

# Comprehensive Approach to Address Hate Speech (online)

---

Menno Ettema

Anti-Discrimination Department

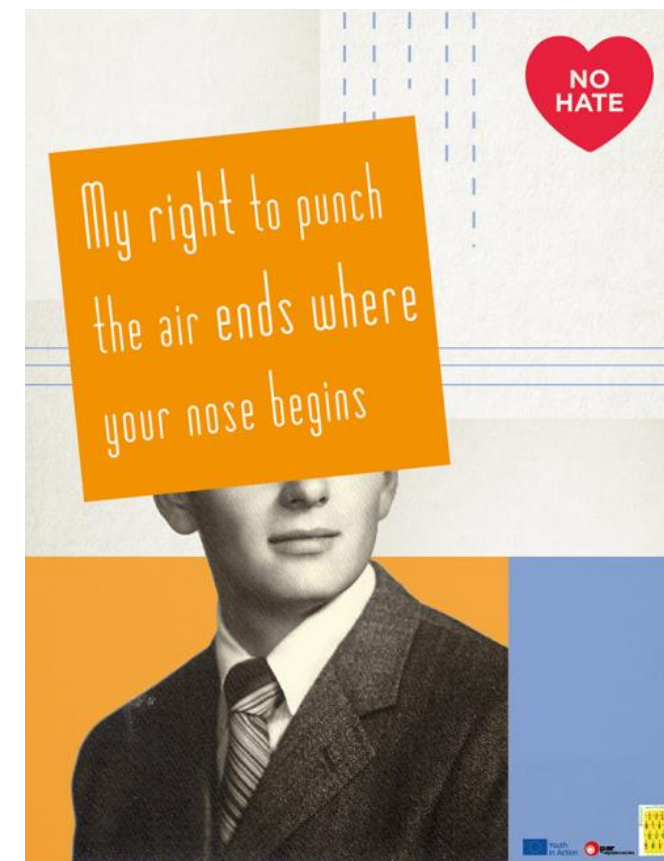
Council of Europe



# Anti-Discrimination Department

- Standard setting
  - eg. ADI/MSI-DIS(on hate speech)
- Monitoring
  - ECRI – GPR No. 15 on Combating Hate Speech
  - FCNM
  - ECRML
- Cooperation programmes
  - Anti-Discrimination
  - Inclusion of Minorities, including Roma and Travellers, migrants & refugees
  - Sexual Orientation and Gender Identity

[www.coe.int/en/web/inclusion-and-antidiscrimination](http://www.coe.int/en/web/inclusion-and-antidiscrimination)





## Hate Speech is a problem

members of vulnerable groups:

- lack understanding of their rights
- reluctant to report hate speech and discrimination

Negative trends:

- Hate Speech is increasing
- self-segregation and deepen social divides

*ECRI's annual reports since 2016*

[www.coe.int/en/web/european-commission-against-racism-and-intolerance/annual-reports](http://www.coe.int/en/web/european-commission-against-racism-and-intolerance/annual-reports)



# Comprehensive approach to hate speech

- Recognition of the fundamental importance of freedom of expression, non-discrimination and respect for equal dignity;
- Identification of the conditions conducive to the use of hate speech and taking appropriate measures to remove them;
- The involvement and commitment of a wide range of private and non-governmental actors

*ECRI's General Policy Recommendation  
No. 15 on Combating Hate Speech*

[www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.15](http://www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.15)



# Comprehensive approach to hate speech

- **Raising awareness** of the dangerous consequences of hate speech, and use of **counter speech**
- improve **education and media literacy**,
- encouraging **speedy reactions by public figures** against use of hate speech,
- **withdrawing financial and other support from political parties** that actively use hate speech,
- promote **use of self-regulation** by public and private institutions.
- and **criminalising its most extreme manifestations**, while respecting freedom of expression

*ECRI's General Policy Recommendation  
No. 15 on Combating Hate Speech*

[www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.15](http://www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.15)



## Multi-stakeholder approach

- Increase understanding of the issue
- Increase outreach
- Compliment rather than competition

law enforcement & Judiciary partners – please address:

- Data gathering
- Clear and accessible redress
- Stand by victims, address dis-information and rumours





