



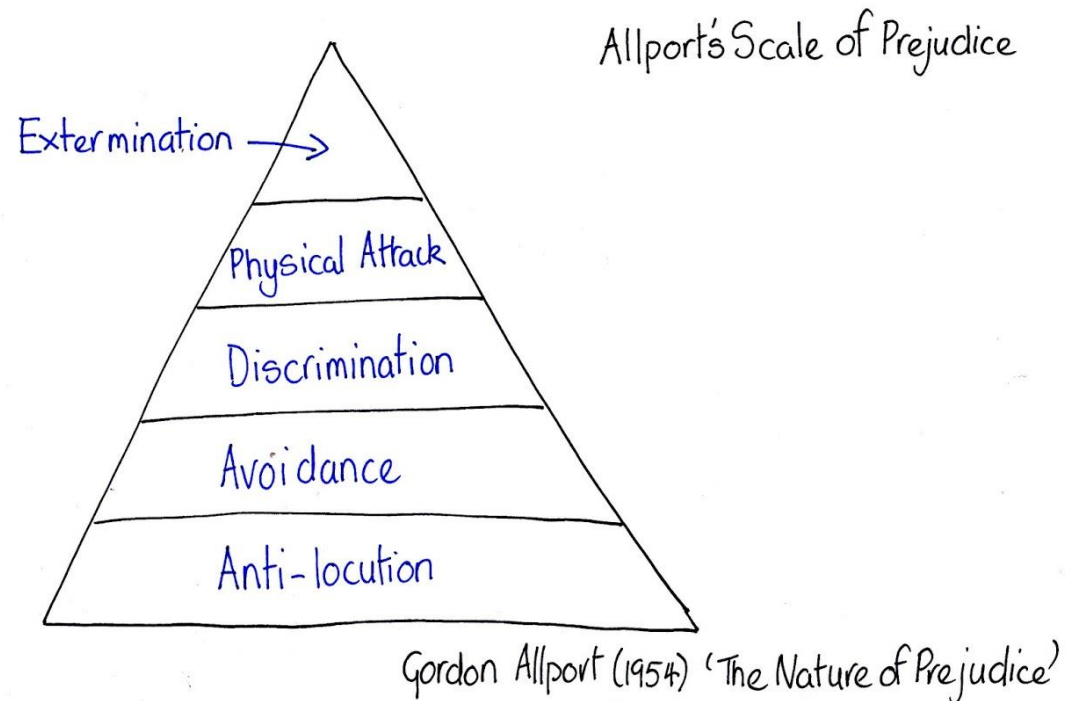
UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

INTRODUCTION TO HATE SPEECH

PROTECTION WORKING GROUP
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MEASURING THE MANIFESTATION OF PREJUDICE IN SOCIETY: THE ALLPORT' SCALE



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(2) 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)

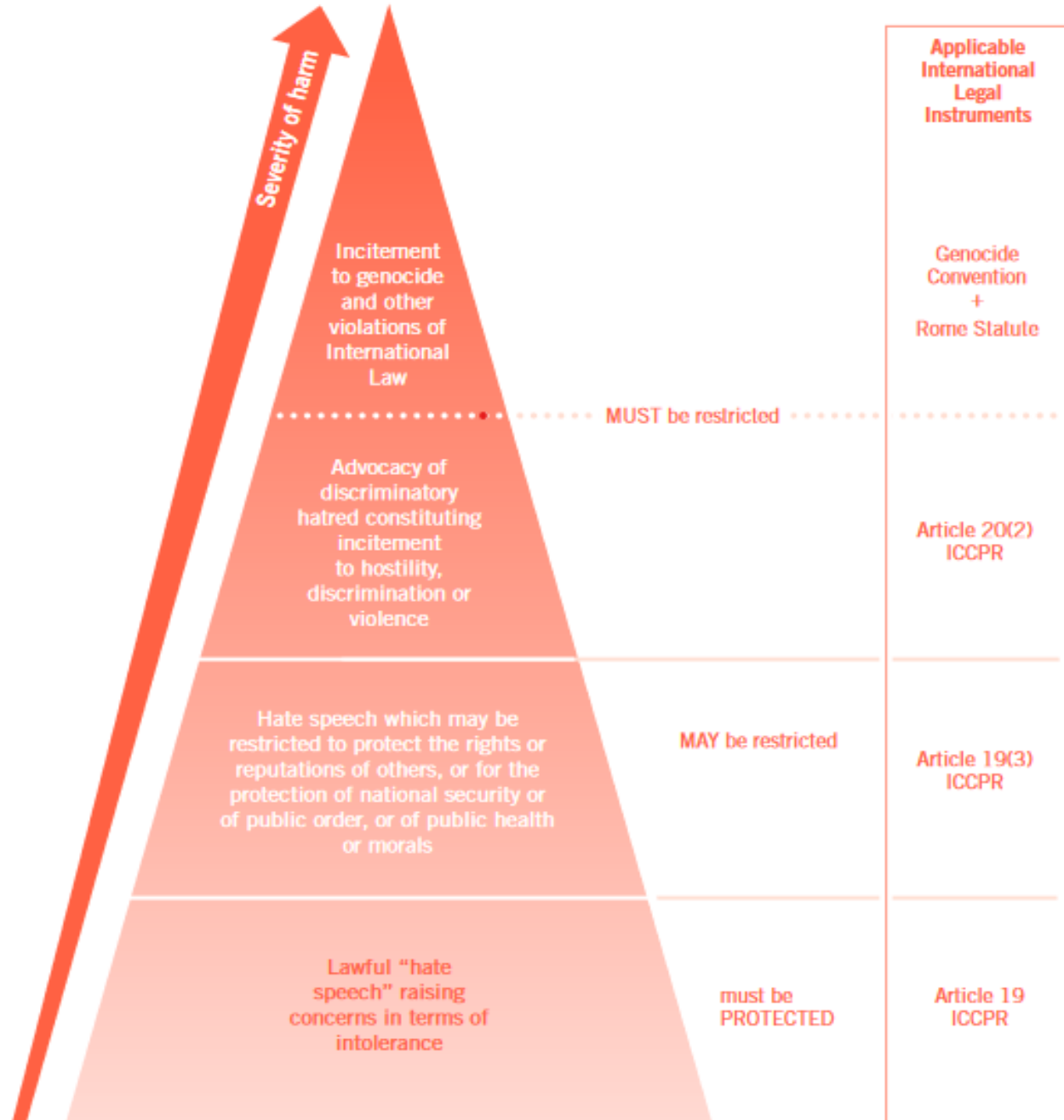
ECTHR JUDGMENT IBRAGIM IBRAGIMOV AND OTHERS V. RUSSIA

*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 people 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



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

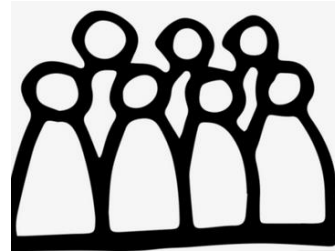


Likelihood of harm, including imminence

THE CONSEQUENCE 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

**ECRI GENERAL POLICY
RECOMMENDATION NO.13**

**ON
COMBATING ANTIGYPSYISM
AND DISCRIMINATION AGAINST ROMA**

**ADOPTED ON 24 JUNE 2011
AND AMENDED ON 1 DECEMBER 2020**

- 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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