

## *Recommendations on European Observatory for Illegal Hate Speech Online and Fake News EOHSO Project*

*To start we want to talk about freedom of expression, certainly to be guaranteed even if sometimes annoying or very unpleasant **because often it is** difficult to determine the boundaries related to criticism, often violent, and those related to manifest hatred.*

*In truth there is not yet a norm able to define exactly and completely what speech hate is. Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), prohibits discrimination «based on sex, race, colour, language, religion, political or other opinions, national or social origin, membership of a national minority, wealth, birth or any other condition». Therefore, it links hate speech to one of the discriminatory forms prohibited because it is an aggressive configuration, performed verbally or on the web and which differentiates in a sectarian way some types of individuals.*

*Many have been over the years the interventions in the framework of the European Union that have enshrined the prohibition of discrimination as a mandatory principle, now imposed by Article 21 of the Charter of Fundamental Rights, according to which «any form of discrimination based in particular on sex, race, colour, ethnic or social origin, genetic characteristics, language, religion or personal beliefs, political or any other opinion, the belonging to a national minority, property, birth, disability, age or sexual orientation shall be prohibited». These are the reasons that prompted the European Parliament to approve, on 14/03/2013, a resolution that highlighted the importance of a correction of the decision – Framework n. 913 of 2008, including demonstrations of anti-Semitism, religious intolerance, antizyanism, homophobia and trans phobia.*

It is often difficult to draw the line between criticism and hatred. Our European project has dived into many borderline situations proclaiming “discourses of hate”, or “expressions of hate”, or “hate languages”. Regrettable forms of thinking are released and reproduced through the Internet. Capable of feeding stereotypes and prejudices, of consolidating the hostility of certain groups of individuals, generally majority in a certain social context, towards other groups, usually with different characteristics, naturally minority. The Roma community among all.



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This is not a new phenomenon because hate expressions have always existed, both through the power of speech and the traditional media. Currently, however, through the Internet in general, and social networks in particular, hate expressions are conveyed with an unprecedented speed. They spread like wildfire, reaching an unimaginable audience that in turn encourages the multiplication of other similar expressions. Unfortunately, the speed of the web and its capillarity make the spread and the amplification of the hate resistant and durable to our efforts to conceal the insulting messages. It is certainly a facilitator of the propagation and the possibility of hatred, especially because of that feeling of impudence deriving from the many users of the Internet, who feel falsely defended by their anonymity.

**The main objectives of the long-term presentation of results and recommendations, including the international dissemination event, are:**

- to submit the project's broader subject, its content, results and recommendations
- to submit the project's recommendations in order to support the change of moderation of online platforms where necessary
- to disseminate the acquired knowledge to spread information so as to allow a multiplier effect of the impact
- to ensure the transferability of the project's results and skills to other actors and sectors.

**In order to best achieve these objectives, various groups were involved:**

- In particular the national and European decision-makers, including members of national parliaments and members of the European Parliament: after having consulted in particular the parliamentarians and Meps closest to EGAM - members of the Elie Wiesel parliamentary network - we have jointly reached the conclusion that the best way to raise their awareness and to mobilise them was:
- the Media. We have consulted with print media, TV, radio and mass media journalists, and with citizens. We have jointly reached the best ways to raise awareness and ensure the dissemination of the message
- IT companies, in particular social media companies.
- Civil society organisations and activists, including those belonging to the EGAM consortium.



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**From our operational project in the European countries involved and from the organizations that have operated in the field with leader EGAM and partners:**

- 2 SOS RAZZISMO ITALIA Italy
- 3 Inicijativa mladih za ljudska prava Croatia
- 4 SOS Racisme France
- 5 FUNDATIA CENTRUL ROMILOR PENTRU INTERVENTIE SOCIALA SI STUDII ROMANO CRISS Romania
- 6 Amadeu Antonio Stiftung Germany
- 7 EKVILIB INSTITUT ZAVOD Slovenia
- 8 Amalipe Center za mezhduetnicheski dialog i tolerantnost Bulgaria
- 9 LATVIJAS CILVEKTIESIBU CENTRS BIEDRIBA Latvia)

