters of the Commission at 12:50 am? **A crowd began to gather outside the Commission after 12 midnight, and by 1.00am, had reached around 200 persons.**

### ***Case Before Sargon's Domestic Court***

57. What is the scope of inquiry and standard of review of the earlier decision at the stage of Oversight Council as well as Sargon's courts? **No answer required.**
58. Can all the aggrieved users of Natter approach the Courts of Sargon for a violation of their fundamental rights? **No answer required.**
59. Is there any factual evidence which suggests that Natter's Oversight Council had access only to religious studies expert of Phi. Also, is there any evidence which supports the accusation that the Oversight Council had bias in favour of theistic beliefs? **The religious studies expert serving on the Oversight Council is a reputed and independent academic with expertise in Phi.**
60. Does Emilia Bos hold immunity by virtue of her presidential office? **No.**

### ***Case before the Universal Court***

61. For both Issues A and B, is Sargon required to show that its Supreme Court was justified in upholding Natter's/Natter's Oversight Council's decision? **No answer required.**

### ***General***

62. Is the Name "Philemon" a common first name in Sargon for adherents of the Phi? **No answer required.**
63. Are there any other social media platforms in Sargon of similar or comparable popularity to Natter's, and if so, what is the user reach among these platforms? **No.**