Study on preventing and combating hate speech in times of crisis

Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI)

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

STUDY ON PREVENTING AND COMBATING HATE SPEECH IN TIMES OF CRISIS

STEERING COMMITTEE ON ANTI-DISCRIMINATION, DIVERSITY AND INCLUSION (CDADI)

Study prepared by:
Federico Faloppa (lead author)
Antonio Gambacorta
Richard Odekerken
Robert van der Noordaa

Council of Europe

Contents

Executive summary

Crises are testing grounds for societies and for their democratic institutions. They can either threaten or reinforce societal cohesion; weaken or consolidate the capacity of governments and elected bodies to respond to voters' concerns; and suppress or stimulate the reaction of civil society organisations towards new needs and forms of marginalisation. Regarding discrimination, crises can intensify hatred and hate speech targeting specific individuals or groups deemed responsible for the crisis situation, but they can also be aggravated by hate speech when a certain group has been singled out as a threat or an enemy. Hate speech in times of crisis may build on existing discriminatory or hate narratives, but also trigger, and evolve from, new narratives disseminated to respond to such crises.

European countries have experienced several crises in the last few years, which have impacted on the production, dissemination, and reception of hate speech. The Covid-19 pandemic ("*a pandemic of hate*" to quote the United Nations Secretary-General António Guterres) has globally boosted dynamics of social conflict, polarisation, and radicalisation; seen a huge increase of hate speech against individuals and groups (such as Chinese and people of Asian descent, migrants and refugees, national minorities); revamped antisemitism (via conspiracy theories); intertwined hateful narratives; and intersected grounds of discrimination. Roma and Travellers have also been particularly affected by hate speech in several European countries for both enduring systemic discrimination and for more contextual causes, such as forced marginalisation and isolation during lockdowns, and for being singled out as potential plague-spreaders.

The full-scale military aggression of the Russian Federation against Ukraine in February 2022 has fostered violent, dehumanising rhetoric and hate speech both in the countries and – more generally – across Europe, opposing the Russian Federation and "The West" and disseminating hatred against Ukraine, Ukrainian nationals, and refugees from Ukraine through disinformation campaigns. Nationalistic hate speech has triggered and is fuelling the conflict, and its circulation also represents a challenge to the media sector and to internet intermediaries, which are asked to disentangle hateful narratives and provide the public with objective information about the Russian Federation's aggression. At the same time, the war of aggression against Ukraine has also had a negative impact on communities using Russian as their main language, including outside of Ukraine and the Russian Federation.

The arrivals of migrants and refugees have been labelled in political discourse and by media as "crises" in the last few years to create a consistent narrative that sees the rise of mixed migration movements to European countries as a cause of uncertainty, threat, and ongoing emergency to states and societies. This coupled with increasing anti-migrant hate speech since the arrival of a large number of refugees from Syria in 2015, together with fear of contagion and border control during the pandemic, has further consolidated a xenophobic discourse, and migrants and refugees remain one of the major targets of hate speech across the continent.

Finally, terrorist attacks have fuelled xenophobic feelings, and terror attacks themselves are equally fuelled by intolerance: for example, the attack fomented by homophobia that occurred in the Slovak Republic in 2022. Hatred against Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons – and in particular against transgender people – is on the rise all over Europe, which calls for effective institutional interventions to prevent and combat LGBTI-phobia at all levels.

Due to such crises, new challenges have emerged for the different actors involved in monitoring, analysing, preventing and combating hate speech. From the very definition of hate speech which has confronted new complexities, the urgency of increasing public awareness of disinformation,

which is particularly misleading and disruptive in times of crisis, to the need to better work with social media platforms (to get access to data, and foster collaboration with law enforcement) and to create inter-institutional cooperation involving those targeted by hate speech, stakeholders are expressing their concerns and setting their priorities, with the aim of making their approaches more comprehensive.

Much has already been done – by various actors and at various levels – to address hate speech in times of crisis, and promising practices across the continent have been tested, such as the implementation of legal measures to combat hate speech, coordinated campaigns online and offline by law enforcement and networks of stakeholders, education and counter-speech initiatives and some actions in support of those targeted by hate speech.

However, much still needs to be done, as this report shows, and comprehensive strategies still need to be designed, implemented, and assessed to better tackle hate speech in times of crisis. The recommendations to enhance the fight against hate speech in times of crisis include assessing and amending legal frameworks, as well as reinforcing law enforcement measures. Collaboration among stakeholders needs to be strengthened, including with a focus on the role and competences of specific actors such as media, national human rights institutions and equality bodies. Making public awareness and information campaigns a priority and providing support to those targeted by hate speech also appear as crucial measures to prevent and combat hate speech in times of crisis. Importantly, it should be recognised that it can be difficult to amend legal frameworks or make substantial policy or practical changes quickly in times of crisis. Therefore, it is essential to take steps to prepare good conditions of social cohesion in ordinary times to ensure a greater level of resilience to discriminatory and hateful speech in times of crisis. In this respect, it is suggested that member states and stakeholders closely follow the recommendations presented in the Recommendation CM/Rec(2022)16 of the Committee of Ministers to member States on combating hate speech.

Introduction

The Committee of Ministers of the Council of Europe adopted Recommendation CM/Rec(2022)16 on combating hate speech[1] in May 2022 at the highest possible level, a ministerial session. The Recommendation provides a set of guidelines for member states and other key stakeholders (including public officials, elected bodies and political parties, internet intermediaries, media, national human rights institutions, equality bodies and civil society organisations) on how to implement comprehensive and properly calibrated legal and non-legal measures to prevent and combat hate speech. The Recommendation was developed by the Committee of Experts on combating hate speech (ADI/MSI-DIS), which was established as a subordinate body to the Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI) and the Steering Committee on Media Information Society (CDMSI). The CDADI is also mandated to review promising practices at national level of the implementation of relevant aspects of the Recommendation within its mandate. In this framework, a study on measures to prevent and combat hate speech in times of crisis was commissioned by the CDADI to better understand:

a) whether crisis event(s) may trigger the spread of hate speech across society;

b) to what extent key stakeholders may be aware of this risk;

c) what measures member states can put in place to face and tackle a rise in hate speech caused by unexpected disruptions due to a national, regional and/or global crisis.

The present study investigates to what extent local or global 'crises' have an effect on – or are exacerbated by – hate speech and what measures and practices have been considered and implemented to prevent and combat hate speech in times of crisis, in accordance with the recently adopted recommendation of the Council of Europe on combating hate speech.

The study explores two different yet closely linked scenarios. The first is that crises can foster and intensify hate speech targeting specific individuals or groups deemed responsible for the situation. Hate speech in times of crisis may build on existing discriminatory or hateful narratives, and/or evolve from new narratives, targeting specific individuals or groups of persons because of their real or attributed personal characteristics or status. Secondly, in times of crisis, disinformation[2] campaigns can dominate public and political discourse and contribute to creating and spreading hate speech.

There are many examples of these phenomena, which can be mutually reinforcing. Concretely, the study will analyse, among others, the effects of hate speech in Europe during the Covid-19 pandemic; during the arrivals of large numbers of migrants and refugees since 2015; and hate speech following the outbreak of war of aggression against Ukraine[3]. It will also examine other types of crises that can occur in a particular country or context: for example, hate speech targeting a minority group following an attack.

---

1   See Council of Europe, Recommendation CM/Rec(2022)16 of the Committee of Ministers to member States on combating hate speech, adopted on 20 May 2022.

2   According to a Council of Europe report written by Claire Wardle, PhD and Hossein Derakhshan, Information Disorder - Toward an interdisciplinary framework for research and policymaking, published on 27 September 2017, disinformation represents "*information that is false and deliberately created to harm a person, social group, organisation or country*".

3   The Council of Europe joint statement on the aggression of the Russian Federation against Ukraine published on 8 March 2022 and the CDADI observations on the consequences of the aggression of the Russian Federation against Ukraine refer to an "*unprovoked aggression of the Russian Federation against Ukraine, an unjustified military attack*". In the study, the expression "full-scale invasion" refers to the start of the military attack by the Russian Federation on 24 February 2022.

Definitions

For the purpose of this study, the definition of **hate speech** provided in paragraph 2 of Recommendation CM/Rec(2022)16 on combating hate speech, is used:

> "*all types of expression that incite, promote, spread or justify violence, hatred or discrimination against a person or group of persons, or that denigrates them, by reason of their real or attributed personal characteristics or status such as 'race'[4], colour, language, religion, nationality, national or ethnic origin, age, disability, sex, gender identity and sexual orientation*".

As hate speech[5] covers a range of hateful expressions which vary in their severity, the harm they cause, and their impact on members of particular groups in different contexts, responses may, according to paragraph 3 of CM/Rec(2022)16, consist of a range of measures within an approach differentiating between:

   a)   hate speech that is prohibited under criminal law;

   b)   hate speech that does not attain the level of severity required for criminal liability, but is nevertheless subject to civil or administrative law; and

   c)   offensive or harmful types of expression which are not sufficiently severe to be legitimately restricted under the European Convention on Human Rights, but nevertheless call for alternative responses, such as: counter-speech and other countermeasures; measures fostering intercultural dialogue and understanding, including via the media and social media; and relevant educational, information-sharing and awareness-raising activities.

For this reason, several factors should, according to paragraph 4 of CM/Rec(2022)16, be taken into account, as well as the interplay between these factors, when assessing the severity of hate speech and determining the type of liability, such as: the content of the expression; the political and social context at the time of the expression; the intent of the speaker; the speaker's role and status in society; how the expression is disseminated or amplified; the capacity of the expression to lead to harmful consequences, including the imminence of such consequences; the nature and size of the audience, and the characteristics of the targeted group.

The Recommendation also specifies that there can be "*cumulative effects of hate speech that is based on multiple grounds*", requiring "*the need for an age- and gender-sensitive approach*" (paragraph 6 d of CM/Rec(2022)16).

Crisis[6] is understood as a situation of great difficulty, confusion, danger or suffering and more specifically as a singular event or a series of events that are threatening to a society in terms of health, safety or well-being. A crisis might however also represent a time of challenges and

---

4   Since all human beings belong to the same species, the Committee of Ministers rejects, as does the European Commission against Racism and Intolerance (ECRI), theories based on the existence of different "races". However, in this document, the term "race" is used in order to ensure that those persons who are generally and erroneously perceived as "belonging to another race" are not excluded from the protection provided for by the legislation and the implementation of policies to prevent and combat hate speech.

5   This report addresses hate speech, which should be distinguished from hate-motivated violent acts. The Committee of Experts on Combating Hate Crime (PC/ADI-CH) was mandated to draft by the end of 2023 a comprehensive Recommendation on combating hate crime including its investigation and victim support, building on the case law of the European Court of Human Rights and drawing upon existing Council of Europe texts. Hate speech that is punishable under criminal law is often referred to as a hate crime in this context.

6   In the Guidelines on protecting freedom of expression and information in times of crisis, adopted on 26 September 2007, a short definition of "crisis" is provided: *"the term "crisis" includes, but is not limited to, wars, terrorist attacks, natural and man-made disasters".*

opportunities to implement policies and effective measures to prevent the next crises and their negative consequences on societies and citizens. Depending on their magnitude, crises are also characterised by degrees of unstable complexity. If they have specific, localised causes, they represent a single, identifiable problem for which specific solutions can be found, and on which resources can be easily focused. If it is unexpected or of a magnitude or duration that undermines stability in fundamental ways, a crisis is not regarded as progressive but as disruptive and potentially destructive to established infrastructure and social structures, which may not be equipped to exist in turmoil and are impelled to act quickly to return stability to their activity.

Thus, **a time of crisis** can be defined as an experience of profound uncertainty coupled with a sense of urgency to take action to minimise or avoid potential negative outcomes. This sense of urgency is associated with a recognition that action is needed, as otherwise some negative consequences will follow. A time of crisis thus results in the paradoxical experience of recognising that somewhat urgent and decisive action is needed in a context of a seemingly unpredictable and profoundly uncertain situation. This can result in institutions, organisations, and people experiencing intense fear and anxiety, and this can cause a range of responses, from denial to concealment, from containment to collapse, from deferential action – when actors believe they have little to no agency during times of crisis, they likely defer their action to the guidance or direction of others – to creative outcomes, implying common efforts and innovative thinking.

As far as this study is concerned, current times of crisis are characterised by:

a)   global/transnational situations, such as the Covid-19 pandemic and post-pandemic; the Russian Federation's war of aggression against Ukraine; and negative reactions to the rise of mixed migration movements and related consequences; etc.

b)   more local/contextual situations, such as terrorist attacks in specific countries; a political crisis such as Brexit; social and political movements in some specific context or caused by some specific events (such as the Black Lives Matter protests following the assassination of George Floyd in 2020); institutional or localised geo-political crises (such as tensions at borders between two states); discrimination of specific groups of people seen as 'scapegoats' in a given context, etc.

Across Europe, the sum of such "crises" can generate an unprecedented (and concerning) scenario for governments, policy makers, civil society and citizens. However, it can also provide a great opportunity to reflect upon the definition, the (new) dynamics, the different forms and targets of hate speech, and to reassess the strategies, measures and practices to prevent and combat it.

Methodology and data collection

The study is a combination of complementary sections, based on a qualitative and quantitative analysis of data collected via questionnaires/interviews and via a software platform gathering data from social media platforms.

On the one hand, questions were asked to relevant stakeholders from a sample of member states of the Council of Europe, selected based on responses to a joint survey circulated in November 2022 and answered by members of the CDADI and the CDMSI, which *inter alia* invited to "*identify promising practices developed, and challenges faced by member states in preventing and combating hate speech in times of crises, for example during a pandemic, armed conflict or social unrest, etc*". A few other criteria were considered to ensure geographical spread, representativity and diversity of crises encountered in recent years throughout Europe. The selected focus countries are the following: Albania[7], Germany, Italy, Latvia, Romania, the Slovak Republic, and the United Kingdom.

For each country, six different stakeholder groups[8], which were identified as key actors in Recommendation CM/Rec(2022)16 on combating hate speech – were contacted in March 2023 and invited to participate in the survey through a questionnaire and/or an interview:

- a) Official representatives, public officials, parliaments and other elected bodies;
- b) Equality bodies[9] and national human rights institutions;
- c) Media representatives;
- d) Social media platforms;
- e) Civil society organisations;
- f) Law enforcement officers.

To each stakeholder, two sets of questions were posed, one set including specific country-related questions, and the other including general queries such as:

1) What concrete measures (for example policies, initiatives, and awareness-raising actions) have been implemented or will be implemented to monitor, address, and tackle the problem of hate speech in times of crisis in your country both on the internet and offline?
2) Are the general measures in place sufficient or are specific measures needed to prevent and combat hate speech in times of crisis?
3) How did crisis situations (for example the Covid-19 pandemic, the war of aggression against Ukraine, terror attacks) impact hate speech against individuals and groups in your country? What actions have been taken to tackle hate speech in these particular times of crisis? What worked? What did not work?
4) What is the greatest challenge faced when monitoring and addressing the issue of hate speech in times of crisis in your country? Can existing monitoring strategies help to detect crises? Can they inform measures to counter hate speech in times of crisis?
5) Could you provide an example of promising practice/lessons learnt in preventing and combating hate speech in times of crisis?

---

7   Albania was also covered in a study commissioned by the Council of Europe entitled Beyond definitions – A call for action against hate speech in Albania, published in November 2021, dedicated to discrimination of minorities in the country: relevant responses are included in this study.

8   For the complete list of interviewees, please see Appendix 1.

9   While equality bodies were approached, not all of them have a clear (legal) mandate to work on hate speech. For more information on the role of equality bodies, see ECRI, General Policy Recommendation N°2 revised on Equality Bodies to combat racism and intolerance at national level, adopted on 13 June 1997 and revised on 7 December 2017. See also Equinet – European network of equality bodies, Extending the agenda. Equality bodies addressing hate speech, published in 2018.

On the other hand, the investigation consisted of two case studies – particularly representative of the current "times of crisis" – for an in-depth analysis of:

a) online hate speech in connection to the Russian Federation's war of aggression against Ukraine;

b) online hate speech against Roma and Travellers[10] generated during the Covid-19 pandemic in Romania in 2020-2022.

These case studies are based on an analysis carried out by Trollrensics, by extracting and collecting data from various social media platforms using key words, hashtags, and links. The software contains a wide variety of scrapers, tools and artificial intelligence (AI) that can help to identify troll farms and organised campaigns. For instance, hate speech narratives aimed at Ukrainians were selected because they either were trending topics on Twitter (X) or were identified through key words in data research concerning the war of aggression against Ukraine. The feasibility of an investigation is determined by different factors, including consultation of people who are familiar with the cultural context that can help in selecting the correct language, key words and narratives and in interpreting the results. Moreover, the software can retrieve associated media (images, videos), and links to specific websites. This gives an opportunity to map which accounts spread them and whether accounts engaging in inauthentic behaviour[11] were actively taking part in the dissemination of hate. The software can do network analyses on accounts to determine whether they work together by analysing hashtags, texts, creation dates of accounts. Following data collection (scraping), the data was analysed, and findings were reported to answer the following questions/elements:

- Size of dataset, description of keywords, hashtags, links used to collect data.
- Was hate speech used before the crisis? Did it increase after the start of the crisis?
- Key moments when the hate speech narrative increased/peaked.
- Who are the actors/groups pushing the hate speech narratives?
- Which countries (based on language) are spreading hateful narratives?

Some limitations exist in the use of the software and related analysis as there can be accounts that use hashtags/key words identified as hateful or related to hateful narratives to alert other users or only because they are trending – without sharing content that can be considered hate speech. Regarding the case study on online hate speech against Roma and Travellers during the Covid-19 pandemic in Romania, a significant challenge is the temporal gap between the start of the Covid-19 pandemic and the investigation, which spanned over three years. This time lapse implies that a considerable amount of content may have already been removed from the Internet due to notice and takedown efforts. Due to the absence of initial measurements, it is impossible to compute a percentage or provide a relative comparison for the quantity of discriminatory content that may have been present during the peak of the crisis.