# Governance of Online Hate Speech

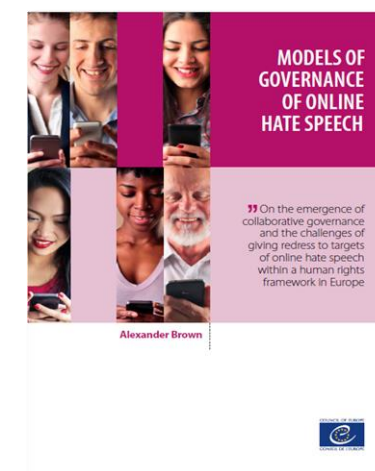
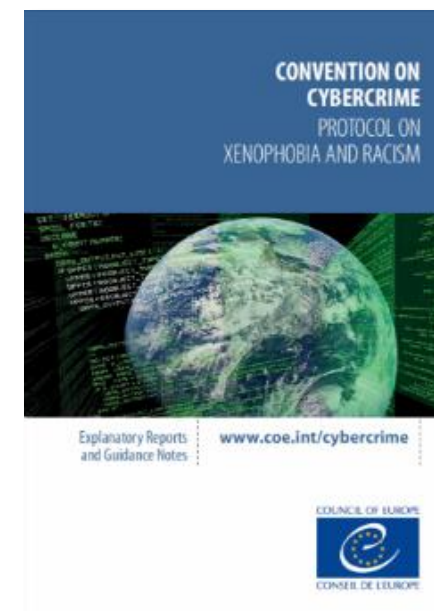
- Ratify Additional Protocol to the Council of Europe Convention on Cybercrime & other CoE standards

## Study 'Models of Governance of Online Hate Speech'

- Common standards for regulation yet ensure pluralism and flexibility
- victim-sensitive approach
  - Clear reporting systems
  - Clear and understandable information
  - Allow bulk reporting
  - No softened approach for political figures

[www.coe.int/en/web/cybercrime/the-budapest-convention](http://www.coe.int/en/web/cybercrime/the-budapest-convention)

<https://rm.coe.int/models-of-governance-of-online-hate-speech/16809e671d>



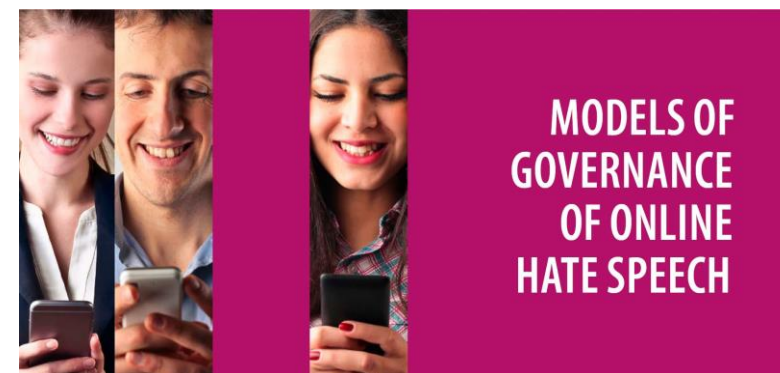


# Governance of Online Hate Speech

## Study 'Models of Governance of Online Hate Speech'

- Grey area cases
  - Violate Internet company's rules on permissible content
  - Is it unlawful or illegal based on local hate speech laws (where such laws exist), if so:
    - referral grey area cases to an independent oversight body
    - oversight bodies are **independent** and the **platform abide** by its findings.
    - Impose a **legal responsibility** on Internet platforms to remove unlawful hate speech content within a specified time frame following notice but also **provide exceptions** for Internet platforms that refer grey area to competent independent institutions and abide by the decisions.
    - Users retain the possibility to **seek judiciary redress**
    - No criminal offences for malicious reporting

<https://rm.coe.int/models-of-governance-of-online-hate-speech/16809e671d>





## ADI/MSI-DIS

---

### Committee of Experts on Combating Hate Speech within Human Rights Framework

- draft Recommendation on a comprehensive approach to addressing hate speech, including online.
- Guidelines for member states, CSO's, Internet business
- Public consultation mid 2021

<https://www.coe.int/en/web/committee-on-combating-hate-speech>



**COMMITTEE OF EXPERTS ON  
COMBATING HATE SPEECH**

# Council of Europe's work on Hate Speech

- European Court of Human Rights
- Parliamentary Assembly of the Council of Europe
  - No Hate Parliamentary Alliance
- European Commission against Racism and Intolerance
  - country monitoring and
  - thematic work, including revision of General Policy Recommendations
- Media and Information Society
  - Media councils, journalists, Internet Governance
- Gender Equality – Recommendation on Sexism
- Youth and Education sectors

<https://www.coe.int/en/web/no-hate-campaign/coe-work-on-hate-speech>



Thank you

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

