INTRODUCTION TO HATE SPEECH
MEASURING THE MANIFESTATION OF PREJUDICE IN SOCIETY: THE ALLPORT’ SCALE

Allport’s Scale of Prejudice

Extermination →
- Physical Attack
- Discrimination
- Avoidance
- Anti-locution

A SNAPSHOT OF RESEARCH ON HATE SPEECH AND DISINFORMATION

**Uncovered:**
**Online Hate Speech in the Covid Era**
A social media data study analyzing millions of data points to understand how hate speech has evolved online between 2019 and 2021
KEY CONCEPTS TO UNDERSTAND HATE SPEECH

Freedom of opinion and expression

Sources:

- Art. 19 Universal Declaration of human rights (UDHR)
- Art. 19 International Covenant on Civil and Political Rights (ICCPR) and Human Rights Committee General Comment 34
- Art. 10 European Convention on Human Rights (ECRH)
- Art. 11 European Charter of Fundamental Rights

Equality and non-discrimination

Protected grounds:

- Sex and gender (including sexual orientation)
- Race, color, descent and ethnic origin
- Language
- Religion or belief
- Disability
- Nationality
- Marital, parental and family status
- Age
- Political and other opinions
FREEDOM OF EXPRESSION ALSO EMBRACES EXPRESSION CONSIDERED DEEPLY OFFENSIVE, SHOCKING, OR DISTURBING.
RESTRICTIONS TO FREEDOM OF EXPRESSION

➢ When prescribed by law
➢ When the interference/restriction pursues one or more legitimate aims (to protect national security, public safety, to prevent disorder and crime, to protect health and morals, to respect and protect the rights and reputations of others)
➢ When necessary in a democratic society

Sources: Art. 29(2) UDHR; Art. 19(3) ICCPR; Art. 10(20) ECHR

Hate speech is a case where freedom of expression may be limited (European Court of Human Rights)
WHAT IS HATE SPEECH?

No universally accepted legal definition

- The manifestation of intolerance towards certain groups of society
- A speech spreading hatred, can include advocating or inciting discrimination
- Any form of communication in speech, writing or behavior that involves discriminative approach and hostility directed towards a particular social group and/or their members on grounds such as race and ethnicity (racism, xenophobia, antisemitism), gender (sexism, misogyny), sexual orientation (homophobia, transphobia), age, disability.
- It aims at evoking a characteristic included in the protected grounds for the prohibition of discrimination → broader than insult/defamation
SOME EXAMPLES OF HATE SPEECH FROM EUROPEAN CASE LAW

A poster supplied by the National Party, of which Mr. Norwood was a member, representing the Twin Tower in flames was displayed in his window. The picture was accompanied by the words ‘Islam out of my country – protect our people’

(Norwood v. the UK, 16 November 2004)

Approximately 100 leaflets were distributed in an upper secondary school. The statements in the leaflets were allegations that homosexuality was a deviant sexual proclivity, had a morally destructive effect on the substance of a society and was responsible for the development of HIV/AIDS.

(Vejdeland and others v. Sweden, 9 February 2012)

On an online discussion platform, users attacked a businessman of Jewish origin, with the following comments: ‘fucking bastard’; ‘burn in your own shit, sick Jew’

(Delfi v Estonia)
Statements that attack or cast in a negative light entire ethnic, religious or other groups are in contradiction with the Convention underlying values, notably tolerance, social peace and non-discrimination. Statements expressing deep-seated and irrational hatred towards identified persons may be interpreted as likely to encourage violence. Inciting hatred does not necessarily involve an explicit call for an act of violence or for any criminal act. Attacks on persons committed by insulting, holding up to ridicule or slandering specific groups of the population can be sufficient for the authorities to favor combating xenophobic behavior or other discriminatory speech in the face of freedom of expression exercised in an irresponsible manner.
ACTS OF HATE SPEECH CAN INCLUDE

- advocacy/promotion/incitement of the denigration, hatred or vilification
- any harassment
- insult
- negative stereotyping
- stigmatization
- threat
- and justification of all the preceding types of expression
LEGAL STANDARDS

Incitement to genocide and other violations of International Law

Advocacy of discriminatory hatred constituting incitement to hostility, discrimination or violence

MUST be restricted

Hate speech which may be restricted to protect the rights or reputations of others, or for the protection of national security or of public order, or of public health or morals

MAY be restricted

Lawful “hate speech” raising concerns in terms of intolerance

must be PROTECTED

Applicable International Legal Instruments

Genocide Convention

Article 20(2) ICCPR

Rome Statute

Article 19(3) ICCPR

Article 19 ICCPR
THE RABAT PLAN OF ACTION AND THE THRESHOLD TEST FOR RESTRICTING FREEDOM OF EXPRESSION

How to strike a balance between fighting hate speech and guaranteeing freedom of expression?

- **Context** of the statement
- **Speaker**’s position or status
- **Intent** to incite audience against target group
- **Content** and form of the statement
- **Extent** of its dissemination
- **Likelihood** of harm, including imminence
THE CONSEQUENCES OF HATE SPEECH AT THE LEVEL OF INDIVIDUAL, GROUP AND SOCIETY

Dehumanization, sufferance, attacks on dignity, alienation

Exclusion from public opinion, marginalization, can lead to radicalization

Creation of hostile environment where hate crimes can occur
COUNTERING HATE-SPEECH
IN FOCUS: DISCRIMINATION AGAINST ROMA

- The ECtHR regards Roma as a particularly disadvantaged and vulnerable minority, requiring special attention
- Need to combat the prejudice, stigma, discrimination, violence and social exclusion experienced by Roma
- Need for States to adopt policies to improve the situation of Roma in education, employment, housing, health
- Combat racist violence and crimes against Roma
- Important role played by Roma community mediators
TYPES OF RESPONSES

- PREVENTION
- SELF-REGULATION
- EDUCATION
- EQUALITY BODIES
HOW TO INTEGRATE THIS IN OUR HUMANITARIAN RESPONSE?

➢ Counter our own bias and stereotypes

➢ Monitor and analyze hate speech (ex. through Communication/media staff)

➢ Be vigilant on how discrimination can affect the most vulnerable and marginalized groups in accessing goods and services (ex. Roma) and prioritize those groups in your programming (ECRI recommendation 15)

➢ In your Communication with Communities, include the provision of accurate information to counter untruths that stigmatize communities

➢ Join forces on positive initiatives (awareness-raising campaigns on hate speech consequences)

➢ Contribute to promote peaceful and inclusive societies including through positive narratives

➢ Engage in advocacy
In case of questions/follow-up,

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