Based on the responses received and the online case examples, three main thematic areas were outlined, organised around the three key-words – *crisis*, *challenge*, *measure*:

a) state of play/perception of hate speech in times of crisis;

b) challenges faced or foreseen;

c) lessons learnt, promising measures and practices.

---

10 The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "Gens du voyage", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

11 Use of social media accounts or social media platforms to mislead people about the identity, purpose, or origin of the entity that they represent.

I. State of play: examples of hate speech in times of crisis

A discussion of the answers given by the different stakeholders from the seven selected countries (Albania, Germany, Italy, Latvia, Romania, the Slovak Republic and the United Kingdom) at the core of the interview questionnaires is complemented by the two aforementioned case studies on online hate speech which are particularly representative of the current "times of crises", namely online hate speech in connection to the Russian Federation's war of aggression against Ukraine and online hate speech against Roma and Travellers generated during the Covid-19 pandemic in Romania in 2020-2022.

1. Hate speech connected to the Covid-19 pandemic

The Covid-19 outbreak brought worldwide uncertainty and fear. Faced with unprecedented risks to public health, states often took extraordinary measures to contain the pandemic, including sometimes formally derogating from their obligations under the European Convention on Human Rights[12]. This had wide-ranging impacts on societies, among which was the massive use of technologies and social media platforms, and a considerable growth of materials published and shared online, including hate speech targeting minorities, health and other professionals, and institutions, as well as the flourishing of nationalistic rhetoric and the scapegoating of 'others', such as foreigners unfoundedly being blamed for the spread of the virus. For example, as noted in the explanatory memorandum to the Guidelines of the Committee of Ministers of the Council of Europe on upholding equality and protecting against discrimination and hate during the Covid-19 pandemic and similar crises in the future[13], the Covid-19 health crisis sparked waves of hate speech against specific targeted groups. Notably, a fear of "importing" the virus from abroad or that marginalised groups – such as migrants and refugees, Roma and Travellers and religious minorities – contributed to spreading it through their behaviour became widespread. In addition, hate speech from some politicians against foreigners and the uncoordinated closure of borders contributed to create new divisions within Europe.

These phenomena had different dynamics and heterogeneous effects across the seven countries reviewed for this study. According to a 2021 report by Ditch the Label[14], in the UK online hate speech rose by 20% compared to the start of the pandemic. The report also shows that hate speech spikes often correlated with major news events, in particular the World Health Organisation declaring the Covid-19 outbreak a pandemic in March 2020 and the Black Lives Matter protests in June 2020. Ditch the Label also reports on the rise of online abuse – including violent threats, references to violent events, slurs, epithets, tropes, and hateful imagery or symbols related to transphobia, racism, homophobia, sexism, misogyny, and against a wide range of identities – and its 'normalisation' during the pandemic, arguing that too little was done by authorities to provide safety and implement education programmes to prevent hate speech. In the Guidelines of the Committee of Ministers of the Council of Europe on upholding equality and protecting against discrimination and hate during the Covid-19 pandemic and similar crises in the future, it was noted that in the United Kingdom, politicians and the press pointed out on many occasions that the British National Health Service (NHS) heavily relied on doctors and other staff with a migration background and that a number of foreign-born health workers have died on the frontline.

---

12   See study prepared for the CDADI by Stéphanie Cramer Marsal, Christian Ahlund, Robin Wilson, COVID-19: An analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member states, published in July 2020.

13   See Council of Europe, Guidelines of the Committee of Ministers of the Council of Europe on upholding equality and protecting against discrimination and hate during the Covid-19 pandemic and similar crises in the future, published in May 2021.

14   See Ditch the Label, Uncovered: Online hate speech in the Covid Era, published in 2021.

The UK Home Office states that there were 155,841 hate crimes recorded by the police in England and Wales[15] in the year ending March 2022, a 26% increase compared with the previous year. This upward trend in police recorded hate crime is likely to have been mainly driven by improvements in crime recording by the police, reflecting efforts made to better understand the scale of the challenge and target resources[16], as well as to ensure that victims get the support they need. Broken down by characteristic, there were 109,843 recorded hate crimes based on "race", 8,730 based on religion, 26,152 based on sexual orientation, 14,242 based on disability, and 4,355 transgender hate crime. This picture is confirmed by Stop Hate UK[17], which also reports noticing an increase of hate speech and attacks against transgender people during and after the pandemic. The Home Office and the Ministry of Housing, Communities and Local Government (MHCLG) were working closely with the National Police Chiefs' Council during the pandemic to ensure that all police forces provided reassurance to affected communities and encouraged hate crime reporting. The Government also worked with civil society partners to understand whether there were issues of underreporting[18].

In Scotland, equality stakeholders highlighted concerns about the rise in online hate speech, in particular towards Chinese people and persons with disabilities. The Chinese community was also targeted in Italy, where the non-governmental organisation (NGO) COSPE Onlus noticed an open hostility towards the large and well-established Chinese community in Florence and Tuscany in 2020, and where the Osservatorio per la sicurezza contro gli atti discriminatori (OSCAD, the Observatory for safety against discriminatory acts)[19] recorded 46 hate speech/hate crime cases towards Chinese or people of Asian descent in 2020. In 2020-21, OSCAD also recorded several episodes of hate speech – including 31 antisemitic attacks – occurring via *zoombombing*, that is the unwanted, disruptive intrusion, generally by Internet trolls, into a video-conference call. This new phenomenon – specifically related to the pandemic crisis and its dynamics – caused a high level of anxiety, especially among older people that for the first time were interacting almost exclusively through video-conference platforms. However, *zoombombing* also produced a creative response by the Rete nazionale per il contrasto ai discorsi e ai fenomeni d'odio (National network for the fight against hate speech and hate phenomena), which in November 2020 authored and circulated a guide to prevent hate speech during video conferences[20].

During the pandemic, in Latvia one case of hate speech stood out. The blogger Niks Endziņš published a video on Facebook in January 2020, in which he incited national hatred and, among other things, invited to "*liquidate all of the Chinese*". The video spread rapidly, generated a lot of hate speech comments, and the police started a criminal investigation on incitement of hatred based on nationality[21]. The case is currently pending: the blogger has been condemned at first instance and again on appeal.

---

15   In England and Wales, the term 'hate speech' has no formal legal meaning. However, there are offences which could be said to broadly represent the criminalisation of 'hate speech' under certain circumstances. These are known as the Stirring Up offences. In England and Wales, these offences are in the Public Order Act (1986) and capture conduct which is:
   • Threatening, abusive or insulting, and likely or intended to stir up hatred on grounds of race.
   • Threatening, and intended to stir up hatred on grounds of religion or sexual orientation.

16   For instance, the UK Government funds the Online Hate Crime Hub, and the police have comprehensive powers to deal with activities that spread hate or deliberately raise tensions through violence or public disorder.

17   See Stop Hate UK.

18   See Council of Europe, Guidelines of the Committee of Ministers of the Council of Europe on upholding equality and protecting against discrimination and hate during the Covid-19 pandemic and similar crises in the future, published in May 2021.

19   See Italian Ministry of the Interior, Observatory for safety against discriminatory acts/Osservatorio per la sicurezza contro gli atti discriminatori - OSCAD.

20   See Rete contro l'odio (Network against hate), The rules to defend yourself from Zoombombing/Le regole per defendersi dallo Zoomboombing, published on 27 January 2021.

21   See Baltic News Network, Latvian blogger arrested for invitations to "liquidate all of the Chinese", published on 4 February 2020.

As reported by the Italian Polizia Postale (Italian Postal Police)[22], the pandemic has had a strong impact on cyberbullying, with 326 reported cases in 2020-21. Neither aggregated nor disaggregated statistics on hate speech produced and disseminated during the pandemic are available in Italy, but monitoring exercises conducted in 2020-2022 by Amnesty International and VoxDiritti association: the "Barometro dell'odio" (Barometer of hate) and the "Mappe dell'intolleranza" (Map of intolerance) respectively[23], show that peaks of online hate speech were recorded against migrants and asylum seekers hosted in reception centres (in particular in 2020-2021, as also confirmed by Openpolis Foundation)[24], against Roma and Travellers, and LGBTI people. Moreover, as argued in Amnesty International's special reports on pandemic-related hate speech - Intolleranza pandemica and Pandemia, comunicazione, discriminazione[25], the latter specifically on hate speech in a time of crisis - new targets of hate have arisen in 2020-21, among which journalists reporting on sensitive social issues, such as migration, doctors and nurses working in hospitals, homeless and marginalised people. The Rete nazionale per il contrasto ai discorsi e ai fenomeni d'odio also highlighted the rise of antisemitism and intersectional hate speech during the pandemic through its webinars and campaigns[26]. According to the Italian Ufficio Nazionale Anti-discriminazioni Razziali (UNAR, the Italian National Office Against Racial Discrimination), the pandemic and the 'infodemic'[27] have even radically modified the occurrence of discrimination and hate speech, by 'normalising' bad practice at various levels.

2. Hate speech targeting Roma and Travellers connected to the Covid-19 pandemic

An ongoing issue across several countries is the constant hateful rhetoric targeting Roma and Travellers, that was further aggravated during the Covid-19 pandemic as highlighted by the European Union Agency for Fundamental Rights (FRA)[28]. Antigypsyism and persisting negative stereotypes against Roma and Travellers are a concern for civil society organisations, who report that they are not seen as a priority by governments and elected bodies.

During the pandemic, Roma and Travellers in the Slovak Republic were accused of non-compliance with anti-pandemic measures, and of refusing to be vaccinated, thus facilitating the spread of the virus. In the first two waves of the pandemic in 2020, discrimination and exclusion of Roma and Travellers also resulted in mandatory quarantine of entire Slovak communities in the municipalities of Bystrany, Žehra, Ratnovce, and the towns of Krompachy and Bánovce nad Bebravou. According to the Slovak National Centre for Human Rights, the quarantine measures have had a very negative impact on people, including worsening their access to health care or medicines and – confirmed by the CSO Saplinq – reinforcing anti-Roma sentiment in society, spreading an attitude that could be summarised in the sentence "*I am not a racist, but the Roma…*". The same organisation,

---

22   See State Police Station/Commissariato di Polizia Stato.

23   See Amnesty International Italia, The barometer of hate/Il barometro dell'odio and Vox Rights - Italian Rights Observatory/ Vox Diritti- Osservatorio Italiano sui Diritti.

24   See Openpolis, Hate speech towards migrants and foreigners during the pandemic/I discorsi d'odio verso migranti e stranieri durante la pandemia, published on 13 May 2022.

25   See Amnesty International Italia, Hate barometer: pandemic intolerance/Barometro dell'odio: intolleranza pandemica and Amnesty International Italia, Pandemic, Communcation, discrimination/Pandemia, comunicazione, discriminazione, published in 2021.

26   See Rete contro l'odio.

27   *Infodemic* is understood as "too much information including false or misleading information in digital and physical environments during a disease outbreak. It causes confusion and risk-taking behaviours that can harm health. It also leads to mistrust in health authorities and undermines the public health response. An infodemic can intensify or lengthen outbreaks when people are unsure about what they need to do to protect their health and the health of people around them. With growing digitisation – an expansion of social media and internet use – information can spread more rapidly. This can help to more quickly fill information voids but can also amplify harmful messages" (definition by the World Health Organization, available at Infodemic (who.int))

28   See FRA, Coronavirus pandemic in the EU – impact on Roma and Travellers - Bulletin 5, published on 29 September 2020.

as well as the Public Defender of Rights, repeatedly criticised that these measures to isolate Roma communities were inappropriate and insufficiently justified, and they both considered that the fundamental rights and freedoms of the inhabitants in some areas had been violated[29].

In Romania, racist slurs and hate speech spiked on social media during the Covid-19 pandemic, with some people going as far as blaming the Roma and Travellers for the spread of the virus. According to Csaba Ferenc Asztalos, President of the National Council for Combating Discrimination, Romania's anti-discrimination and equality body, hate speech is *"especially present in times of crisis"* as *"resources are fewer, society is more tense, competition is higher, and then people resort to prejudices, false news, to gain or to maintain economic or political power. In this context, the Roma are the target of prejudice"*[30]. This is confirmed by a report published in 2020 by the NGO Actedo, showing that during the first year of the pandemic, Roma and Travellers were blamed for the spread of the coronavirus by public figures, influencers, politicians, and targeted as scapegoats, as shown in the case study below[31].

A case study: online hate speech targeting Roma & Travellers in Romania during the Covid-19 pandemic

This case study focuses on the Covid-19 pandemic period, to investigate any potential impact of crisis on online hate speech against Roma and Travellers.

Within this case example, attention was focused on three major social media platforms: Twitter (X), Facebook, and TikTok. The dataset looked at different types of content (memes, hashtags, key words, articles, links, videos). Each platform presented its own unique challenges in terms of data collection and analysis to investigate the extent of hate speech towards Roma people and Travellers in Romania related to the Covid-19 pandemic.

As already mentioned, online data on hate speech targeting Roma and Travellers during the Covid-19 pandemic was difficult to document due to the time elapsed between the start of the pandemic in early 2020 and the investigation, which spanned over three years. This time lapse implies that a considerable amount of content may have already been removed from the Internet by the users or due to notice and takedown efforts initiated by individuals who experienced discrimination or distress because of certain posts.

Conversely, it is also intriguing to observe the extent of content that has persisted over the past three years. At the same time, due to the absence of initial measurements, it is impossible to compute a percentage or provide a relative comparison for the quantity of hateful content that may have been present during the peak of the crisis.

Key words/hateful narratives

The initial set of keywords supplied for this investigation encompassed a range of slang terms referring to the Roma and Travellers (e.g., *Rom, Tigan, Cioara*) in masculine, feminine, and plural forms in Romanian. Additionally, the list included terms related to specific, well-documented events that occurred during the Covid-19 crisis. Upon conducting a preliminary examination, the keyword list was expanded to incorporate the term "ciorile" ("crows"), which yielded a considerable number of additional relevant results. This adjustment allowed for a more comprehensive analysis of the discrimination faced by the Roma and Travellers community in Romania during the pandemic.

---

29   Interviewed stakeholders from the Slovak Republic also elaborated on examples of institutional racism in the law enforcement and justice systems experienced by Roma and Travellers, and of cases brought forward before the European Court of Human Rights. The new Strategy for Roma Equality, Inclusion and Participation prepared by the Slovak authorities in response was also mentioned.

30   See UN News, Roma rights advocates warn of rising hate speech: Many 'don't even know' they're being racist, published on 7 April 2022.

31   See also the European Roma Rights Centre's The Roma Rights under siege: monitoring reports from one year of war in Ukraine that underlines Roma and Travellers as a target of hate speech in the context of the war of aggression against Ukraine and related migration movements towards other European countries (for example the Czech Republic), published on 28 February 2023.

The main discriminatory attitudes and hateful narratives about Roma and Travellers that were spread online during the Covid-19 pandemic in Romania underline a link with stereotypes and overgeneralisations based on disinformation that appear to be a common aspect of hate speech in times of crisis, such as:

- Roma and Travellers not respecting restrictions during the lockdown/state of emergency and related police interventions;

- The insurgence of violence during police interventions, linked to the fact that authorities imposed supplementary measures targeting Roma and Travellers communities (such as preventive quarantine; supplementary police patrols);

- Roma and Travellers organising weddings/parties during the lockdown/state of emergency;

- Roma and Travellers having funerals with too many participants during the lockdown/state of emergency;

- Roma and Travellers as agents of contamination blamed for the spread of the virus, due to their perceived characteristics as "dirty", "poor", "irresponsible";

- Roma and Travellers returning to Romania and causing "scandals" with the border control officers.

Examples of online hate speech on different social media platforms

Accounts promoting hate speech towards Roma and Travellers in connection to the Covid-19 pandemic were found on Twitter (X), but with a limited number of posts (the total number of posts was under 150), dating back to 2020-2021.

On Facebook, the presence of numerous "closed groups" introduced a significant practical challenge as part of the investigation. Due to the private nature of these groups, accessing and analysing their content was exceedingly difficult. The analysis therefore focused on Facebook posts published by media outlets and well-known figures, and highlighted two specific cases:

- *Observator*, the news journal of Antena 1 television, is one of the most popular programmes in Romania. On 3 April 2020, it published a news report on its website describing the quarantine of the city of Țăndărei, where approximately 800 Roma people, who reportedly returned to Tăndărei from England, Spain, or Germany, were guarded by the army to prevent them from leaving their homes. *Observator* published this article also on its Facebook page, and the post received 397 "likes", 111 comments, and 76 shares. Among the comments there were many racial slurs, such as "*Acum chiar ca nu mai vine hoti pe la ei sa-i fure*" ("*Now thieves really won't come to steal from them*"), "*Lăsă sa moară toate ciorile dă doamne la chinezi minte sa facă un virus să omoare toate ciorile din Romania*" ("*Let all the crows die, God, give the Chinese the idea to make a virus to kill all the crows in Romania*") and "*N-au lege, au legile lor țigănești*" ("*They don't have laws, they have their Gypsy laws*"). The discriminatory language in these posts towards the Roma community is amplified through the use of the term "ciorile" ("crows"), which is a derogatory term for Roma people in Romania.

- The "Vladimir Tismăneanu" incident. Vladimir Tismăneanu is a Romanian American political scientist, sociologist and professor at the University of Maryland, College Park. On 11 April 2020, he posted a photograph on his social media page depicting several birds (crows) perched on a fence. The image was accompanied by the text, "*Tăndărei Airport. All flights are cancelled*" along with Mr. Tismăneanu's comment, "Thank you very much". This post was deemed as racist, as it used the derogatory term "crows" as a reference to the Roma community. Later, Tismăneanu deleted the post and apologised: "*I hadn't picked up on its racist implications. I don't live in Romania, I don't know a lot of details*", he said. Following this incident, the National Council for Combating Discrimination (CNCD) in

Vladimir Tismaneanu
7 min · 🌐

Super tare, multumesc Denisa Comanescu

Aeroportul Ţăndărei

Toate zborurile sunt anulate

Romania took legal action against Mr. Tismăneanu. The case eventually reached the Supreme Court, where the CNCD won the case, thereby confirming the racist nature of the post and upholding the condemnation of Mr. Tismăneanu's actions.