**Recommendations and individual peculiarities related to the hate on the web emerged:**

- 1 First of all, the incredible internationalization of hate speech online, unlike the one of line;
- 2 How "trend arguments" are easily assimilated by spreading quickly over all the most common networks;
- 3 Its cyclical coming back on the net, with impossibility of prediction, due to the speculative use carried out by authors of the hate, operating on several platforms;
- 4 The consequent continuity on the web of the single manifestations of hate;
- 5 The feeling of the many authors of hate speech to enjoy a kind of coverage related to anonymity;
- 6 A further motivation of the predisposition of propagation of online hatred concerns the consequences caused by the reciprocal influences among web users, tending to radicalize a more violent insolence and provocation. They identify themselves with the extreme ideological statements of the group itself. Inevitably, therefore, the network offers fertile ground for the dissemination of this type of violent communications, encouraging their exchange.

### **There are two strands of thought which aim to combat hate on the web:**

- a. The first one follows an approach that aim to a strictly regulated with the intent to prevent the circulation of thoughts which are discriminatory and offensive towards human rights;
- b. The second one, on the other hand, argues that freedom of expression on the Internet would be lacking by tightening up the legislation and could lead to an alteration of the body for the protection of the expressed concept. in addition to the digital business strategies themselves

Referring to the European community, the ECHR tends to justify certain barriers to freedom of expression, if the latter are considered indispensable for the growth of democratic society, in practice, preventing the exercise of a common right from oppressing the rights of others. These are rules that in practice on the one hand sanction the authors of the manifestations of hatred, on the other hand regulate the freedom of expression on the Web, also using digital intermediaries, provided that they are regulatory measures deemed essential with regard to the objective to be achieved. It should be noted, however, that many do not agree with the repressive provision which use national criminal law in relation to hate speech.

### **There are many reasons that support this thesis:**

- 1 First of all, it is a question of criminalising certain manifestations of thought, in the name of safeguarding collective sentiment which in practice favour the feelings of certain dominant groups against minority groups.
2. The exclusion from public debate of some inappropriate speakers can be understood as an unjustified and privileged guarantee only towards certain cultural groups, resulting in de facto discrimination.
3. If freedom of expression becomes a necessity appropriate to general interests, it runs the risk of becoming a strategic tool in the hands of politicians, in power to hinder the propagation of the ideas of opponents.
4. With reference to art.3 Cost., paragraph 4, the principle of substantial equality is not concretized with criminal repression but using methods of promotion.
5. In short, no source of international law, nor does the ECHR oblige Member States to take criminal sanctions.

This is what emerged from our in-depth research at the European level on the principles that apply to the discourse on hate, in particular the discourse on hate spread through the media.

The implementation of these principles, linked to the term "hate speech" must be understood as embracing, encompassing all forms of expression that propagate, encourage, encourage or defend racial hatred, xenophobia, anti-Semitism, anti-Gypsyism, homophobia or other forms of hatred based on intolerance, including intolerance manifested by violent nationalism and ethnocentrism, and discrimination and hostility towards minorities, migrants and people of immigrant origin

We paid particular attention to the problem of intolerance which once again calls for a careful evaluation by the public and the media. Our relationship with media professionals has proven that media companies should effectively disseminate the following recommendations:

- To communicate carefully and scrupulously on acts of racism, xenophobia and intolerance;
- To expose with due sensitivity the circumstances that show tensions within the communities;
- To oppose to all those impersonal and disparaging depictions of members of ethnic, religious or cultural communities to bring them back into programs
- Never link individual deviant behaviour to an ethnicity or minority

*On the basis of learning from this project, a clear final recommendation is around the need to monitor how the social media / internet companies respond to report of hate speech by users. This monitoring should be conducted periodically, using the same methodology. This will allow to notice trends and gauge if the social media companies are indeed learning and adapting their reporting mechanisms to the actual need in view of negative effects of prevalence of hate speech online. Likewise, we recommend that any such monitoring is either conducted internationally or by entities from various countries partnering and using the same methodology (as was the case in this project) to have the ability to compare. We learned that the quality of reactions on reports by social media companies also depend on the language that users use, as social media companies do not have the same capacity in different (language areas) markets. This results in their mechanisms working better in some markets, while exposing users to lower level of responsiveness in others.*



*The methodology and handbook developed within this project, as well as the experience and shared lessons learnt from the first monitoring campaign represent a useful and meaningful basis for human rights and anti-racist organizations can build on by using the developed methodology and applying it independently.*



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