

**L'altro diritto ONLUS-**

c/o Dipartimento di Teoria e Storia del Diritto  
Via delle Pandette 35 - 50127 Firenze  
Fax 055-4374925  
Email: [adir@altrodiritto.unifi.it](mailto:adir@altrodiritto.unifi.it)  
home page: [www.altrodiritto.unifi.it](http://www.altrodiritto.unifi.it)



**Centro di documentazione su carcere,  
devianza e marginalità  
Centro Consulenza Extragiudiziale**

C.F. 94093950486  
Iscrizione Registro Regionale del Volontariato  
Sezione Provincia di Firenze  
Atto dirigenziale n. 363 del 5/2/2003

Facebook Ireland Ltd.  
4 Grand Canal Square, Grand Canal Harbour  
Dublin 2, Ireland

L'Altro Diritto ONLUS is an association registered in the "Registro delle associazioni e degli enti che svolgono attività nel campo della lotta alle discriminazioni" ("Register of the associations working against discrimination") provided by article 6, D.lgs. 251/2003 (registration number 365/2015) and operated by UNAR-Ufficio Nazionale Antidiscriminazioni Razziali (National Office Against Racial Discrimination).

L'Altro Diritto operates a point of contact that offers a consultancy service in the field of anti-discrimination law to other associations and public authorities. It also has legal standing in Italy to bring anti-discrimination actions before courts.

We are writing this letter to inform you that we have received a communication reporting the presence of a discriminatory post on your Platform. The content posted on 17th April 2018 by the Facebook page "Impresa di pulizie Sanna Giuseppina" (<https://www.facebook.com/Impresa-di-pulizie-Sanna-Giuseppina-498349370200516/>) contains a job offer expressly directed only to Italians nationals.

This constitutes a violation of the anti-discrimination principles provided by Directives 2000/43/CE and 2000/78/CE, as implemented in Italy by legislative decree n. 286/1998.

One of our operators has immediately reported the post using the report link that appears near the content itself.

However, notwithstanding the possibility of reporting content because of hate speech or incitement to racial hate, there was no option to report a post because of its general discriminatory nature.

Accordingly, you have found that the post reported doesn't violate any specific Community Standards (notification of the review on 18th April 2018, [https://www.facebook.com/support/?item\\_id=I0156239486158349&ref\\_medium=graphql&ref=notif&notif\\_t=sca\\_se\\_reviewed&second=0&notif\\_id=1524014912968371](https://www.facebook.com/support/?item_id=I0156239486158349&ref_medium=graphql&ref=notif&notif_t=sca_se_reviewed&second=0&notif_id=1524014912968371)).

However, according to Article 14 of the E-Commerce Directive, online platforms must act expeditiously to remove illegal content after they have obtained knowledge thereof if they wish to continue to benefit from the liability exemption.

Moreover, the recent Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and The Committee Of The Regions, "*Tackling Illegal Content Online - Towards an enhanced responsibility of online platforms*", Brussels, 28.9.2017, COM(2017) 555 final, underlines that "*(i)t is in the entire society's interest that platforms should remove illegal content as fast as possible*" (p. 13) and that "*online platforms must take down illegal content expeditiously once they are made or become aware of its existence if they wish to be exempt from liability*" (p. 15).

Consequently, we ask you to remove the reported illegal content and, by that, to stop the violation of the Italian and European anti-discrimination law within fifteen days. Otherwise, we may take legal action against you immediately and without further notice.

Furthermore, given it is not possible to report a content of a discriminatory nature that does not contain hate speech or incitement to racial hatred, we invite you to implement your Community Standards by including a prohibition of discriminatory content and to add "discrimination" as a ground in order to report posts.

The Operator of L'Altrodiritto;  
Gianmarco Gori, M.A.

The Director,  
Sofia Ciuffoletti, Ph.D

**L'ALTRO DIRITTO**  
**ASSOCIAZIONE DI VOLONTARIATO**  
CENTRO DI DOCUMENTAZIONE SU  
CARCERE DEVIANZA E MARGINALITÀ  
Via delle Pandette, 35 - 50127 FIRENZE  
Codice Fiscale 94093950486