On TikTok, a substantial number of search results shows the recurrence of a specific meme, which appeared in numerous variations. This meme is derived from a children's song about colours that identifies objects and their associated colours (e.g., "*Merele sunt roşii, Maşina de pompieri e roşie*", namely "*Apples are red, a fire truck is red etc.*"). However, the lyrics have been altered to "*ciorile sunt negre*" ("*crows are black*"), with again the use of the derogatory term "crows" as a reference to the Roma community[32].

Main findings of the case example

In this investigation concerning hate speech aimed at Roma and Travellers in Romania in connection to the Covid-19 pandemic, two important features stand out:

- Organic hate speech: although certain accounts identified apparently had the specific objective of spreading hate speech, most of the hate speech discovered did not show signs of being the result of coordinated inauthentic behaviour. This indicates that the hate speech is primarily organic in nature, which might be even more concerning: the individuals spreading the hate speech genuinely believe in their narratives and are disseminating this harmful content willingly. The crisis context seems to serve as a platform to disseminate pre-exiting rooted racist hate narratives.

- No objections: a second striking observation made during the investigation was the apparent lack of concern or motivation to address hate speech on multiple fronts. This indifference was evident in the actions (or lack thereof, that is lack of content moderation) of media companies on their Facebook pages as well as social media platforms themselves. The failure of these stakeholders to moderate, object to, or remove hate speech targeting Roma and Travellers demonstrates a troubling passivity in the face of such harmful content. This complacency may contribute to the normalisation of hate speech within online spaces, creating an environment where discriminatory language and attitudes can thrive. As these attitudes permeate public discourse, they can further marginalise and stigmatise already affected communities like the Roma and Travellers. For instance, the European Commission for Racism and Intolerance (ECRI) has noted with great concern the persistent and high incidence of anti-Gypsyism in Romania and that Roma people are often portrayed as 'thieves, liars, lazy' and systematically linked with criminality, which reinforces bias and increases their social exclusion[33] especially during a period of crisis such as the Covid-19 pandemic. The fact that hateful comments linked to the Covid-19 crisis are still present nowadays highlights the need for a more efficient moderation on social media platforms to ensure a more inclusive and respectful online environment.

---

32   Despite this association, the videos featuring this meme do not show any explicit racist statements and they generally seem to have a playful tone. Having said that, the pervasive presence of this meme in TikTok search results combined with its limited search functionality has significantly limited the investigation into the platform's potential dissemination of hateful content targeting the Roma community: conducting a comprehensive analysis of discriminatory and hateful content on TikTok has proven to be nearly impossible. Furthermore, no evidence was found suggesting that this meme is the product of a coordinated campaign: it indeed appears to be an original and spontaneous initiative.

33   See ECRI, 5th monitoring report on Romania, adopted on 3 April 2019, published on 5 June 2019.

3. Hate speech related to the rise of mixed migration movements

Most stakeholders interviewed agree that the rise of arrivals of migrants and refugees in their countries is a major trigger of hate speech. Many reported cases contain hateful content based on more than one personal characteristic. In this context, it is important to mention that Recommendation CM/Rec(2022)17 on protecting the rights of migrant, refugee and asylum-seeking women and girls[34] calls for measures to "*protect migrant, refugee and asylum-seeking women and girls from hate speech and sexism*" (paragraph 32). In its section on "State of emergency and crisis management", this Recommendation indicates that:

"*In situations of public health, humanitarian and climate change-related crises, member States should […] take into consideration the situation and needs of migrant, refugee and asylum-seeking women and girls in crisis management and recovery measures [… and] ensure that the measures taken during a crisis and any ensuing state of emergency conform with international obligations related to the human rights of migrant, refugee and asylum-seeking women and girls*" (paragraphs 43.1 and 43.2).

It is reported by the Albanian Commissioner for Protection from Discrimination that, since 2021, Afghan asylum seekers have been perceived as a threat in Albania, where they have been targeted by hate speech fuelled by stereotypes and disinformation ("*they are all Talibans*") spread by mainstream media. According to the Commissioner, portraying migration as a "crisis" has had a knock-on effect in terms of hate speech, but it could also turn into an opportunity if authorities and the media sector learnt from the "mistakes" made by 'old' immigration countries in framing and reporting on migration and instead immediately foster effective counter-narratives. Sensitivity and effective reactions to hate speech and hate crime in TV shows have much increased in the last few years, according to the Commissioner. Initiatives organised through the European Union/ Council of Europe joint co-operation programme "Horizontal Facility for the Western Balkans and Türkiye"[35] have also proved to be very effective for promoting diversity and inclusion, particularly in the countryside, where there are fewer awareness raising measures than in the capital.

A surge of hate speech against migrants and refugees has also been experienced in the UK, by virtue of the combination of Brexit and post-Brexit narratives with the Covid-19 pandemic. According to Stop Hate UK, slogans like "*Stop the boats*" or "*they come here to steal our benefits*" have fuelled a rise in anti-migrant and xenophobic hate speech, which has rapidly spread across the country and increased the support to extreme-right movements. Anti-migrant narratives were also often intertwined with other prejudiced narratives. As reported by Stop Funding Hate and Ethical Consumer, in a survey released in October 2022[36], anti-migrant hate in the UK media has been well documented for years. ECRI, in its 5th report on the UK[37], noted that certain tabloid newspapers, which are the most widely read national dailies, are responsible for most of the offensive, discriminatory and provocative terminology. In 2015, the UN High Commissioner for Human Rights urged British authorities[38] and media to take steps to curb incitement to hatred

---

34   See Council of Europe, Recommendation CM/Rec(2022)17 of the Committee of Ministers to member States on protecting the rights of migrant, refugee and asylum-seeking women and girls, adopted on 20 May 2022.

35   About Horizontal Facility, see Horizontal Facility (coe.int)., see also the Block the hatred. Share the love campaign.

36   See Stop Funding Hate and Ethical Consumer, Addressing subtle forms of hate in UK media coverage, published on 4 October 2022.

37   See ECRI, 5th monitoring report on the United Kingdom, adopted on 29 June 2016, published on 4 October 2016.

38   Note: the UK Government strongly supports editorial independence and does not interfere with what the media can or cannot broadcast or publish. With this freedom comes responsibility and the media is required to abide by the law of the land. For instance, there is an independent self-regulatory regime for the press. Most traditional publishers are members of the Independent Press Standards Organisation (IPSO). Some publishers have joined IMPRESS - The Independent Monitor of the Press, while others have chosen to stay outside either self-regulators working with their own detailed self-regulatory arrangements. The regulators enforce codes of conduct which provide guidelines on a range of areas, including discrimination, accuracy, privacy, and harassment. If they find that a newspaper has broken the code of conduct, they can order corrections. IPSO can also order critical adjudications and IMPRESS can levy fines.

by tabloid newspapers, after decades of "*sustained and unrestrained anti-foreigner abuse*"[39]. The National Union of Journalists argues that regulatory processes governing publishing should be made more robust.

Following the fraudulent presidential elections in Belarus and mass repressions against the peaceful protests and breaches of human rights and fundamental freedoms, resulting into imposition of sanctions by the European Union (EU) against Belarus[40], the Belarusian regime began actively luring nationals from Afghanistan, Iraq, Syria, Yemen and other countries, before encouraging and even forcing them to illegally cross the borders into the EU. These actions were accompanied by a massive disinformation campaign by Belarus authorities and state media to discredit the EU countries. This put pressure on the neighbouring countries of Latvia, Lithuania and Poland[41]. According to the Latvian Association of Journalists, these third country nationals allegedly became targets of hate speech in the form of graffiti and Islamophobic comments in terms of possible threats to the state security. An increase in anti-Muslim rhetoric and hate speech in Latvia[42] following the terrorist attacks in France (2015) and Belgium (2016) was noted in ECRI's latest monitoring report[43]. According to the Latvian Centre for Human Rights, hate speech against migrants and refugees was exacerbated during the pandemic when people, quarantined in camps, started protesting and clashing with the police. A video of their protests went viral, and generated hateful comments.

Similar trends were noticed in 2020 around the Black Lives Matter (BLM) movement. The Latvian Centre for Human Rights noticed an increase of hate speech caused by disinformation and prejudice, as many commented that Black people, seen or perceived as migrants, were 'naturally' violent, relying on newsreels portraying BLM mainly in terms of clashes and riots. An increase in hate crime and hate speech in the summer of 2020, following the widespread BLM protests, was also noted by Stop Hate UK, which however highlighted the positive effect that BLM has had on the fight against hate speech, given the amount of donations that private companies made to charities fighting racism and discrimination in UK society.

Even in countries in which migrants and refugees have been welcomed overall (such as Germany), public perception has changed in recent years, and more and more people have become more opinionated and radicalised[44]. According to the German Federal Ministry of Justice, targets are no longer only migrants and refugees, but also people or organisations that support them, as the

---

39   See Office of the High Commissioner for Human Rights (OHCHR), UN Human Rights Chief urges U.K. to tackle tabloid hate speech, after migrants called "cockroaches", published on 24 April 2015 and BBC News, Tackle tabloid 'hate speech', UN commissioner urges UK, published on 24 April 2015.

40   See European Council/Council of the European Union (2023), EU restrictive measures against Belarus, published on 27 February 2023.

41   See Think Tank of the European Parliament, Briefing - Instrumentalisation in the field of migration and asylum, published on 22 November 2022.

42   See ECRI, 5th monitoring report on Latvia, adopted on 4 December 2018, published on 5 March 2019, based on the European Network Against Racism – ENAR's 2015-2016 Shadow Report on racism and migration in Europe, published in 2017, p.10.

43   Similarly, ECRI also highlighted that the arrival of a large number of migrants and refugees and the terrorist attacks in Paris and Brussels in 2015 and 2016 were exploited by far-right parties among others to step up anti-migration hate speech in the Slovak Republic, see ECRI, 6th monitoring report on the Slovak Republic, adopted on 1 October 2020, published on 8 December 2020.

44   See ECRI, 6th monitoring report on Germany, adopted on 10 December 2019, published on 17 March 2020: *"Other parts of the population however, showed concern about the wave of migration. Hostile and xenophobic attitudes increased and the public debate worsened. The political party "Alternative for Germany" (AfD), which was founded in 2013, took a strong position against migration. The AfD politician Beatrix von Storch for example expressed on Facebook the opinion that border guards could use firearms against migrants that arrive at the border and do not respect the injunction to stop. Issues such as the investigation of large numbers of complaints of sexual assault and theft after the New Year's celebrations of 2015/2016 in Cologne and the suspicion that many asylum seekers were among the suspects, sparked a huge public debate, affected the general sense of security and contributed to increasing islamophobic and xenophobic sentiment and hate speech. Repeated public and media attention to other offenses allegedly committed by asylum seekers, the attack by an Islamist terrorist on the Berlin Christmas market on 19 December 2016 and other similar attacks in neighbouring countries further amplified fears, xenophobia and racism"* (paragraph 40).

murder of CDU politician Walter Lübcke, well known in Hesse for his liberal attitude towards people seeking asylum, by a far-right extremist in 2019 has shown. The NGO Society for Civil Rights[45] expressed similar concerns as local and regional elected representatives have been threatened together with their families[46].

<div style="background-color:gray;">

4. Hate speech and the Russian Federation's war of aggression against Ukraine

</div>

Racist narratives to justify the Russian Federation's war of aggression against Ukraine – that deny the sovereignty of Ukraine, the Ukrainian civic identity and Ukrainian culture – have been spread across the world and provoke tensions that jeopardise democratic stability throughout Europe. The UN Special Adviser on the Prevention of Genocide[47] cited "genocidal rhetoric" that refers to Ukraine as a "*fake nation*" that does not "deserve to exist". According to the 2022 ECRI annual report, "*it should be underlined that Russian leaders' false narrative, from the highest political level, describing the democratically elected Ukrainian Government and Ukrainians who did not consider themselves "pro-Russian" as Neo-Nazis was absurd, nauseating and an affront to the memory of the millions of victims of Nazism*"[48].

The below section describes the extent of the surge of online hate speech linked to the Russian Federation's war of aggression against Ukraine and the spill-over effect to other European countries. It focuses mainly on hate speech targeting nationals of Ukraine. ECRI notes in its latest annual report that the consequences of the war of aggression of the Russian Federation against Ukraine have also resulted in "*expressions of anti-Russian resentments and instances of discriminatory treatment*"[49].

A case study: online hate speech in connection to the Russian Federation's war of aggression against Ukraine

As part of the study, an analysis of hate narratives[50] was conducted, by tracking several key words used on Twitter (X) related to hate speech narratives in connection with the aggression of the Russian Federation against Ukraine. It is important to note that the Russian Federation's government banned the use of Twitter (X) for everyone within the state territory but itself in March 2022. Consequently, a lot of users from the Russian Federation started using VPN software to continue using Twitter (X). For most of the investigation, data was collected from 1 January 2022 to March 2023. Their analysis shows that the spread of hateful key words was very limited before the full-scale war of aggression started on 24 February 2022, as the scrutiny of accounts spreading the narrative "*Ukrainians are nazis*" shows. In the weeks before the full-scale invasion, such a narrative was hardly shared or discussed, whereas as soon as the military attack broke out, tens of thousands of tweets with this topic were sent per week.

As part of the investigation, a sample of several hundred accounts was also checked to see if the spreading of hate speech content had consequences in terms of content moderation. While the taking down of individual tweets cannot be tracked accurately, it is clear that lots of instances

45   See Society for Civil Rights/GFF – Gesellschaft für Freiheitsrechte e.V.

46   See also the report of the Council of Europe's Congress of Local and Regional Authorities, Hate speech and fake news: the impact on working conditions of local and regional elected representatives, published on 25 October 2022.

47   See UN News, Violence, rhetoric, hate speech, drive atrocity crimes in Ukraine and beyond, Security Council hears, published on 21 June 2022.

48   See Annual report on ECRI's activities covering the period from 1 January to 31 December 2022, published on 1st June 2023.

49   Ibid: it is worth mentioning that ECRI's monitoring of the Russian Federation was terminated in March 2022.

50   Please see Appendix 2 for additional narratives analysed as part of this investigation.

of hate speech remained visible and only a handful accounts were banned by Twitter (X), which does not seem to have consistently tackled hate speech related to the Russian Federation's war of aggression against Ukraine. The case example described here also elaborates on the hashtag #ZelenskyWarCriminal which, in combination with the hashtag #naziukraine and the aforementioned key words "*Ukrainians are nazis*" fully illustrates overall patterns, spill-over effects, and narrative life cycles across Europe, for example in the Netherlands.

Example of two dominant, and intertwined, hate narratives

#ZelenskyWarCriminal	Data
Time period scraped	1 January 2022 – 8 March 2023
Number of tweets	116,281
Total number of unique accounts in the investigation	24,366
Number of accounts created on or after 24 of February 2022	6,024

The hashtag #ZelenskyWarCriminal has been trending on Twitter (X) numerous times since the full-scale invasion of Ukraine. During this period and at the time of writing this study, there was no solid basis or evidence for a responsibility of the Ukrainian President Zelensky for war crimes and calling him a war criminal could therefore be considered propaganda, and defamation. This narrative does not directly refer to a protected ground, but it interacts with other narratives that are targeting Ukrainians, and President Zelensky is targeted as the head of a group that is the target of hate speech based on nationality.

Although the hashtag was already used before the full-scale invasion, its use was negligible (only recorded 10 times); the investigation highlights that 24.7 percent of the accounts using this hashtag were created after the full-scale invasion. The hashtag was used by accounts based in different European countries: among the top 20 accounts spreading this hashtag, 8 were based in Italy, 4 in France, 2 in the Netherlands and 2 in Spain. Tweets collected as part of the investigation were therefore written in several languages including English, French, Russian, and Italian.

The most shared link to a domain/source in tweets containing the hashtag #ZelenskyWarCriminal leads to the messaging platform Telegram. The Russian Federation state media outlet "Russia Today" also appears in the top 5 most shared domains/sources. Social media platforms Tiktok and Facebook are also present in the list of the top 20 most shared domains.

The hashtag #naziukraine is listed in the top 10 most used hashtags in this investigation, which indicates that accounts using the #ZelenskyWarCriminal are also pushing the narrative that Ukraine is a fascist country. This shows a clear link to the other key words analysed as part of the study, that is "*Ukrainians are nazis*":

| "Ukrainians are Nazis"	Data
Time period scraped	1 January 2022 – 8 March 2023
Number of tweets	1,343,213
Total number of unique accounts in the investigation	380,275
Number of accounts created on or after 24 February 2023	76,842

Since the full-scale invasion in February 2022, "*Ukraine is a nazi country*" – and all of its variations – is one of the most recurrent narratives used by the highest representatives of the Russian Federation[51] and other senior officials and their supporters. The term 'denazification' is used extensively to describe the goal of their 'military operation' in Ukraine. In the dataset, a total of 1,343,213 tweets were collected, of which 117,397 tweets were in Russian. The most used domain in the dataset is Telegram, the second is a far-right medium called Rumble. The third and fourth most used domains are Youtube and Wikipedia and in fifth place is "Russia Today". Parts of the videos on Youtube were removed as Youtube appears to actively delete propaganda and hate speech videos related to the war of aggression.

Narrative life cycles

Histogram of tweets per week from 1 January 2022 to 8 March 2023
containing the hashtag #ZelenskyWarCriminal

In the data collection period, a total of 116,281 Tweets were collected with #ZelenskyWarCriminal. The 116,281 tweets were sent by 24,366 accounts. The use of the hashtag started on 27 February 2022, a few days after the full-scale military attack started. Since the hashtag was used the first time in 2022, an average of 311 tweets with this hashtag were sent per day. On 10 October 2022 the use of the hashtag reached the peak of 5,438 different Twitter (X) posts: on that day the Russian Federation launched a massive missile strike across the entire territory of Ukraine, including the capital Kyiv, killing and injuring civilians and hitting critical infrastructure. Putin later stated that this attack was a revenge for the attack on the Crimean Bridge, also known as Kerch Bridge. Using a hashtag portraying President Zelensky as a war criminal on a day in which Ukraine was attacked by Russian missiles suggests that a clear manipulation of information was in place to justify the missile strike.
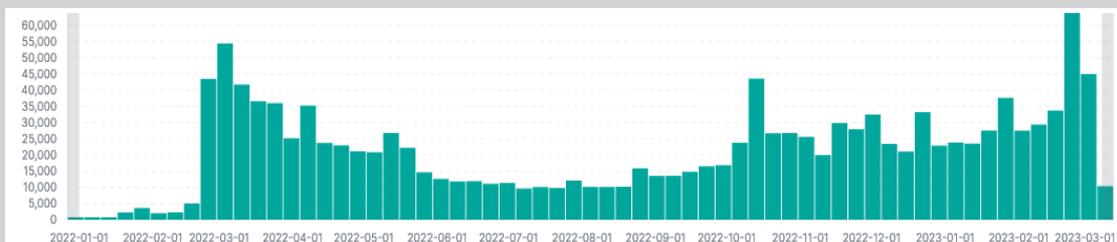
Histogram of tweets in English per week from 1 January 2022 to 8 March 2023
containing the 'Ukraine is a nazi country' narrative

The volume of tweets containing the narrative "*Ukraine is a nazi country*" grew following the outbreak of the Russian Federation's war of aggression against Ukraine. In the 54 days before the Russian Federation's full-scale invasion, the narrative is found in 403 tweets per day on average. From 24 February 2022 until 8 March 2023, the narrative reached an average of 3,505

---

51   See among others: article by Vladimir Putin "On the Historical Unity of Russians and Ukrainians" President of Russia (kremlin. ru) published on 12 July 2021, a news report by Time Magazine published on 3 March 2022 and an opinion piece published by Politico on 3 January 2022.

tweets per day. On 24 February 2022, the day the full-scale invasion started, a first peak in the use of the narrative "*Ukraine is a nazi country*", was recorded, which appeared in 10,331 tweets. A second peak with more than 10,000 tweets is visible on 10 October 2022, the day the Russian Federation attacked Ukraine with a massive missile strike (see above). A third peak with more than 10,000 tweets was recorded exactly a year after the Russian Federation's full-scale invasion of Ukraine, on 24 February 2023. A day later, on 25 February 2023, the narrative reached an absolute peak with 12,609 tweets, remaining high with 10,000 tweets over the following days.
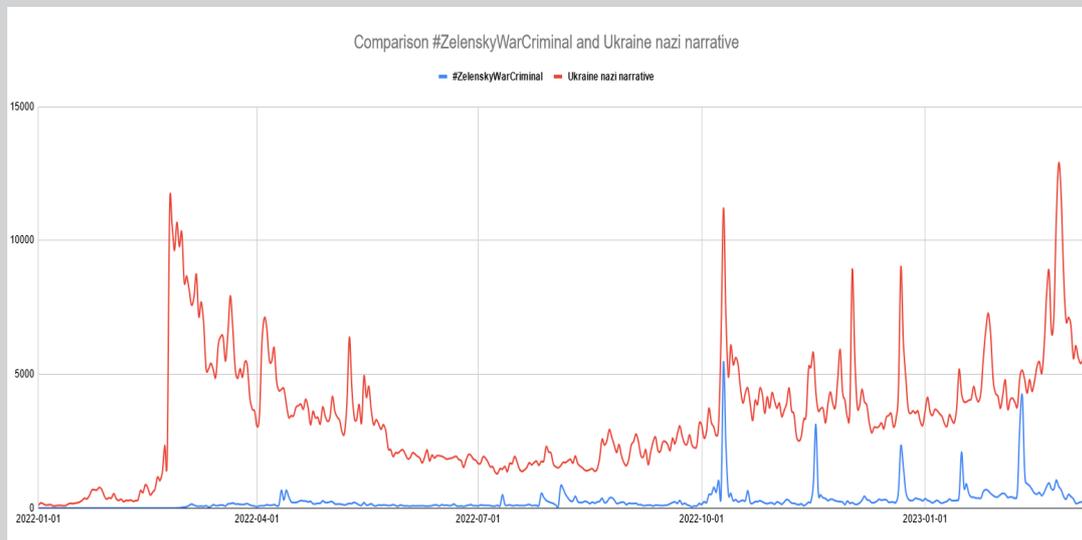
Line chart of Tweets per day of investigations #ZelenskyWarCriminal and "Ukraine-nazi"
from 1 January 2022 to 8 March 2023

If we compare the two datasets, there is an increase on dates where crisis events take place. As soon as the Russian Federation's full-scale war of aggression was launched in 2022, a significant increase in the usage of "Ukraine-nazi" narratives can be seen. These narratives show peaks on 21 March 2022, during the battle of Sumy, when a Russian airstrike damaged an ammonia tank. The "Ukraine-nazi" narratives also peak in the first week of April 2022, which correlates with the moment when the Bucha massacre was discovered. In August 2022, the volume of the "Ukraine-nazi" narrative began to grow slowly. On 10 October 2022, there is a notable overlap between the use of #ZelenskyWarCriminal and the "Ukraine-nazi" narrative. The use of the hashtag #ZelenskyWarCriminal reached its absolute peak on the same day the use of the "Ukraine-nazi" saw a high peak. As mentioned, the 10 October 2022 is the same day the Russian Federation unleashed its biggest barrage of strikes on Ukraine. On 16 November 2022, the "Ukraine-nazi" narrative peaked again in connection with the discourse surrounding the missile that had struck a village in Poland the day before. The first assessment of the missile attack by the United States pointed at Ukraine's responsibility, while President Zelensky stated the missile was Russian. Twitter (X) accounts reacted to these occurrences by re-launching #ZelenskyWarCriminal on 17 November.

On the 24, 25 and 26 February 2023, the "Ukraine-nazi" narrative reached the latest big peak. This is exactly a year after the 2022 Russian Federation's full-scale invasion of Ukraine. This graphic thus shows how different narratives related to disinformation, propaganda and hate speech merge and reinforce each other[52] and illustrates how such narratives go viral in connection to real world crisis events during the war.

---

52   This phenomenon was described at the Council of Europe's Conference of Ministers responsible for Media and Information Society on Artificial Intelligence Intelligent Politics - Challenges and opportunities for media and democracy held on 10-11 June 2021: *"Alongside significant positive effects, digital transformation has exacerbated the spread of disinformation, opened the door to online hate and contributed to the polarisation of society".*

An example of a spill-over effect in the Netherlands

Some of the hate speech narrative investigations were also conducted in the dataset 'Oekraïne', the Dutch word for Ukraine.
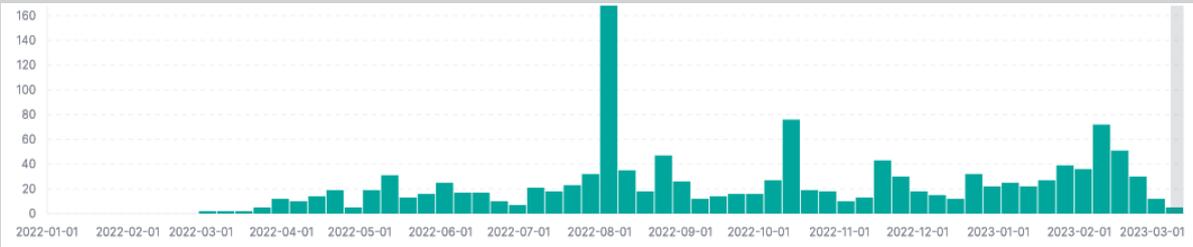
Use of Hashtag #ZelenskyWarCriminal in investigation Oekraïne (Dutch word for Ukraine)

In the Dutch discourse on Twitter (X) about Ukraine, the hashtag #ZelenskyWarCriminal was used for the first time shortly after the full-scale invasion. The absolute peak was recorded on 4 August 2022, in relation to tweets about an Amnesty International report that claimed the Ukrainian army was using tactics that could endanger the lives of civilians. Another notable peak can be seen on 10 October 2022, as described above.

The narrative "*Ukraine is a nazi country*" is also present in the dataset. In tweets written in Dutch about Ukraine, there are 25,723 tweets that refer to 'Nazis'; this represents 2.57 % of the tweets. The week with the most tweets containing this narrative came shortly after the Russian full-scale invasion of Ukraine started in 2022. The day with the most tweets containing 'Nazi' references about Ukraine was 10 October 2022, the day of the massive Russian missile strike on Ukraine. Tweets spreading this narrative originate from domains of both mainstream and 'alternative' news outlets. The analyses of the tweets in Dutch seem to indicate patterns similar to the ones found in English language tweets spreading disinformation and hate narratives when commenting on events in relation with the war.

Narratives	Number of tweets
#ZelenskyWarcriminal	999
Nazi/nazis	17,869

The table above shows the number of tweets containing such narratives. Hateful narratives clearly have traction in the Dutch debate about the war in Ukraine. By reading a selected sample of tweets, it becomes clear that there are many other prejudiced narratives such as "*why some Ukrainians who arrive in the Netherlands have an expensive car*", "*Ukrainians take up housing*", and "*refugees from Ukraine cost money*" in place.

As the case example outlines, the crisis provoked by the Russian Federation's war of aggression against Ukraine has also had an impact on hate speech production and dissemination beyond Ukraine's borders[53]. According to the Latvian Centre for Human Rights and the Latvian Association of Journalists, the war against Ukraine triggered hate speech targeting Ukrainians, Russians, and Latvians, and it has impaired inter-ethnic relations in the Latvian society. This has also resulted in a more active role of the law enforcement in the monitoring and responding to instances of hate speech on the Internet. Hate manifested itself also offline: for example, during a rally in support of Ukraine, a young man carrying a Ukrainian flag was attacked, many "Z" symbols were found on streets and buildings, and cars with a Ukrainian plate were destroyed; a case of discrimination

---

[53]   Regarding the situation in Ukraine see the Statement of the Advisory Committee on the Framework Convention for the Protection of National Minorities, published on 23 May 2022: *"The Advisory Committee is deeply concerned that the war has exacerbated in Ukraine the situation for interethnic relations, deepening the mistrust between persons identifying as ethnic Russians and the majority population. This will have an impact also on those persons who identify with other national minorities or as Ukrainian but use Russian as their main language of communication".*

against a Ukrainian woman at a car wash was also reported. From 24 February to 31 December 2022, the State Police of Latvia recorded 214 criminal offenses which may be related to the war against Ukraine or involving Ukrainian citizens; 20% of them were classified as possible hate crimes.

Moreover, in 2022 the police initiated 26 criminal proceedings in connection with public statements of persons regarding the justification and glorification of Russian war crimes. In 16 of them, the State Security Service identified incitement to national or ethnic hatred. The Latvian Ombudsperson[54] has expressed its concern for this phenomenon too, noticing an increase of criminal cases of public glorification or denial of war crimes and crimes against humanity, and the rise of political polarisation based on 'ethnic' or national markers to divide the public opinion and ignite hate speech in public discourse. The large Russian speaking community in Latvia has been exposed to Russian propaganda for a long time, and authorities have decided to ban Russian channels to prevent dissemination of propaganda. The State Police of Latvia has also thoroughly monitored social media and the Internet to assess the risk of hate speech related to the support for the Russian Federation's aggression against Ukraine and, for instance, to the demolition of monuments glorifying the Soviet era.

According to studies of the European Digital Media Observatory[55] and the NGO 45North[56], and according to representatives of the NGOs' Actedo and ActiveWatch who were interviewed for this report, anti-Ukrainians narratives that circulated in Romania consisted mostly of Russian propaganda, conspiracy theories, and fake news. In Romanian media, Ukrainians have been sometimes portrayed as being hypocritical, that is being in less need of support, shelter, and care compared to what they were actually receiving from the EU. For this reason, the National Audio-visual Council of Romania covered since 2022 in its monitoring the way in which the Russian Federation's war of aggression against Ukraine has been reported in the news and in talk shows/debate programmes. At its public meeting on 24 February 2022, the National Audio-visual Council of Romania issued its Recommendation No 9 on the Provision of accurate information to the public on the crisis in Ukraine (armed conflict with the Russian Federation)[57]. In addition, the press department of the Romanian Ministry of National Defence published a web article explaining how to recognise disinformation and frequently used Russian propaganda messages[58]. On a similar note, several intertwined anti-Ukrainian narratives have been identified within the above case-study on social media, such as "*Ukraine is an artificial state*", "*Ukrainians are Russians*", "*Ukraine is a fascist state*", "*Ukraine stole Northern Bukovina from Romania*". Active Watch considers that the aforementioned narratives are not any longer very visible in the public sphere, and not endorsed by any mainstream media or politicians.

In the Slovak Republic, the Slovak Centre for Human Rights conducted media monitoring in 2022 to map and analyse media coverage of the war: findings showed that right wing ideologies were spreading fast in the country and had a big influence on the public's perception of what happens in Ukraine[59]. Support for refugees from Ukraine, which was very strong at the beginning of the

---

54   See Ombudsman of the Republic of Latvia - Latvijas Republikas Tiesībsargs.

55   See EDMO, Ukrainian refugees and disinformation: situation in Poland, Hungary, Slovakia and Romania, published on 5 April 2022.

56   See 45north, Romanian Language Social Media Monitoring: Hate Speech against Ukrainian Refugees (January – June 2022)/Monitorizarea rețelelor sociale în limba română: discursul de instigare la ură împotriva refugiaților ucraineni (ianuarie – iunie 2022), published on 22 May 2023.

57   See National Audio-visual Council of Romania, 2022 annual report and annex 2.1, published on 10 April 2023: in 2022, the National Audio-visual Council of Romania reported that its Monitoring Directorate was assigned 449 referrals, the contents of which were related to the conflict against Ukraine. The members of the Council examined 370 complaints regarding the coverage of the Russian Federation's aggression against Ukraine in news broadcasts and debates.

58   See Press Unit of the Romanian Ministry of Defence, The online environment, bombarded by Russia with fake news/Mediul online, bombardat de Rusia cu fake news, published in 2021.

59   See Slovak National Centre for Human Rights, Depiction of hate ideologies in the media - Media monitoring for 2022, published in 2023.

war, was felt to be starting to shift to scepticism if not hostility. According to the NGO Saplinq[60], the Russian Federation's propaganda and disinformation has successfully disseminated a narrative meaning "*the state is helping them instead of Slovak citizens*".

According to representatives of the German authorities interviewed, the war against Ukraine has not had a massive effect on hate speech in the country, neither against Russians nor against Ukrainians, the major issue rather being disinformation and media's lack of objectivity. As a consequence, no special measures have been taken. At local level, though – especially in small towns or villages where refugees from Ukraine have been and are hosted – tensions have arisen, and law enforcement has been alerted in case of hate speech. Though less "violent" in tone and intensity (and with little media coverage) than the forms of hate speech reported after the arrival of migrants and refugees in 2015, according to the Society for Civil Rights, hate speech has started targeting refugees from Ukraine, also as a reaction to a recent "housing crisis" in Germany. People in fact have started complaining that "*refugees have better accommodation than our homeless people, than our poor*"[61]. The German authorities, however, do not have any specific survey or statistics about this nascent kind of rhetoric, which according to civil society organisations will require further investigation. Within this context, it is worth noticing that attacks against both Ukrainian and Russian nationals and refugees have increased in the country, as reported by Reuters[62], which mentions 109 offences recorded since the end of February 2022, including damage to property, insults and verbal threats, and 13 acts of violence such as bodily harm. According to Human Rights Watch, the war in Ukraine 'sparked' hate crimes in Germany[63]. This would also be the consequence of the systematic work of the Russian Federation's propaganda, which has been reported as being particularly aggressive and effective in the German Federal State[64].

UNAR and the Rete nazionale per il contrasto ai discorsi e ai fenomeni d'odio (National network for the fight against hate speech and hate phenomena) mention a meeting they jointly held with social media representatives in March 2022 about online polarisation as an effect of the war and followed up on Meta's unilateral decision to temporarily lower its community standards in Ukraine and neighbouring countries to allow the circulation of hate speech against Russian Federation's troops and soldiers[65]. During the meeting between UNAR, civil society and Meta representatives, the latter confirmed that they had introduced, for the first time, a new flexible approach to harmful content and hate speech. This approach authorised the circulation of hate messages in a specific area and revised a code of conduct, which was previously based on general criteria, on the basis of a geo-political evaluation.

As noted by the journalists' association Glornaliste Unite LIbere e Autonome – GIULIA[66], in Italy this crisis has again generated hate and misogynistic comments against female journalists, this time against those reporting from Ukraine. This ties in with a broader phenomenon that has been observed in recent years, namely journalists becoming a target of hate, particularly during the pandemic: in 2021, 232 episodes of hate and intimidation against journalists were in fact reported in Italy only, and the mapping study *Mappe dell'intolleranza* by VoxDiritti showed that in 2021 78% of online comments regarding journalists (in particular female journalists) were offensive

---

60   See NGO SAPLINQ.

61   See Washington Post, Russian disinformation is demonizing Ukrainian refugees, published on 8 December 2022.

62   See Reuters, Germany reports rise in attacks against Russian, Ukrainian migrants, published on 5 April 2022.

63   See Human Rights Watch, Ukraine War Sparks Hate Crimes in Germany, published on 30 May 2022.

64   See German Federal Ministry of the Interior and Community, Disinformation related to the Russian war of aggression against Ukraine, and see also Center for Monitoring, Analysis, and Strategy (CeMAS) – research paper written by Pia Lamberty and Lea Frühwirth, Pro-Russian Disinformation and Propaganda in Germany: Russia's full-scale Invasion of Ukraine, published in February 2023.

65   See Reuters, Facebook allows war posts urging violence against Russian invaders, published on 11 March 2022.

66   See United Free Autonomous Journalists/Glornaliste Unite LIbere Autonome | Giulia (globalist.it).

if not hate speech[67]. Similar concerns are raised by the National Union of Journalists (NUJ) of the UK[68], which claims that in recent years, UK journalists also came under pressure, threats and attacks, exacerbated by some politicians, for example, "*whipping up animosity towards so-called 'campaigning journalists', and dismissing news they would rather not see reported as 'fake news', serving to undermine public trust in journalism*".

5. Antisemitic hate speech fuelled by crises

The rise of antisemitic narratives in times of major crises is not something new: antisemitic conspiracy narratives that associate Jewish people to disease and contagion have a long history[69]. According to the 2020 ECRI annual report[70], the Covid-19 pandemic was used throughout Europe "*by various groups and individuals to spread conspiracy theories about the origin of the disease. This included, inter alia, antisemitic hate speech, blaming specific persons of Jewish origin or Jews in general for Covid-19 and thereby using age-old stereotypes to stir up anti-Jewish resentments and hatred*".

In Italy, as noted by UNAR and the Rete nazionale per il contrasto ai discorsi e ai fenomeni d'odio, the pandemic has not only revamped old antisemitic stereotypes and reshuffled conspiracy theories, but has also spread new antisemitic narratives and forms of hate speech, such as the banalisation and trivialisation of the Holocaust through historically inappropriate comparisons and via antisemitic memes (like the "happy merchant" meme), thoroughly studied by the Fondazione Centro di Documentazione Ebraica (CDEC) in Milano[71], which is also a member of the "Rete nazionale per il contrasto ai discorsi e ai fenomeni d'odio" civil society coalition. These trends were also noted in other European countries, such as Germany and France[72].

Jewish people have also been targeted by hate speech around the rise in the number of arrivals of migrants and refugees[73], which was depicted as a secret "Zionist" plan to destabilise Europe or attributed to a Jewish Hungarian-American businessman and philanthropist. In connection with the 2015 terror attacks in Europe, specifically the terror attacks in Paris in January and November 2015, it was insinuated, as was done in connection with the terror attacks on 11 September 2001, that Jews were informed in advance of the attacks, and/or were behind them[74].

According to several stakeholders, antisemitic narratives recycling 'old' stereotypes may have been fuelled in 2022-23 by the Russian Federation's war of aggression against Ukraine, and the targeting of president Zelensky and his Jewish background[75]. The data-analyses for the case study on hate speech in relation to the Russian war against Ukraine found tags clearly making reference to President Zelensky's Jewish roots, the Nazi period in Europe and other references often associated with antisemitism.

---

67   See Vox Observatorio Italiano Sui Diritti, La nuova Mappa dell'Intolleranza 6.

68   See National Union of Journalists (NUJ).

69   See the report commissioned by the EU, prepared by the Institute for Strategic Dialogue, The rise of antisemitism online during the pandemic, published in April 2021.

70   See ECRI, Annual report on ECRI's activities covering the period from 1 January to 31 December 2020, published in March 2021.

71   See Contemporary Jewish Documentation Foundation Centre/Fondazione Centro di Documentazione Ebraica Contemporanea - CDEC and the Foundation's 2022 annual report Annual report on anti-Semitism in Italy/Relazione annuale sull'antisemitismo in Italia, published in February 2023.

72   See report prepared by Institute for Strategic Dialogue for the European Commission, The rise of antisemitism online during the pandemic – A study of the French and German content, published in April 2021.

73   See Institute for Strategic Dialogue and B'nai B'rith International in partnership with UNESCO, Online Antisemitism: A Toolkit for Civil Society, published in 2022.

74   See Get the Trolls Out!: insights & Trends in Antisemitic Online Hate Speech, published in 2016, pp. 30 et seq.

75   See European Union of Jewish Students, Antisemitism and Holocaust distortion in the context of the war in Ukraine, published in March 2023.

6. Hate speech targeting LGBTI persons as part of different crises

The sixth ECRI report on the Slovak Republic[76] published in December 2020 suggests a negative dynamic has developed as a result of persistent hate speech against LGBTI persons. A major crisis in the Slovak Republic was the attack on 12 October 2022 in Bratislava, where two LGBTI people[77] were killed and a third person was wounded. This hate crime "*has been considered at the highest political level as the result of the long-term use of anti-LGBTI hate speech in political discourse*"[78]. As a reaction to the crisis, the Slovak Ministry of Justice called a meeting with 30 experts on extremism, asking for inter-department and inter-ministerial cooperation. State security and law officers also met with representatives of the LGBTI community, and with representatives of different religions, with the aim of enhancing dialogue to prevent extremism and guarantee support to victims of hate speech and hate crime.

In response to the Bratislava attack, a coalition of Slovak non-governmental organisations sent a public call to action to the government and the parliament, which included a set of recommendations to improve human rights in the country, which have remained unimplemented. According to the NGO Saplinq and the Slovak National Centre for Human Rights, systemic discrimination of LGBTI people in the Slovak Republic is a longstanding unresolved issue. The Slovak authorities indicated to ECRI that "*seven years on since the failed attempt to adopt a draft Action Plan for LGBTI persons for the years 2016-2019, the lack of support across the political spectrum in combination with the decreasing level of social acceptance of LGBTI persons in the country have prevented them from making progress on the development of a new action plan on this matter*"[79].

According to the interview with the NGO Saplinq, the resolution approved by the Slovak Parliament on 28 March 2023[80], which rejected the European Parliament's critical assessment of the standing of LGBTI people in the Slovak Republic, has, according to Saplinq, to some extent been perceived as undermining the condemnation of the attack against LGBTI people and diminishing the effort for the prevention of homophobia in the country. Saplinq claims this trend is reflected at national level: "*If you look at the Eurobarometer, popular support for LGBTI people is the lowest in Europe*".

In Latvia, LGBTI communities have been affected by hate speech in the last few years, including in times of crisis, such as during the Covid-19 pandemic. According to the latest country monitoring report by ECRI[81] published in March 2019, there is a "*lack of promotion of counter-speech among high-level political representatives and other public figures in response to racist and homo-/transphobic hate speech*" in Latvia. Anti-LGBTI propaganda is also intertwined with Russian Federation propaganda, which has increased in the last two years. During the interview with the Latvian Centre for Human Rights, it was explained that in Russian speaking communities, the negative perception of LGBTI people is much higher than in the non-Russian speaking population.

Commenting on the results of two independent monitoring exercises of Amnesty International and VoxDiritti, the Rete nazionale per il contasto ai discorsi e ai fenomeni d'odio (National network for the fight against hate speech and hate phenomena) reports that Italy has also seen a rise of hate speech and hate crime against LGBTI persons during and after the pandemic, especially relating to the parliamentary discussion around the "Zan" bill (2020-21) on "*measures to prevent and combat discrimination and violence based on sex, gender, sexual orientation, gender identity and*

---

76   See ECRI, 6th monitoring report on the Slovak Republic, adopted on 1 October 2020, published on 8 December 2020.

77   See European Parliament, Motion for a resolution on growing hate crimes against LGBTIQ+ people across Europe in light of the recent homophobic murder in Slovakia, published on 18 April 2022.

78   See ECRI, Conclusions on the implementation of the Recommendations in respect of the Slovak Republic, published on 10 March 2023.

79   *Ibid*.

80   See Radio Slovakia International, Slovakia rejects European Parliament's call to grant more protection to LGBTI+, published on 29 March 2023.

81   See ECRI, 5th monitoring report on Latvia, adopted on 4 December 2018, published on 5 March 2019.

disability"[82]. As a consequence of forced cohabitation due to Covid-19 lockdowns, homophobic and transphobic hate speech increased not only in public and political discourse, but also in private contexts: thousands of requests for help by those who experienced violence or threats during 2020-22[83] were reported by the Gay Help Line, run by the Gay Centre association in Rome.

As reported by ECRI, "*members of the LGBTI communities further fell victim of hate speech in some countries, where religious and political leaders blamed LGBTI people for the spread of Covid-19*"[84].

7. Hate speech and social-economic crisis

According to survey results for Northern Ireland, the socio-economic crisis represents a growing issue which has the potential to cause a rise in hate speech against people in a vulnerable situation – who often belong to national, ethnic and/or religious minorities and/or are elderly persons[85] and/or persons with a disability. This has practical implications for the ongoing provision of relevant support services and consequential impacts, which may increase vulnerability for a growing number of people in society, singling them out as scapegoats, and increase social conflict online and offline.

---

82   See Politico, LGBT hate crime bill polarizes Italy, published on 21 May 2021 and see also The Local, Zan bill: What is Italy's proposed anti-homophobia law and why is it controversial?, published on 24 June 2021.

83   See Gay Center, Homobitransphobia: Gay help line received 21,000 contacts – 41.6% about family violence/Omobitransfobia: Gay help line 21.000 i contatti – Il 41,6% riceve violenza in famiglia, published on 17 May 2023.

84   See ECRI, Annual report on ECRI's activities covering the period from 1 January to 31 December 2020, published in March 2021.

85   It should be noted that "elderly persons" are not protected categories in current hate crime legislation in Northern Ireland. Age is currently being considered as a protected category in forthcoming legislation as recommended in the Review of Hate Crime Legislation in Northern Ireland and will be the subject of future public consultation. In a wider context, elderly people were specifically targeted as a result of the worldwide spread of the Covid-19 pandemic, as stated by the UN Independent Expert on the enjoyment of all human rights by older persons in September 2021: *"during the pandemic, ageist comments and hate speech were ripe with older persons being blamed as the reasons for lockdowns and labelled as vulnerable and burdens to societies"*. Moreover, according to the NGO network AGE Platform Europe, almost a quarter of Twitter (X) posts concerning older people and Covid-19 in Europe were classified as ageist, some referring to the socio-economic crisis: *"older persons have been stigmatized, verbally abused and physically assaulted, as well as financially targeted: fraud and theft has become easier during the pandemic with many isolated older persons being targeted due to their perceived vulnerability"*.

II. Challenges and limits of existing measures to combat hate speech during a crisis

1. Identifying hate speech, a human rights concern

With regard to hate speech in general, but also hate speech during a crisis, the first challenge would be to **identify hate speech.** According to the Latvian Association of Journalists[86]: "*this is not always obvious, especially in multilingual contexts like Latvia*", which requires a good knowledge of language and cultures. Also, for the Romanian NGO Active Watch, the first challenge is to **differentiate between free speech and hate speech**, and encourage the general public to act responsibly and respect human rights and freedom of expression. This task became particularly important during the pandemic, when opinions became increasingly radicalised also due to the lack of trustworthy information. According to Active Watch, even the **warning labels for hate speech or fake news used** in various contexts have fuelled a generic distrust in the capacity to work together, as a society, and overcome the crisis.

The definition of hate speech and its challenging applications have also been at the core of the work of the Italian parliamentary commission "Segre" (2021-22)[87]. The final report reads that: "one is certainly always free to hate and that hate sentiment should be distinguished from hate speech. The freedom to hate is not, in fact, equivalent to the freedom to express hate speech, provided, however, that the latter is understood in a very precise and delimited sense". Given the controversies around the definition and the delimitation of hate speech, the heart of the Italian parliamentary commission report was the analysis of the existing **relationship between freedom of expression and the protection of personal dignity**. Within this context, the final report of the Commission claims that the state of the art of existing measures in order to counter hate speech is not sufficient.

Another important challenge is to **ensure that hate speech is perceived as a problem**, and the ways to counter it a priority. According to Actedo, in Romania hate speech is not perceived as a major concern by lawmakers and public authorities, that do not feel the need to set up coordinated and structured interventions. Therefore, hate speech is severely underreported and insufficiently sanctioned. This may happen all over Europe and indeed civil society organisations have asked European institutions to be more vocal to their member states, and to ensure that European recommendations or directives are consistently followed at state level.

2. Disinformation and hate speech intertwined

According to the Latvian Ombudsperson, the intertwined relationship between hate speech and disinformation is a concern: particularly during a crisis, **disinformation and false information is deliberately disseminated with the aim of triggering hate speech**, to discredit public authorities and the media, and ultimately to undermine democratic values. Since freedom of expression does not 'protect' only true information, it is possible to limit the dissemination of disinformation only if violations of regulatory provisions are found in the speech of an individual. At the same time, it is clear that disinformation to a large extent can be detrimental to the representation and perception of minorities, which then easily become a target of hate speech. According to the Ombudsperson's remarks, disinformation and stereotypes have, for example, been circulated during the arrival of refugees from Ukraine. In order to dismantle these false representations, a lot

---

86   See Association of Latvian Journalists – Latvijas žurnālistu asociācija.

87   See Italian Senate, Parliamentary commission for guidance and control on the phenomena of intolerance, racism, anti-Semitism and incitement to hatred and violence/Commissione parlamentare di indirizzo e controllo sui fenomeni di intolleranza, razzismo, antisemitismo e istigazione all'odio e alla violenza.

of resources have been allocated to addressing disinformation by providing the public with an objective representation of Ukrainians in the mainstream media and by investing in the integration of Ukrainian refugees into Latvian society.

To respond to challenges related to disinformation, the Council of Europe launched a Committee of Experts on the Integrity of Online Information[88] in 2022, with the objective to draft a Guidance note on countering the spread of online mis- and disinformation through fact-checking and platform design solutions in a human-rights compliant manner.

3. Addressing hate speech in public space and the internet

According to the Latvian Ombudsperson, another challenge is connected to the **notion of public space**. Public spaces are commonly understood as places that are accessible to the general public without restrictions, such as for example demonstrations, public meetings, the handing out of flyers or brochures on the street. But nowadays, hate speech most often manifests itself online, especially in times of crisis. Although the internet environment creates a sense of anonymity and blurs the line between public and private space, users should be made aware that most forums and platforms are open to a broad public, just like offline public spaces, and that expressing opinions and comments on the internet and sending a hate speech message via email to institutions, companies or associations can have legal consequences[89].

4. Effectively countering online hate speech

One of the greatest challenges identified by most stakeholders is **addressing hate speech occurring online, particularly in the context of crisis**. Several stakeholders noticed how challenging it is to cooperate with social media platforms, and make them accountable and take pro-active action investing more resources in prevention and moderator training, in line with the recommendations made in paragraphs 16 to 26 and 30 to 37 of CM/Rec(2022)16. It is hoped that there will be a new push for implementation of moderation, educating users, assessing risk and risk mitigation in the EU member states and beyond once the Digital Services Act[90] enters into force in February 2024. In Germany, following the entry into force of the "Network enforcement act" (NetzDG)[91], the Ministry of Justice achieved full cooperation only after fining social media platforms.

In Italy, OSCAD also claims that investigating and charging the authors of hate speech and platforms is often a big problem, as most of the social networks or virtual spaces, where hate speech can be found, have their legal headquarters abroad, which implies special cooperations between judicial authorities. According to the German "Society for Civil Rights", governments should, as foreseen in the German Network enforcement act, oblige online platforms to have a "representative" in each country, for the sake of accountability and for the transparency of public relations.

---

88   See Council of Europe, MSI-INF Committee of Experts on the Integrity of Online Information.

89   In principle, correspondence in the form of an e-mail which is not accessible to the general public should not be considered as communication in a public space. The case-law of the ECtHR on hate speech has paid sufficient attention to the extent to which hate speech has been disseminated. In many cases, these have been comments on the Internet, publications, even books with a fairly large circulation, flyers. At the same time, the ECtHR has stressed that the criteria for distinguishing between hate speech and free, democratic speech must be assessed in the context.

90   The Digital Services Act (DSA) applies to all digital services that connect consumers to goods, services, or content. It creates comprehensive new obligations for online platforms to reduce harms and counter risks online, introduces strong protections for users' rights online, and places digital platforms under a unique new transparency and accountability framework.

91   See German Federal Ministry of Justice, Act to Improve Enforcement of the Law in Social Networks (Network Enforcement Act, NetzDG)/Gesetz zur Verbesserung der Rechtsdurchsetzung in sozialen Netzwerken (Netzwerkdurchsetzungsgesetz – NetzDG), published in 2017.

Meta stresses the challenge of **effectively detecting online hate speech in its various forms and formats**[92], for example when it shows up as idioms and lexical nuances, which vary widely across cultures, languages and regions. Moreover, people sometimes share words that would normally be considered hate speech, but they do it to raise awareness for the problem or to use it self-referentially in an effort to reclaim the term: for example, derogatory expressions targeting LGBTI persons appropriated by LGBTI activists to neutralise their offensiveness and claim their political meaning. Furthermore, a lot of hate speech found on Facebook and Instagram is embedded in photos or videos, and memes might use text and images together to attack a particular group of people, and this is an even a greater challenge for technology that is used for automatic detection of hate speech.

5. Difficult access to data on online hate speech

According to Latvian public authorities, a big challenge that Latvia currently faces when monitoring and addressing hate speech – and this has become a much bigger issue in pandemic and post-pandemic times – is the **difficulty of obtaining data from IT providers** to be stored in case of administrative proceedings (with the notable exception of physical or emotional abuse against a child). Since 2022, in the Unified Events Register, that is the integrated State information system managed by the Ministry of the Interior, it is possible to classify "Crime that may contain features of a hate crime"[93], and this has made data collection and retrieval easier; however, identifying individual motives (racist, national, ethnic, religious and other motives) still requires manual work; and statistical data on hate crimes can only be obtained if, in the subsequent court proceedings, the act is qualified as falling under one of the articles of the criminal law which define hate crimes.

As far as the Italian parliamentary commission "Segre" is concerned, the difficulty of precisely defining and framing the phenomenon of hate speech makes monitoring exercises more challenging, especially in times of crisis, when under-reporting seems to increase due to the extreme vulnerability of victims and people targeted. As a result, structured data collection – with regard to both online and offline instances of hate speech and hate crime – is barely possible.

This leads to the related challenge of **accessing detailed information**, **and capturing disaggregated data on a sustainable basis** (see paragraphs 58-61 of CM/Rec(2022)16), to better understand when hate crime and hate speech peaks and what the motivational factors are (see paragraph 51 of CM/Rec(2022)16). Rather than just knowing if there was an increase in, for example, religiously motivated hatred, data should also indicate which religion the prejudice was directed against. This data could then be compared against external factors, such as crisis situations. According to civil society, it would also be important to update methodologies and criteria to **measure the impact** of the interventions taken to counter such hate speech.

6. Use of artificial intelligence for the prevention of virality

Among the challenges identified by social media providers like TikTok is the tendency of an image, video, or piece of information to be circulated rapidly and widely from one internet user to another, termed virality. Virality is particularly dangerous during times of crisis, where **inflammatory language and high volumes of hateful content can mobilise hateful groups and lead to real world violence**. Platforms typically use artificial intelligence (AI) to prevent virality. While platforms

---

92   See Facebook Transparency Centre, The challenge of detecting hate speech, published on 19 January 2022.

93   This promising practice was shared for reference even if it covers hate crime which may not necessarily include hate speech liable under criminal law. In fact CM/Rec(2022)16 paragraph 215 of the explanatory memorandum elaborates that data collection on hate speech should be separately from data collection on hate crimes, since the two phenomena may require different responses.

have significant language capabilities and coverage in the most spoken languages in the world, they do not perform effectively in less used languages, due to the limited size of the datasets on which AI trains itself. It is therefore challenging to implement language-specific signals. If a crisis occurs in a region where users communicate in a lesser spoken language, the effectiveness of the measures would therefore be affected.

Moderation quality appears to also be a major challenge. In times of crisis, communicating guidance to content moderators as quickly as possible would be an advantage, also to prevent mistakes made by moderators during fast-moving situations and to detect nuanced variations of hate speech at an early stage: that is why further investment in upskilling training and research would be recommended in line with paragraph 34 of CM/Rec(2022)16 and para. 140 of its explanatory memorandum. To cope with this challenge, TikTok emphasised the importance of monitoring activities that can help to predict, detect and better understand real-world crises through discourse analysis and comprehensively capturing crisis-related signals and their evolution.

7. Limited resources and lack of continuity to prevent and combat hate speech

For civil society organisations engaged in the prevention and combat against hate speech, a major challenge is the **scarcity of resources (including human resources)**, which means a lack of continuity and a limited impact on societies. This happens across the board. In Romania, Actedo claims that "*most actions undertaken to tackle hate speech stem from civil society*"; however, "*given the scarce resources of NGOs, the impact of such actions remains limited*". The same is noted in the UK according to StopHate UK: cuts of government budget are detrimental to civil society organisations engaged in pluriannual projects and activities.

In Latvia, the Association of Journalists wonders how addressing hate speech could be effective when resources to identify, analyse and combat it are limited. For civil society organisations, **keeping motivation on track** also becomes a challenge when state actors lack transparency and consistency in addressing hate speech. This can also contribute to a lack of trust in public authorities, in the media and even in the NGOs that see their efforts frustrated. In such a bleak context, civil society's voice and efforts to promoting good and virtuous behaviour get weaker and weaker, and demotivation occurs.

8. Need for enhanced education and training, including for crisis situations

Actedo and Active Watch in Romania claim that there is a need for mandatory antidiscrimination training for all professional categories working with Roma (attorneys, prosecutors, judges, police officers, social workers, psychologists, doctors, etc.), and this should be coupled with large-scale awareness-raising campaigns (see paragraphs 44 et seq. of CM/Rec(2022)16). Education should also play a much bigger role, and school curricula should be redesigned to include in line with Recommendation CM/Rec(2020)2 of the Committee of Ministers to member States on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials[94], more information on the history of Roma, including the Porrajmos and the forced assimilation experienced under the communist regime in order to diminish the prejudice in society, that in crisis situations can lead to the outbreak of waves of hate speech. In this vein, the Slovak government identified the need to reduce prejudice and stereotypes against Roma in its new Strategy for Roma Equality, Inclusion and Participation, by strengthening human rights education and education towards tolerance.

---

94   See Council of Europe, Recommendation CM/Rec(2020)2 of the Committee of Ministers to member States on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials, adopted on 1 July 2020.

UNAR in Italy has identified the need to increase training for different groups such as law enforcement officers, the judiciary, teachers, media professionals and victims of hate speech and hate crime. To improve the skills of Latvian law enforcement officers to recognise, prevent and combat violations based on racism, xenophobia and other types of prejudice, experts from the Latvian State Police College have developed the training material *Investigation of hate crimes*, which was approved through the State Police Order No. 20/4459 on 31 August 2022. In Italy, Austria and Croatia, a network of associations and public services focused on training professionals who are first contact points for people targeted by hate speech.

9. Shortcomings in the support for those targeted by hate speech

Providing victims and those targeted by hate speech with the right support (paragraphs 55 to 57 of CM/Rec(2022)16) is indeed a major challenge for several stakeholders, COSPE and Slapiq among others claim. In the Slovak Republic, for instance, there are only two counselling centres for LGBTI people, and that is concerning, considering that they are the first – and crucial – contact point between the those targeted by hate speech and the national institution.

10. Need for inter-institutional cooperation and comprehensive multi-stakeholder approaches

Enhancing effective inter-institutional cooperation is seen as a major challenge. In Germany, the government is aiming to foster further collaboration and coordination between the central state and the different Länder, and among the different stakeholders, as also suggested by paragraphs 62 to 63 of Recommendation CM/Rec(2022)16 on combating hate speech.

In Latvia a working group on legal accountability for expression of hatred was established by initiative of the Ministry of the Interior in June 2021. The working group found that the criminalisation of expressions of hatred does not always achieve the desired goal, and that it would be necessary to provide administrative liability until they reach the threshold of significant damage (see paragraph 3 of CM/Rec(2022)16). Taking into account the above, the Ministry of the Interior advanced proposals for the introduction of administrative liability for expressions of hatred, including on the Internet.

For the sake of prevention in Italy, UNAR is trying to strengthen cooperation between Public Institutions and civil society organisations (inter-institutional and multi-stakeholder approach). In addition, according to Saplinq, the mismatch between expectations of international institutions and the lack of coherence at national level is of concern: on paper, governments are requested to adhere to international recommendations, protocols, codes, etc., but they sometimes do not even engage, especially when the targets are not visible or strong enough to advocate for themselves. International institutions should therefore systematically monitor the application of such recommendations at national level.

In general, all stakeholders highlight the **need for more comprehensive approaches to prevent hate speech, including in times of crisis**. The huge amount of hate speech, its heterogeneous forms, and the complex reactions it can provoke, cannot be addressed only *ex-post* through legal measures on the one hand or through emergency work by NGOs and civil society organisations on the other. As stated in Recommendation CM/Rec(2022)16 on combating hate speech, state authorities, national human rights institutions, equality bodies, civil society organisations, the media, internet intermediaries and other relevant stakeholders should not only cooperate on specific initiatives, but also share data and best practice, and, via coordinated mid-term action plans, work more thoroughly on prevention.

III. Lessons learnt, promising measures and practices

1. Amendment and implementation of existing legal frameworks

Amendment and implementation of existing laws is seen as an effective measure to combat hate speech in general and in times of crisis in all reviewed countries. Enhancing the national legal framework can help states to react in a more effective manner in times of crisis. For example, the Slovak National Centre for Human Rights states that amending criminal law to add sex, sexual orientation, and disability to the existing grounds of discrimination already included in the article on Defamation of nation, race, or belief, would be an important step forward in fighting homophobia and providing equality bodies, national human rights institutions and civil society organisations with a more effective framework to respond to the perceived insurgence of hate speech against minorities and LGBTI people. A new strategy to combat radicalisation and extremism was also adopted in the Slovak Republic, aiming to collect data through periodic surveys, raise awareness, and find effective measures to combat radicalisation and extremism.

To address hate speech online in Germany, the "Network Enforcement Act" entered into force in October 2017. The act obliges social media platforms to take down unlawful content, including hate speech, with 24 hours after receiving a user complaint. A government evaluation of September 2020 stated that the Network Enforcement Act has significantly improved the complaint management and transparency of social network providers in dealing with illegal content[95]. In its assessment of this act, ECRI also highlighted several positive aspects in paragraphs 50 et seq. of its 6th report on Germany. After the enactment of the Network Enforcement Act in 2018, Germany furthermore assessed its legal framework on hate speech and hate crime and amended its criminal law twice: as previously stated, the decision to fine social media platforms is seen as a relevant measure to allow an effective collaboration in terms of reporting, that can also have a positive effect when dealing with hate speech in times of crisis.

In the UK, a review into hate crime legislation has been conducted[96]. In addition to this, hate crime has been listed as a priority offence in the forthcoming Online Safety Bill. The Online Safety Bill[97], introduced in March 2022, foresees the regulation of illegal or harmful content.

In 2021, the UK Government also requested police forces in England and Wales to disaggregate data on racially or religiously aggravated offences. This disaggregated data was then published for the first time in 2022, as part of the annual statistics on hate crime recorded by police. In Scotland, the new Hate Crime and Public Order (Scotland) Act 2021 will also consolidate, modernise and extend existing hate crime legislation. The Act will introduce new protections against offences aggravated by prejudice towards a person's age. The Act also provides for new 'stirring up of hatred' offences covering all characteristics protected in the updated legislative framework. In addition, the Act includes provisions requiring information about police recorded hate crime and convictions data to be published annually, and with greater detail where known. In addition, the Scottish Government published a new Hate Crime Strategy on 24 March 2023, to set the strategic

---

95   See Advisory Committee on the Framework Convention for the Protection of National Minorities, 5th opinion on Germany, adopted on 3 February 2022, published on 14 June 2022.

96   The UK Government asked the Law Commission, an independent statutory body that reviews the law of England and Wales and recommends reform where it is needed, to conduct a wide-ranging review into hate crime in England and Wales, in order to explore whether current legislation could be made more effective, and if additional protected characteristics should be added to the hate crime legislation.

97   If approved, this bill would make IT companies more accountable, and obliged to refer to an independent regulator, Ofcom, to keep their users safe. Under new legal duties of care, IT and social media companies would also need to prevent, identify and remove illegal content and activity online. The new regime would be overseen by the independent regulator, which would have a suite of enforcement powers to use against companies who failed to fulfil their duties.

priorities for tackling hatred and prejudice in Scotland over the coming years. In Northern Ireland, the Department of Justice is also developing a Hate Crime Bill which is expected to recognise intersectionality: this would be a significant innovation.

In Latvia[98], the Parliament's Committee on Criminal Law and Penal Policy recently considered the Ombudsman's proposal to provide for administrative liability for hate speech in relation to inciting national, ethnic and racial hatred, as well as inciting social hatred and discord. The competent Ministries and state institutions were tasked with drafting and submitting to the Parliament's Committee proposals for amendments to legal acts providing for administrative liability, including criteria by which it would be possible to distinguish administratively punishable incitement to hatred or discord from criminally punishable incitement of hatred or discord.

2. Creation of sustainable multi-stakeholder coalitions

Another effective measure on which most stakeholders agreed, is the creation of sustainable multi-stakeholder coalitions, in line with paragraph 62 of CM/Rec(2022)16. The Alliance against Hate Speech[99] was established in December 2019 in Tirana, as an initiative of the Ombudsman, the Commissioner for Protection from Discrimination, the Audiovisual Media Authority and the Albanian Media Council to fight the phenomenon of "hate speech" in all the dimensions in which it appears in the Albanian society. This coalition makes joint declarations, carries out monitoring exercises, circulates standards – with a strong impact particularly on the media sector – disseminates counter-narratives, shares information and makes it accessible to the wider public through a website, which can be an effective official tool to use in times of crisis. It is also currently trying to establish some form of collaboration with universities to better engage with scholars and foster more scientific approaches, to raise awareness among students, and to push academic institutions to have a more pro-active role in preventing and countering hate speech by adopting specific codes of conduct.

A coalition composed of a large variety of stakeholders, including universities and research centres, has been operating in Italy since 2020. Initiated by Amnesty International Italy, and officially launched as an independent network in July 2020, the "Rete nazionale per il contrasto ai discorsi e ai fenomeni d'odio" (National network for the fight against hate speech and hate phenomena) currently includes 37 stakeholders such as transnational NGOs and movements, civil society organisations, universities and research centres, professional bodies and associations of groups that have been targeted by hate speech. This independent network has developed a multilevel intersectional approach and has been engaged in advocacy initiatives, monitoring exercises, counter-speech campaigning, training activities, dissemination of information to the wider community, public seminars and webinars. Based on pro-bono and volunteering work, and a non-competitive but collaborative model among its members, it is currently working on codes to prevent and address hate speech in universities, media, schools, and local councils. It is also advocating for a permanent national commission on human rights in Italy and a more effective and comprehensive support to the victims of hate speech and hate crime.

Furthermore, an institutional multi-stakeholder approach with the aim of promoting constructive dialogue among relevant institutions and civil society organisations has been developed by UNAR

---

98   On 31 March 2022, the Latvian Parliament adopted amendments to the Law on Administrative Penalties relating to violations in the field of administration, public order, and use of the state language, that established administrative liability for aggressive behaviour. Administrative responsibility can be applied for aggressive behaviour that disturbs the peace of another person and is related to the threat of causing harm to the health or sexual integrity of a person or their relatives, if there is reason to fear that this threat may be carried out. The same sanction can also apply in cases intrusive harassment of a person, which manifests as tracking, surveillance or unwanted, intrusive and disruptive communication. Administrative responsibility may be applied regardless of whether the act of aggression was carried out by communicating with a person directly or remotely, including by sending letters, publishing information on social networks or performing other actions aimed at creating a feeling of insecurity.

99   See Advisory Committee of the Framework Convention for the Protection of National Minorities, 5th report submitted by Albania, published in May 2021.

which is a fully funded governmental agency under the Presidenza del Consiglio (Italian Presidency of the Council of Ministers). An established collaboration between UNAR, the Italian Ministry of Justice, the Ministry of the Interior (through the Observatory for safety against discriminatory acts - OSCAD), the Ministry of Education, and the AGCOM - the Italian Communications Regulatory Authority, already exists. Recently, UNAR has broadened its network through two EU-funded projects, "C.O.N.T.R.O" (2019-2020) and "REA.SON" (2021-23). The latter, in particular, has provided a broad institutional partnership among ministries, governmental agencies, municipalities, research centres, and of civil society organisations. This project seeks to establish a formal network that will draft a National Action Plan covering also hate speech including in times of crisis through lessons learnt from the Covid-19 pandemic, and to support research, training and awareness raising measures. To respond to increasing antisemitic hate speech, UNAR has also launched the "F.A.D.E." (Fight against Antisemitism through training and awareness raising activities) project (2022-2024), with the aim of fostering collaboration between the Italian Jewish communities and any institution engaged in combating antisemitic hatred. This project covers research, data gathering, training and awareness-raising measures.

Collaboration between law enforcement, local networks, and community centres has also been key in the UK to the creation of cohesion, the management of sensitive challenges, the prediction of hate speech and hate crime triggers, and to support those targeted by hate speech. For instance, the Strategic Hate Crime Prevention Partnership in Essex[100] has successfully fostered cooperation and dialogue with the local communities by employing an expert in hate crime prevention. In Northern Ireland, in response to the UK Government's calls for an international action to provide humanitarian aid to an increasing number of asylum seekers and refugees arriving in the UK, The Executive Office established a multi-agency Strategic Planning Group, including local communities and voluntary organisations, to facilitate planning and to identify how to support those most in need coming to Northern Ireland. Ensuring that newcomers are settled, and that the environment is as inclusive as possible is considered necessary to enhance acceptance by the wider community, which should thus help reduce potential for rising tensions and, as a consequence, of hate speech and hate crimes.

The Latvian Association of Journalists considers that the most promising practice in combating hate speech in times of crisis is to establish collaborative initiatives between public institutions and authorities, civil society organisations, and online platforms aimed at addressing hate speech at global and national levels by promoting responsible online behaviour and providing support to individuals and communities targeted by hate speech.

3. National and multi-layered strategies

Many stakeholders who speak about legal frameworks and multi-stakeholder cooperation, also raise the role of national strategies (see paragraph 5 of CM/Rec(2022)16). These different measures seem interlinked, particularly for the national authorities covered by the study.

To effectively respond to hate speech in times of crisis, in 2021, the Latvian State Police started developing a strategy for police presence on the Internet ("Internet police"), and in 2022 the Cybercrime Combating Department (CCD) was established in the Main Criminal Police Department of the State Police (MCPD). The State Police Order No. 1288 of 7 March 2023 (*On determining the jurisdiction of structural units for the investigation of criminal proceedings*) then attributed to the 5th office of the Criminal Police Department, among other things, the investigation of criminal offences related to inciting social hatred and discord.

In England and Wales, the Home Office has taken a number of measures involving different levels of governance and other stakeholders: for example, the UK Government has worked with the police to fund True Vision[101], an online hate crime reporting portal, designed so that victims of hate

---

100   See Future of Essex, The Strategic Hate Crime Prevention Partnership (SHCPP).

101   See True Vision, Stop Homophobic, Transphobic, Racial, Religious & Disability Hate Crime (report-it.org.uk).

crime do not have to visit a police station to report. As part of this, the UK Government also funds the National Online Hate Crime Hub, which is a central capability designed to support individual local police forces in dealing with online hate crime. The Hub provides expert advice to police forces to support them in investigating these offences.

Furthermore, in March 2023, the Home Secretary announced an increase of £1 million for the continuation of the Jewish Community Protective Security Grant in 2023-24: as part of this framework, the Government works closely with the Community Security Trust (CST) that monitors and supports victims of antisemitism, and their guidance supports the authorities to develop effective policy to prevent and respond to antisemitic hatred[102].

In Latvia the *Plan for reducing racism and anti-Semitism,* prepared in response to EU strategies[103], was listed as a measure that seeks to reduce expressions of racism and antisemitism, including that which is expressed through hate speech and crime. The forthcoming Plan for 2024-2027, is being drafted with involvement of state institutions, non-governmental organisations, and representatives of the Jewish community.

National strategic plans to reduce racism, antisemitism and discrimination towards Roma and Travellers have also been discussed and adopted in Romania and Italy.

4. Awareness raising, education and counter speech

Many stakeholders provided examples of how hate speech in times of crisis builds on entrenched discriminatory narratives, hate and disinformation about minority groups. Awareness raising, education and training, while not always specifically addressing a specific crisis, are listed by many stakeholders nonetheless as essential measures both to prevent and respond to hate speech.

As underlined in a Council of Europe toolkit for member states on Respecting democracy, rule of law and human rights in the framework of the COVID-19 sanitary crisis, "*spreading of disinformation may be tackled with ex post sanctions, and with governmental information campaigns*". A lesson learnt from this crisis is that "*states should work together with online platforms and the media to prevent the manipulation of public opinion, as well as to give greater prominence to generally trusted sources of news and information, notably those communicated by public health authorities*"[104].

In Italy, on the occasion of the Eurovision Song Contest (Turin, 10-14 May 2022) an initiative was launched in response to the effects of the pandemic and hate speech among youth. With the contribution of the artists participating in the contest, a series of clips were produced and streamed by RAI television on its social media to raise awareness towards discrimination, hate speech and hate crime. During the pandemic, the Italian Postal Police also reached around 820,000 students in 2800 schools via the campaign "Una vita da social"[105], co-designed with the Ministry of Education. After the pandemic – to respond to social isolation and marginalization also caused by Covid-19 – it launched the format #cuoriconnessi[106], a theatrical performance on words and their importance, which was later replicated several times in schools across the Peninsula.

On 7 February 2023, for the International Day against violence and bullying at school, the Postal Police was in dialogue with 200,000 students, and to raise awareness on cyberbullying, the docufilm "Senza rete" – co-produced by RAI and the Postal Police – was presented to 3000 students in Rome on 2

---

102   See UK Government, Protective security grant funding for Jewish institutions to continue, published on 12 April 2022.

103   The plans were prepared in accordance with the European Commission Action Plan of 18 September 2020 *A Union of Equality: EU anti-racism action plan 2020–2025* and the European Commission Strategy of 5 October 2021 *EU Strategy for Combating Anti-Semitism and Supporting the Jewish Living Environment (2021-2030)*.

104   See Council of Europe, Respecting democracy, rule of law and human rights in the framework of the COVID-19 sanitary crisis – A toolkit for member states, published on 7 April 2020, p.7.

105   See SIC Italia, Una Vita da Social (generazioniconnesse.it).

106   See #Cuoriconnessi project, #heartsconnected against Cyberbullying/#cuoriconnessi contro il Cyberbullismo.

February 2023[107]. Finally OSCAD, together with the Italian Postal Police, developed a comprehensive approach for the respect of anti-hate speech legislation based on prevention and education, which has included a series of measures that have proved to be particularly effective during the pandemic and in the post-pandemic period including setting up of a dedicated email address to report hate speech and hate crime; periodic training courses for police forces; and specific campaigns.

In Italy, the NGO COSPE emphasised the need to work with, and train, all the people working in school settings, i.e. teachers and students, but also headmasters, administrative and support staff – as hate speech is increasingly experienced not only in the classroom, but on the school premises, especially by children and adolescents. They have noted that training of support staff has helped to prevent and address hate speech in a more comprehensive way, reaching places and contexts which are not normally seen as problematic, like common areas and school corridors. To address hate speech among young people in particular, COSPE and the NGO Zaffiria developed a video game to support the work of teachers and educators, with partners in Italy, France, Germany, Poland, and Lithuania[108]. Within the EU-funded project "Effetto Farfalla", a partnership of stakeholders led by COSPE and including the University of Bologna, Amnesty International, Lunaria, Emergency and the Rete nazionale per il contasto ai discorsi e ai fenomeni d'odio has promoted and organised the hackathon *Le parole per dirlo. Ideazione di una campagna di comunicazione sul contrasto ai discorsi d'odio* (March-May 2023), a challenge open to 30 university students aiming at creating campaigns to prevent and combat the new forms of hate speech spreading online and offline[109].

In order to improve the skills of Latvian law enforcement officers to recognise, prevent and combat hate speech and hate crimes that are based on racism, xenophobia and other types of prejudice, experts from the State Police College developed the methodological material *Investigation of hate crimes*, which was approved with the State Police Order No. 20/4459 on 31 August 2022. This was followed by the project *Building capacity and raising awareness to prevent and combat intolerance in Latvia - CALDER[110]*, consisting of a needs-based training programme and the implementation of a training cycle run by 73 experts from all over Latvia. The project enhanced the capacity of the police, the prosecution, and the judiciary to effectively identify hate crimes and hate speech and prosecute them.

To prevent and counter hate speech, TikTok designed specific campaigns and initiatives, such as:

- #CreateKindness, a global campaign and a creative video series aimed at raising awareness around online bullying[111];

- #SwipeOutHate, a campaign in partnership with sports organisations like the Union of European Football Associations (UEFA) and with the support of famous footballers, against hate in football and to make the most of TikTok's safety tools[112];

- a partnership with the World Jewish Congress (WJC) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), which makes educational resources about the Holocaust and antisemitism easily accessible[113];

---

107 See Commissariato di Polizia Stato - Polizia Postale, Rome: presentation of the documentary film "Senza rete" against cyberbullying/Roma: Presentato il docufilm "Senza rete" contro il cyberbullismo, published on 2 February 2023.

108 See Educast, Play your role: video games against hate speech, published on 23 April 2021.

109 See University of Bologna, The words to say it — Social service/Le parole per dirlo — Servizio sociale, published on 26 April 2023.

110 See Republic of Latvia – Society Integration Foundation, Preventing and Combating Intolerance in Latvia (CALDER) | Sabiedrības integrācijas fonds, published on 22 August 2022.

111 See Social Media Today, TikTok Launches New #CreateKindness Campaign to Combat Online Bullying, published on 9 June 2021.

112 See UEFA, TikTok joins UEFA's Sign for an Equal Game campaign, published on 8 June 2021.

113 See UNESCO, TikTok joins forces with UNESCO and the WJC to combat denial and distortion of the Holocaust online, published on 27 January 2022.

5. Coordinated online counter-narrative initiatives

Coordinated online interventions have proved to be an effective measure to control and reduce hate speech in social media following a triggering event (see paragraphs 53 and 54 of CM/Rec(2022)16). In Scotland, the "Dear Haters" campaign[114] was launched by the Scottish Government in partnership with Police Scotland. The campaign, developed in 2020 to respond to a reported rise in hate crime and hate speech as a result of the Covid-19 pandemic, consisted of a series of letters addressed to perpetrators of hate crime which stated that "*your hate has no home here*", and were signed "*Yours, Scotland*" to encourage those who read them to report hate speech and hate crime if they had witnessed it, especially following the increase in online hate speech during the pandemic. The impact evaluation of the 2020 campaign indicated that individuals are willing to act and report after experiencing or witnessing hate crime and hate speech if they feel part of a common initiative. Moreover, as far as the Home Office is concerned, the use of counter-narratives and hashtags on social media following the Westminster Bridge terrorist attack in 2017 reduced the spike in online hate speech thanks to a coordinated effort among Metropolitan Police, civil society organisations, and local faith groups.

In terms of collective and coordinated efforts to promoting counter-speech and combating hate speech online, a further example of promising practice is the Task Force Hate Speech (TFHS) led by Amnesty International Italy[115], a group of 30 activists selected on a yearly basis, who are trained, and active daily in the monitoring and countering of online hate speech. Created in 2016 and fully developed in 2018-2020 to respond to the increase of polarisation and hate speech online, the TFHS engages in online conversations in response to hateful content and comments published in the social media pages of mainstream media and influencers, with the aim of producing and disseminating effective counter-speech, challenging 'haters', and making the targets of hate speech feel less isolated. Working remotely, activists engage in groups to support each other and give their action strength, continuity, and resonance.

Illustrative example: an effective transnational measure?

Another example of a coordinated online intervention is the NAFO-movement launched in May 2022 on Twitter (X)[116]. NAFO stands for North Atlantic Fella Organisation, as a parody of the North Atlantic Treaty Organization (NATO). Within this movement, people use a profile picture of a cartoon Japanese Shiba Inu dog and add Langley, Virginia as their location, where the Central Intelligence Agency (CIA) is headquartered. Through this, members try to suggest that NAFO is a covert CIA-operation. To become a Fella, a person must donate money to charity or a good cause in Ukraine: the NAFO-website provides a list of organisations. A group of artists called forgers create a profile picture based on the wishes of the new NAFO member. NAFO-accounts react to hybrid warfare, propaganda and hate speech related to the war in Ukraine. The movement grew immensely in one year; there are currently thousands of Fellas. The NAFO-movement works on the following lines:

- When NAFO bombards an account with memes, the effect is that other propaganda accounts do not dare to react because they will also be bombarded with memes;

- Once there are enough reactions to a post, Twitter (X) adds a disclaimer under the tweet stating that content may be misleading;

---

114   See Scottish Government 'Dear Haters' Campaign implementation, published on 23 September 2019.

115   See Amnesty International Italia, Task Force: Discover Amnesty's specialist activism working groups/Task Force: scopri i gruppi di lavoro di attivismo specializzato di Amnesty.

116   See among others: Center for Strategic & International Studies (CSIS), NAFO and Winning the Information War: Lessons Learned from Ukraine, published on 5 October 2022 ; The Hill, Can the West create a NAFO that's built to last beyond Ukraine?, published on 20 December 2022; Center for European Policy Analysis (CEPA), NAFO's Fellas Must Evolve, published on 5 January 2023.

- NAFO members report accounts which spread hatred and Twitter (X) often bans these accounts as a result, which is an effective way to combat propaganda and hate speech;

- In general, the enormous number of NAFO accounts and their tweets reach a tremendous number of users of Twitter (X) and therefore have a significant impact on the debate concerning Ukraine;

- President Zelensky thanked NAFO on several occasions for their relentless work on countering hate and propaganda related to the Russian Federation's war of aggression against Ukraine.

6. Interventions led by social media platforms

Paragraphs 30 to 37 of CM/Rec(2022)16 contain concrete recommendations on how internet intermediaries should themselves identify expressions of hate speech that are disseminated through their systems and act upon them in the framework of their corporate responsibility and in line with the further recommendations in CM/Rec(2022)16, as well as Recommendation CM/Rec(2016)3 on human rights and business and Recommendation CM/Rec(2018)2 on the roles and responsibilities of internet intermediaries. Social media platforms claim to be at the forefront in addressing hate speech. As a best practice, Meta mentions its network of trusted partners including over 400 non-governmental organisations, humanitarian agencies, human rights defenders and researchers from 113 countries around the globe. These partners help the platform inform its content moderation strategies and policies. Through the publication of its quarterly *Community Standards Enforcement Reports* (CSER)[117], Meta also tracks progress on how policies are constantly enforced, including policies against hate speech and organised hate. According to the social media platform, data on the prevalence of hate speech on Facebook and Instagram capture not only what the platform has identified as hate speech and removed, but also what has been missed and what users actually flag.

Regarding times of crisis, Meta reported that it has designed an internal Crisis Policy Protocol (CPP)[118], to assess risks and responses more thoroughly. Developed by consulting over 50 global external experts in national security, conflict prevention, hate speech, humanitarian responses and human rights, the CPP anticipates risks and is informed by past crises to ensure that key points of learning are incorporated. For warfare scenarios, Meta also has dedicated teams to address the way that social media is used during conflicts and periods of violence more generally, and to mitigate the impacts of wars. In February 2022, after the Russian Federation's full-scale invasion of Ukraine, Meta established a special operations centre staffed by experts from across the company, including native Russian and Ukrainian speakers, to monitor and respond to the rapidly evolving conflict in real-time, and to capture nuances of hate speech, protect groups at heightened risk of violence, and address the potential for rumours and disinformation to contribute to offline physical harm. For example, the platform has made adjustments to its policy to allow content in Ukraine from those expressing their fury at the invading forces[119]: a decision that was the subject of intense discussions and criticism from civil society organisations and international institutions[120].

TikTok argues that its Guidelines already reflect a "zero tolerance" approach to hate speech. Under its "Hate speech and Hateful Behaviour" policy, the social media company does not allow any hateful behaviour, hate speech, or promotion of hateful ideologies, including content attacking

---

117   See Facebook Transparency Centre, Community Standards Enforcement Report.

118   See Facebook Transparency Centre, Crisis Policy Protocol, published on 25 January 2023.

119   See Meta, Meta's Ongoing Efforts Regarding Russia's Invasion of Ukraine, published on 26 February 2022.

120   As an overview on hate speech policies of major platforms during the COVID-19 pandemic, see UNESCO, The "hate speech" policies of major platforms during the COVID-19 pandemic, published in 2021. On the specific change of policy by Meta as a result of the Russian Federation's war of aggression against Ukraine, see The Intercept, Facebook's Ukraine-Russia moderation rule prompt cries of double standard, published on 13 April 2022.

a person or a group of people because of 'protected attributes', such as caste, ethnicity, national origin, race, religion, tribe, immigration status, gender and gender identity, sex, sexual orientation, disability, or serious disease. Furthermore, under the "Violent and hateful organizations and individuals" section, it states that it does not permit the presence of violent or hateful individuals or organisations on the platform, not even indirectly (for example, by someone referencing a quote from a hateful organisation).

As far as TikTok is concerned, the most promising measure, however, would seem to be the platform's content moderation implementation and appraisal. TikTok endeavours to detect and remove harmful content before it is reported to the platform by its users or third parties. To do so, a series of pro-active measures have been recently taken, such as:

- automated review in real time, once any material is uploaded to the platform;
- review of text-based content through symbol lists, including emojis repurposed for or associated with hateful behaviour;
- hashed content identification;
- blacklisted URLs;
- manual review/moderation, in case of popular content flagged for further review, user/third party reporting, targeted sweeps, external referral reports (such as from law enforcement), and removal orders.

TikTok also claims to have adopted new strategies and tools to "identify and detect harmful trends before they reach the stage of virality" and to anticipate event-specific trends and narratives, which could be particularly helpful in times of crisis. For instance, the platform has prepared an action plan aiming for:

- early intervention and scenario planning (e.g. in case of elections, protests, memorial days) to prevent hate speech virality;
- post-crisis containment: even when a crisis is over, on-platform user behaviours often outlast the crisis;
- recognising the importance of local expertise to expedite reaction time in case of more localised crises, and to prevent the diffusion of disinformation-related hate speech.

The platform's Safety team may also pivot resources towards crisis-handling, and programme managers are required to analyse crises to identify key entities and socio-demographic complexities and consider policy solutions that can be applied in the medium and long term to enable stronger enforcement against hateful and extremist entities.

7. Direct cooperation with victims and groups targeted

Hate speech has wide-reaching effects in society that not only affect the immediate target or victim, but whole communities and ultimately society as a whole: support to those targeted by hate speech therefore appears as crucial, in particular in times of crisis (paragraphs 55-57 CM/Rec(2022)16). Given the effect of the Covid-19 pandemic on the occurrence of discrimination and hate speech, and the spread of disputable administrative practice at various levels in Italy, during the pandemic UNAR sought to increase opportunities for exchange and dialogue with civil society organisations which were in direct contact with people targeted by hate speech, and has initiated a system of control and monitoring of administrative measures adopted to respond to pandemic emergencies, assessing their implementation and effectiveness. For example, UNAR has been vigilant on the provision of assistance and essential goods to citizens to prevent discrimination, and has flagged administrative acts issued by local administrations to contain the spread of the

disease which were found to contain elements of ethnic bias, in particular with regard to Roma[121].

Through the EU-sponsored Stand Up for Victims project (2020-22)[122], a network of associations and public services – in Italy, Austria and Croatia – was established with the aim of providing victims of hate speech and hate crimes with access to services, harmonizing a national referral system, raising awareness, and training professionals who normally are the first contact point for victims. Starting from a human rights-based approach, the project also aimed to enhance the victims' agency and to acknowledge both direct and indirect targets' needs, in order to foster community service and local welfare.

---

121   See UNAR, Covid-19 emergency: UNAR writes to ANCI "No to discriminatory municipal ordinances on food aid"/Emergenza Covid-19: l'UNAR scrive all'ANCI "No a ordinanze comunali discriminatorie sugli aiuti alimentari", published on 6 April 2020.

122   See COSPE Onlus, Stand Up For Victims' Rights.

Recommendations from the study

The recommendations below aim to strengthen the preparedness for and efficacy of combating and preventing hate speech in times of crisis, based on this review of promising practices and the different measures that have been adopted. Many of them need to be implemented in a permanent way even before the outbreak of a crisis in order to be able to react effectively in times of crisis.

– **Legal frameworks** need to be assessed regarding their effectiveness in order to be prepared to react effectively to hate speech in times of crisis. As the report shows, in case of unexpected circumstances – such as a pandemic, a war, terrorist attacks against a minority or perceived as caused by a minority – the legal framework needs to provide public authorities, law enforcement, the media sector and other relevant stakeholders with a comprehensive and calibrated framework, and specific criteria to evaluate, moderate, and prosecute instances of hate speech in times of crisis.

– **Guidelines, examples and training should be developed** to allow stakeholders to distinguish the different layers and different degrees of severity of hate speech, in line with paragraphs 3 and 4 of CM/Rec(2022)16, and to decide what measures (criminal law, civil/administrative law or alternative responses as outlined in paragraph 3b of CM/Rec(2022)16) should be taken.

– **The law enforcement system needs to be prepared for the management of hate speech in times of crisis**, including through training and the creation, support and coordination of specialised units among the police and the prosecution to investigate and prosecute online hate speech reaching the criminal threshold. As the analysis of data from social media platform has shown, awareness needs to be raised on intertwined and combined hateful narratives spreading through a variety of accounts. This requires a consistent monitoring activity within a clearly defined legal framework (see also CM/Rec(2022)16 §§ 58-61 and its explanatory memorandum) that can use the most advanced approaches to retrieve and analyse huge data sets. Efforts should be made to ensure that monitoring is undertaken including in minority languages, thus being reflective of the diverse societies in which hate speech can occur.

– **Collaboration among stakeholders** should increase. Multi-stakeholder coalitions are proving to be effective, namely in times of crisis when new challenges emerge in terms of understanding the situation and its evolution, complementing strategies, elaborating joint crisis communication and counter-narratives, maximising resources and guaranteeing and incentivising sustainability. Civil society organisations should be recognised as key actors in preventing and combating hate speech, in particular those that monitor hate speech and support those targeted by it, and be acknowledged, listened to and given resources and agency.

– **Public awareness and information campaigns** should become a priority, as they are essential to combating negative stereotypes, bias, and discrimination against minorities, which are the ground on which hate speech grows. Hateful campaigns towards minorities, often seen as 'scapegoats' in times of crisis, should be actively countered, not only disincentivised. Disinformation is particularly disruptive in times of crisis, as the study shows: certain political actors are keen to polarise the public opinion for propaganda purposes; the highest representatives of the state, public authorities and civil society organisations may fail to engage in counter-speech; and social media platforms

may struggle to identify and moderate the increasing amount of hateful content. New comprehensive approaches are needed to equip the public with reliable information and to foster education campaigns at all levels, from primary schools to universities.

– **Media broadcasting companies and news outlets** are key actors in combating hate speech and advocating for human rights in times of crisis. Regulatory frameworks should reflect the media's key social role in promoting equality, diversity, inclusion and non-discrimination[123], and ensure the protection of and support to journalists who, in times of crisis, can easily become a target.

– Due to the **prevalence of online hate speech in times of crises, internet intermediaries** and in particular social media platforms should ensure effective and transparent content moderation policies and practices[124], and develop and implement processes for crisis responses tailored to the relevant legal, cultural, linguistic, socio-political and historical contexts.

– **Equality bodies and national human rights institutions** should step up their efforts to tackle discrimination and, where covered by their mandate, hate speech in times of crises at all levels and be sufficiently resourced, mandated and independent in order to do so. As the pandemic has shown, in times of crisis minority groups are at risk of marginalisation and isolation, and are disproportionately targeted by hate speech. Abuses need to be promptly monitored and flagged, to avoid further discrimination.

– Especially in times of crisis, all stakeholders should focus on **giving assistance to those who are directly and indirectly targeted** by hate speech (for example members belonging to a certain minority or group of the person directly targeted) and raising victims' awareness of their rights, and of the resources available to report hate speech and to seek support and protection, as recommended in paragraphs 55 to 57 of CM/Rec(2022)16. Support to those targeted by hate speech needs to be based on a thorough assessment of risks and potential targets, including on intersecting grounds, which in times of crisis need to be accurately identified and taken care off.

---

123   See also CM/Rec(2022)16 paragraphs 38-42.

124   See also CM/Rec(2022)16 paragraphs 30-37

Conclusions

A great deal of measures and interventions have been specifically designed or trialled to combat and prevent hate speech, including in response to crises, in the last few years across Europe.

Much has been done to raise awareness on what hate speech actually is, how it changes and evolves, and what its consequences and societal impact are. There was a general effort to better understand, in line with paragraphs 2 to 4 of the Council of Europe's Committee of Ministers Recommendation CM/Rec(2022)16 on combating hate speech, what types of hate speech should be legally prohibited without infringing on the right to freedom of expression, and to enhance collaboration among different stakeholders (in particular among state representatives, law enforcement, and the media sector) to better tackle hate speech through different means, and not just within a criminal law framework.

In fact, as most stakeholders claim, the large amount of hate speech produced and disseminated, its varying forms, and the complex reactions it can provoke, cannot be addressed only ex-post through legal measures on one side or by a unilateral intervention on the other side. As stated in CM/Rec(2022)16, state authorities, national human rights institutions, equality bodies, civil society organisations, the media, internet intermediaries and other relevant stakeholders should not only cooperate on specific initiatives or in state of emergency, but through coordinated mid-term action plans focusing on prevention as much as protection, including through prosecution. Thus, they become properly prepared to act quickly and effectively also in times of crisis.

For such purpose, multi-stakeholder coalitions are growing across the continent, which is a positive outcome of the recent crises, as institutional actors seem to understand that they need to rely on civil society organisations on a regular basis to make monitoring exercises more consistent, implement their prevention campaigns, reach the wider public, and better provide victims with legal assistance and psychological support.

In terms of addressing hate speech, more efforts should be made to understand how hate speech evolves, particularly in times of crisis, when disinformation triggers polarisation, social panic, and discrimination towards minority groups that are deemed responsible for a crisis situation. As the analysis of social media data has shown, hateful narratives are not easy to identify and tackle when they are intertwined with disinformation and well embedded in pre-existing discriminatory narratives and disseminated through a variety of sources and accounts. They are also very difficult to combat for their international circulation and transferability, which makes the application of codes of conduct and legal frameworks challenging. Without deeper monitoring exercises and studies, and a close collaboration among governments, other public authorities, independent equality bodies and national human rights institutions, research centres, civil society organisations and social media platforms, disentangling such narratives proves very difficult, and to some extent ineffective. Disinformation machines and transnational movements spreading hate speech across Europe are fully aware of this gap between policies and their applicability and use it at their own convenience.

More effective monitoring exercises also mean more thorough data collection. Data collection and the analysis of disaggregated data are indeed areas that still need improvement, particularly to address online hate speech. The creation of reliable datasets based on homogeneous criteria at national and international level is needed to provide updated and comparable information on the different forms of hate speech, their causes and their targets. Moreover, more complete, intersectional datasets allow the different actors involved in preventing and combating hate speech to identify new strands of intervention in times of crisis which can increase hate speech, with practical implications for the ongoing provision of support services to a growing number of people in a vulnerable situation who are targeted by hate speech.

All this requires consistency and continuity from several viewpoints. First, a political continuity: political actors need to see hate speech towards minorities (such as Roma and Travellers, LGBTI people, refugees from Ukraine) as a priority or a matter of concern. Civil society organisations often need to supply societies with their expertise and work to improve the response to hate speech. But without recognition, support, and human and material resources their actions are limited and often not sufficient. Continuity also implies more efficient communication and coordination at institutional level. Law enforcement has significantly improved in many contexts, but sometimes it does not yet seem to be sufficiently complemented by the action of other institutional actors, in particular with regard to prevention (education, training of civil servants) and support to those targeted by hate speech. Last but not least, the application of European standards in terms of human rights and the protection of minorities (such as Roma and Travellers and LGBTI people), looks uneven across the continent, often requiring more investment to implement the standards developed at national and international levels.

Appendix

Public officials and authorities

"Elie Wiesel" National Institute for the Study of the Holocaust (Romania)

Cabinet Office (UK)

Federal Ministry of Justice (Germany)

Ministry of Culture (Latvia)

Ministry of Interior (Romania)

Ministry of Interiors (Latvia)

Ministry of Justice (Slovak Republic)

National Audiovisual Council (Romania)

Prosecutor's Office attached to the High Court of Cassation and Justice (Romania)

Telecommunication and Media Law, Protection against Digital Violence; ePrivacy (Romania)

Equality bodies and national human rights institutions

Commissioner for Protection from Discrimination (Albania)

Equality and Human Rights Commission (UK)

Ombudsman's Office (Latvia)

UNAR - Ufficio Nazionale Antidiscriminazioni Razziali (Italy)

National Council for Combating Discrimination (Romania)

Internet intermediaries

Meta

TikTok

Media

Associazione "Carta di Roma" (Italy)

Associazione "GIULIA giornaliste" (Italy)

Journalist Association of Latvia (Latvia)

National Union of Journalists (UK)

USIGRai (Italy)

Civil society organisations

ActiveWatch (Romania)

COSPE (Italy)

Equality and Human Rights Action Centre - Actedo (Romania)

Latvian Center for Human Rights (Latvia)

Rete nazionale per il contrasto ai discorsi e ai fenomeni d'odio - National network for the fight against hate speech and hate phenomena) (Italy)

Saplinq (Slovak Republic)

Society for Civil Rights (Germany)
StopHateUK

Law enforcement officers
Osservatorio per la sicurezza contro gli atti discriminatori OSCAD (Italy)
Polizia Postale (Italy)
State Police of Latvia (Latvia)

Appendix 2 – Additional narratives from the case study on online
hate speech in connection with the Russian Federation's war
of aggression against Ukraine

Cabal Ukraine narrative

Since the full-scale invasion in February 2022, several articles have been published stating that some people believe Putin is fighting a war against the "cabal in Ukraine": a false narrative used to justify the war of aggression by the Russian Federation. By "cabal", users of the term refer to an elite - usually Jewish - engaged in a power grab to control the world. The narrative that Putin is fighting a justified war against this group and that war should be waged against 'powerful Jews in Ukraine' is antisemitic. To find out the extent to which this theory is present on Twitter (X), Trollrensics was used to scrape for terms related to this narrative.

Investigation:	**Cabal Ukraine narrative**
Platform:	Twitter (X)
Data scraped from:	1 January 2022
Period analysis:	1 January 2022 – 7 March 2023
Searchstrings:	cabal & ukraine | kabal & ukraine
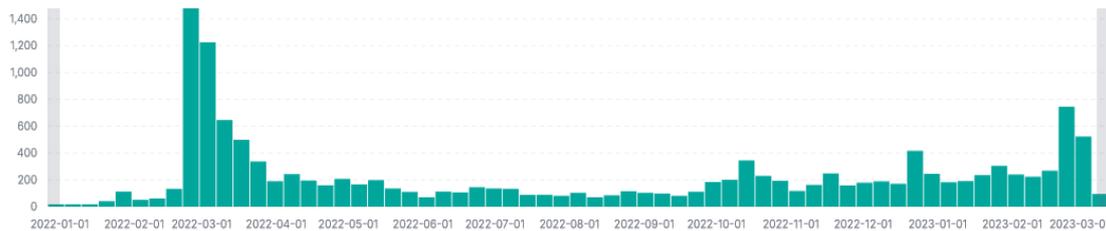
*Histogram tweets per week from 1 January 2022 to 7 March 2023 containing terms
related to the 'Cabal Ukraine' narrative*

Trollrensics collected a **total of 13,984 tweets** in this timeframe with this narrative, an average of 32 tweets per day. The 13,984 tweets were sent by 9,019 different Twitter (X) accounts, an average of 1.6 tweets per account.

The 'Cabal Ukraine' narrative reached its absolute peak in the first week of the war. The day the most tweets were sent with this narrative was on the 24 February 2022, the day the Russian Federation's full-scale invasion started: a total of 384 tweets were sent this day containing the narrative. From that moment on, the volume decreases steadily. The narrative picks up again in October 2022, when the Russian Federation began a campaign of massive strikes against Ukrainian infrastructure. Another notable peak is on 22 December 2022, a day after Zelensky visited Washington. A year after the Russian Federation's full-scale invasion, there is an increase in the usage of the narrative.

In the list of most used hashtags in this investigation, there are several hashtags present which are terms used by conspiracy theorists. The hashtags **#deepstate**, **#Tucker**, **#FoxNews** and **#Trump** were found in the top 20 most used hashtags.

Most used domains in Tweets with the Cabal Ukraine narrative

Nr.	Domain	Count
1	rumble.com	146
2	t.me	75
3	Youtube: Fox News	70
4	Youtube: ?	61
5	truthgnosis.com	41

The most shared domain in tweets with the Cabal Ukraine narrative is Rumble, a video sharing site that attracts right-wing users and hosts thousands of videos promoting conspiracy theories.

Second most used domain is Telegram. The YouTube channel from FOX News in the top 3. The Youtube domain with a question mark is also in the top 5. The question mark is displayed because the videos cannot be assigned to a specific channel since the videos or uploaders of the videos have been removed by YouTube or the users themselves. This may be an indication that hate speech was shared in the content of the videos.

Khazaria Ukraine narrative

Khazaria is also mentioned in the discourse of conspiracy theorists about Ukraine. This is often referring to the "Khazarian Mafia" to justify and even praise the Russian Federation's war of aggression. Conspiracy theorists think that modern Eastern European Jewry descended from a people known as the Khazars, a semi-nomadic Turkic people that established a major empire. The Khazars allegedly converted to Judaism in the eighth century and lived in present-day Ukraine. Conspiracy theorists now claim Putin's 2022 full-scale invasion of Ukraine was a means to counter the presence of "Khazar Jews" in the country. This antisemitic narrative is closely related to the Cabal Ukraine narrative. To find out the extent to which this narrative is present on Twitter (X), Trollrensics was used to scrape for terms related to this narrative.

Investigation: **Khazaria Ukraine narrative**

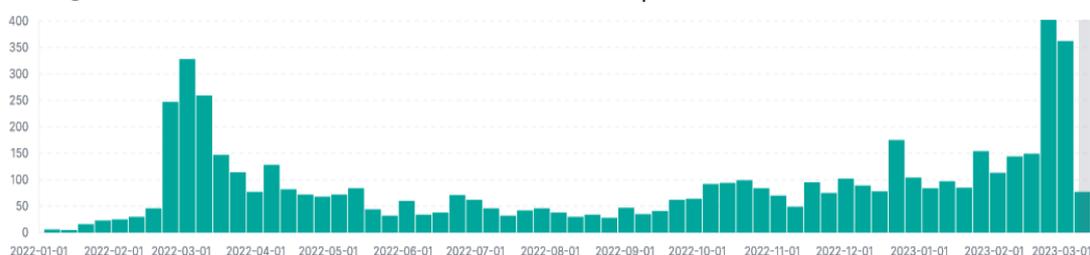**Platform:** Twitter (X)

Data scraped from: 1 January 2022

Period analysis: 1 January 2022 – 7 March 2023

Searchstrings: khazaria & ukraine | khazarian & ukraine

Histogram tweets per week from 1 January 2022 to 7 March 2023 containing terms related to the 'Khazaria Ukraine' narrative

Trollrensics collected a **total** of **5,588 tweets** in this timeframe with this narrative, an average of 13 tweets per day. The 5,588 tweets were sent by 2816 different Twitter (X)-accounts. The tweet

volume of the narrative increases the moment the 2022 Russian Federation's full-scale invasion of Ukraine began. The absolute peak can be seen a year after the Russian Federation's full-scale invasion: on the 24 February 2023, 109 tweets were sent containing the narrative. Another notable peak can be seen in the week Zelensky visited Washington.

Hashtags used by conspiracy theorists present in the list of the 20 most used hashtags include: **#khazarianmafia** and **#nwo**

Most used domains in Tweets with the Khazaria Ukraine narrative

Nr.	Domain	Count
1	rumble.com	88
2	benjaminfulford.net	34
3	bibliotecapleyades.net	31
4	stateofthenation.co	30
5	bestnewshere.com	29

Just as in the Cabal Ukraine narrative investigation, the video sharing site Rumble is also the most shared domain in tweets about Khazaria and Ukraine. The other sites listed in the top 5 most shared domains are publishers of conspiracy theorist content.

Related article:

- Institute for Strategic Dialogue - An Antisemitic Conspiracy Theory is Being Shared on Telegram to Justify Russia's Invasion of Ukraine May 5, 2022.

"Zelensky Drugs"

Since the full-scale invasion, one of the recurrent narratives by pro-Kremlin accounts to ridicule Ukraine and Ukrainian leadership is that Zelensky is a drug addict. By entering several terms related to this narrative in the Trollrensics platform it can capture the dynamics of this discourse on Twitter (X).

Investigation:	**"Zelensky Drugs"**
Platform:	Twitter (X)
Data scraped from:	1 January 2022
Period analysis:	1 January 2022 - 7 March 2023
Searchstrings:	Zelensky cocaine | наркотики зеленский | Zelensky coke | Zelensky snorts | zelensky & cocaine | zelensky & drugs | кокаин & зеленский

Histogram tweets per week from 1 January 2022 to 7 March 2023 containing terms related to the narrative that Zelensky uses drugs

Trollrensics collected a total of **9,574 tweets** sent by 6,276 accounts. Before the full-scale invasion, the narrative is present on a very small scale, only 46 tweets were sent before the full-scale invasion in 2022, the narrative grows the moment the invasion begins. In the first days of the full-scale invasion some mention Putin's speech where he talks about Ukrainian drug addicts to justify his actions.

Notable peaks can be seen on 18 April and 22-23 December 2022. The narrative reached an absolute peak on 11 February 2023. There is no clear reason why this narrative grew this day, but it is a day after a wave of Russian Federation's missile strikes on energy infrastructure across Ukraine.

The hashtag **#ZelenskyWarCriminal** is in the top 20 of the most used hashtags in this investigation with 81 tweets with the hashtag.

Top 5 most used domains

Nr.	Domain	Count
1	Youtube: ?	46
2	rumble.com	38
3	t.me	33
4	odysee.com	24
5	frontnieuws.com	21

The most used domain is Youtube with a question mark in the top 5. Video sharing site Rumble is also present on this list, as well as social media site Telegram. Odyssee, a video sharing site like Rumble where alternative views are shared, also in the top 5. Notably the Dutch website FrontNieuws is also in the top 5. This website posts daily stories with alternative (most of it propaganda) views about Covid-19 and the Russian Federation's war of aggression against Ukraine.

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE