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Hate speech and fake news: the impact on working conditions of local and regional elected representatives

Governance Committee

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Summary

The report is an exploration of the growing negative phenomenon of the use, on and offline, of hate speech, fake news and intimidations and abuse experienced by local and regional politicians. It also examines the effect of the Covid-19 pandemic and of the war of Russia against Ukraine on the increased use of social media to spread hate speech and fake news in particular in the local context. It shows how such tactics stimulate verbal and physical intimidation and abuse of local and regional politicians also including their families. The report explores how hate speech, fake news and verbal and physical abuse are becoming part of the every-day experiences of local and regional representatives and sets out their implications and effects on their working conditions. The report details how these negative practices are damaging the fabric of local and regional democracy through the creation of a toxic and intimidating political environment. It suggests measures to be taken at national, regional and local level, to provide protection and support for local and regional representatives confronted with these phenomena.

1 L: Chamber of Local Authorities / R: Chamber of Regions
 EPP/CCE: European People's Party Group in the Congress
 SOC/G/PD: Group of Socialists, Greens and Progressive Democrats
 ILDG: Independent Liberal and Democrat Group
 ECR: European Conservatives and Reformists Group
 NR: Members not belonging to a political group of the Congress.

RESOLUTION 485 (2022)²

1. The Congress of Local and Regional Authorities of the Council of Europe (hereinafter “the Congress”) refers to:

a. the priorities of the Congress 2021-2026, in particular Priority a: Effective local and regional responses to public health crises, Priority b: Democratic societies: quality of representative democracy and citizen participation, and Priority e: Digitalisation and artificial intelligence in the local context ;

b. the European Charter of Local Self-Government (hereinafter “the Charter”);

c. the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority;

d. Congress Resolution 394 (2015) on “E-media: game changer for local and regional politicians”;

e. Parliamentary Assembly of the Council of Europe Resolutions 2326 (2020) “Democracy hacked? How to respond?” and 2255 (2019) “Public service media in the context of disinformation and propaganda”;

f. the European Convention on Human Rights and related case-law of the European Court of Human Rights;

g. the United Nations Sustainable Development Goals (SDG) in particular SDG 11: Sustainable Cities and Communities and SDG 16: Peace, Justice and Strong Institutions;

h. the European Commission against Racism and Intolerance General Policy Recommendation No.15 (2015) on Combating Hate Speech;

i. Recommendation CM/Rec(2022)16 of the Committee of Ministers to member States on combating hate speech.

2. The Congress points out that:

a. Online hate speech and fake news are negative phenomena that are on the rise in the context of Covid-19 and affects all levels of government. All Council of Europe member States have experienced the worrying increase of intolerant and virulent speech and actions, both online and offline, as the Covid-19 pandemic, wide-spread polarisation and the war of the Russian Federation against Ukraine have exacerbated tensions.

b. Hate speech and fake news are multifaceted and can be initiated by various groups for, inter alia, political, economic, personal and even conspiracy-related reasons. These are putting lives at risk and make handling of the crisis situations, and by extension of any political decision that may generate discontent, even more challenging to local and regional authorities. Hate speech and fake news faced by local and regional politicians can take diverse forms online and offline, such as threats, harassment, abuse, physical and verbal violence and defamation and have various impacts on the working conditions of targeted individuals, in particular those from vulnerable groups.

c. Notwithstanding the fact that there are many opportunities offered by social media to elected representatives, European local and regional politicians have increasingly been exposed to virulent online hate campaigns and disinformation, especially during election campaigns which have progressively moved to the online space because of the Covid-19 pandemic. In the online sphere, where dissemination is amplified and legal obligations often blurred, hate speech and fake news spread faster and through fast-evolving channels and social media platforms. These can durably impact the personal and professional lives of politicians and their families. Online threats by disgruntled citizens can easily turn into physical attacks.

d. As a result, hate speech and fake news have a paralysing effect on European democracies and political life at local and regional levels, as fear may lead potential candidates to refrain from running for

² Debated and adopted by the Congress on 25 October 2022, 1st Sitting (see Document CG(2022)43-11, explanatory memorandum), co-rapporteurs: Wilma DELISSEN VAN TONGERLO, Netherlands (L, ILDG) and Kristoffer TAMSONS, Sweden (R, EPP/CCE).

political mandates or even resign from the ones they hold, eventually disturbing societal cohesion and weakening democratic participation. Legal remedies have so far had a very limited impact on the rise of online hate speech and fake news.

3. In light of the foregoing, the Congress invites the local and regional authorities of Council of Europe member States to:

a. promote specialisation within local and regional authorities, at the level of national associations and law enforcement authorities on hate speech and fake news to ensure interagency cooperation, coordination, advice and support, including reporting, on these matters;

b. provide training and guidance to local and regional elected representatives on how to identify, tackle and prevent hate speech and fake news;

c. monitor hate speech and fake news, their trends, manifestations and effects on local and regional elected representatives; conduct regular risk assessments and update consequently the relevant local and regional policies;

d. ensure that local and regional elected representatives are adequately equipped and advised to ensure their physical and mental safety; consider setting a 24h emergency number;

e. provide advice to local and regional representatives on the use of different communication tools, including social media platforms, contributing to openness and transparency in decision-making and adequate access to information;

f. promote guidelines for local and regional elected representatives and the media, in particular to support prevention of disinformation and hate speech and to promote transparency and open government;

g. support public participatory and deliberative mechanisms, such as neighbourhood forums or local area committees, facilitating interactions and links between local and regional elected representatives and communities they serve;

h. take measures to raise awareness on trends, effects and remedies of hate speech and fake news among local and regional elected representatives and the general public;

i. share best practices nationally and internationally on countering hate speech and fake news.

4. The Congress calls on local and regional authorities and their national associations to take account of this resolution and the accompanying explanatory memorandum (Document CG(2022)43-11) in their respective activities.

5. The Congress calls on the Congress statutory bodies, such as the Congress committees, to take account of this resolution and the accompanying explanatory memorandum (Document CG(2022)43-11) in their respective activities.

RECOMMENDATION 478 (2022)³

1. The Congress of Local and Regional Authorities of the Council of Europe (hereinafter “the Congress”) refers to:

a. the priorities of the Congress 2021-2026, in particular Priority a: Effective local and regional responses to public health crises, Priority b: Democratic societies: quality of representative democracy and citizen participation, and Priority e: Digitalisation and artificial intelligence in the local context ;

b. the European Charter of Local Self-Government (hereinafter “the Charter”);

c. the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority;

d. Congress Resolution 394 (2015) on “E-media: game changer for local and regional politicians”;

e. Parliamentary Assembly of the Council of Europe Resolutions 2326 (2020) “Democracy hacked? How to respond?” and 2255 (2019) “Public service media in the context of disinformation and propaganda”;

f. the European Convention on Human Rights and related case-law of the European Court of Human Rights ;

g. the United Nations Sustainable Development Goals (SDG) in particular SDG 11: Sustainable Cities and Communities and SDG 16: Peace, Justice and Strong Institutions;

h. the European Commission against Racism and Intolerance General Policy Recommendation No.15 (2015) on Combating Hate Speech;

i. Recommendation CM/Rec(2022)16 of the Committee of Ministers to member States on combating hate speech.

2. The Congress points out that:

a. Online hate speech and fake news are negative phenomena that are on the rise in the context of Covid-19 and the ongoing war of the Russian Federation against Ukraine, impacting all levels of government. Notwithstanding the fact that there are many opportunities offered by social media to elected representatives, allowing for easily accessible and low-threshold communication with citizens – in recent years, local and regional politicians, throughout Europe, have increasingly been exposed to virulent online hate campaigns and disinformation, especially during elections.

b. Freedom of expression is a fundamental right in democratic societies, as enshrined in Article 10 of the European Convention on Human Rights. Member States are ultimately responsible for taking measures to navigate the grey area between respecting freedom of expression and curbing hate speech and fake news and to protect victims, in particular elected representatives from vulnerable groups. Challenges for member States to curb hate speech and fake news and protect the rights of citizens are even more acute in the online sphere, where dissemination is amplified.

c. Hate speech and fake news faced by local and regional politicians can take diverse forms, such as threats, harassment, abuse and defamation and have various impacts on the working conditions of targeted individuals. Online threats by disgruntled citizens can easily turn into physical attacks. As a result, hate speech and fake news have a paralysing effect on European democracies and political life at all levels of government. This negative trend creates toxic working conditions for local and regional politicians, marred by fear and confusion, eventually disturbing societal cohesion.

3. In light of the foregoing, the Congress requests that the Committee of Ministers invite the member States of the Council of Europe to:

³ Debated and adopted by the Congress on 25 October 2022, 1st Sitting (see Document CG(2022)43-11, explanatory memorandum), co-rapporteurs: Wilma DELISSEN VAN TONGERLO, Netherlands (L, ILDG) and Kristoffer TAMSONS, Sweden (R, EPP/CCE).

- a.* pursue a comprehensive strategy at national level to deal with hate speech and fake news as employed against local and regional politicians, which relies on legal remedies and preventive measures in the light of relevant European standards, in particular requirements of Article 10 of the ECHR and the relevant case law of the European Court of Human Rights;
 - b.* adopt and revise the efficiency of relevant administrative, civil and criminal law measures to counter online and offline threats and attacks against local and regional elected representatives; toughen the penalties for physical violence, abduction and the murder of local and regional elected representatives;
 - c.* ensure effective investigations into cases of criminal attacks and violence against local and regional elected representatives, promoting adequate specialisation and multistakeholder cooperation;
 - d.* ensure that national strategies and measures against cybercrime and with regards to internet intermediaries take into due account the problems and challenges related to local and regional authorities and their representatives;
 - e.* support the strategies and measures deployed by local and regional authorities against hate speech and fake news targeting local and regional elected representatives, promoting multilevel and multi-stakeholder dialogue and cooperation and providing the necessary means;
 - f.* take measures to prevent hate speech and fake news by raising awareness among media, internet intermediaries and the general public and promote inclusive and respectful debate;
 - g.* support sharing best practices and cooperation in countering hate speech and fake news;
 - h.* work on further technical measures to fight against the abusive use of artificial intelligence for disinformation purposes, such as bots and trolls, taking into consideration the work and related activities of the European Union on this specific matter.
4. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation and the accompanying explanatory memorandum (Document CG(2022)43-11) in their activities relating to Council of Europe member States.

EXPLANATORY MEMORANDUM

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1. Introduction⁴

1. The use of hate speech and fake news, both online and verbal and physical abuse, are growing negative and worrying phenomena experienced by local and regional elected representatives throughout member States of the Council of Europe. It is vitally important not to underestimate the effects of how hate speech and fake news can erode and dilute the working conditions and the effectiveness of local and regional representatives and the effects it can have on their social, family and work life, to the extent that elected representatives may be deliberately physically targeted.

2. The deliberate targeting of local and regional elected officials in Ukraine by the Russian Federation, in particular through cyber and disinformation attacks, has led now, in the context of the war, to physical violence, abductions and murders, prompting a strong condemnation by Congress President Leendert Verbeek.⁵ While these extreme cases are at the moment limited to Ukraine, they must alarm all levels of government about the degrading working conditions of local and regional elected representatives and the need to provide them with security and support both on and off line. The lock-down conditions of Covid-19 have exacerbated the online use of hate speech and fake news, as both political campaigning and citizen engagement shifted online through the pandemic. Disinformation campaigns, cyber-attacks and the easy access to online facilities, which can be used anonymously or with fake names or disguised identities, provided many and varied opportunities to use social media to expose local and regional politicians, throughout Europe, to online hate, attempts to intimidate, bully or to spread disinformation or wholly false information. Increasingly of concern is how online threats or abuse can become physical attacks by citizens who are angered by, or disagree with, actions of local and regional representatives.

3. The protection of anonymity and the distance from the target of online hate speech and fake news can embolden those employing such tactics, increase the anger and virulence of their online abuse and ultimately encourage some to turn to physical attacks, as has been illustrated inter alia by the tragic deaths of the Mayor of Gdansk, Paweł Adamowicz and German regional councillor Walter Lübcke, or the assassination attempt on the Mayor of Cologne, Henriette Reker, in 2015. Fake news and hate speech are not contained to online outlets; rather it can stimulate what is already a worrying increase in physical and verbal attacks on the person and property of local and regional representatives. Bomb-threats, physical and verbal threats and even death threats made by members of the public are becoming part of the general experiences of local and regional politicians across Europe.

4. It is clear that the growing trend in the use of online hate speech and fake news – as well as physical assaults on local and regional politicians – is having a damaging and paralysing effect on democracy generally as well as generating a toxic environment within which local and regional representatives are expected to operate, conduct their work and live. Local and regional democracy generally is being damaged by fear, confusion, uncertainty and doubt placed in the minds of citizens who are subject to disinformation and fake news and the space for open, reasonable and respectful debate and discourse between politicians and the public is being narrowed.

5. The Congress acknowledged early on the multifaceted and cross-cutting threats faced by local and regional elected representatives by giving them a platform to share experiences of online hate speech, fake news and of physical and verbal abuse they experienced within their communities.⁶ Yet, there is still much to learn about the way in which hate speech and fake news are affecting the working conditions of local and regional politicians which remains an under-researched field. As a consequence, the Congress cooperated with an international academic research team to gather information on the current situation and shape future debate about necessary actions.⁷ Findings of the research project provide the backbone of this report.

4 This report was prepared with the contribution of Prof. Colin COPUS, Emeritus Professor of Local Politics, De Montfort University, England and Visiting Professor Ghent University, Belgium

5 <https://www.coe.int/en/web/portal/-/congress-president-strongly-condemns-abductions-of-ukrainian-mayors-and-elected-representatives>

6 This report builds on several thematic debates held by the Congress on mayors under pressure in 2018 and 2019, a debate on "How to preserve democracy in the face of fake news and hate speech" in 2021 and on "Fake news, threats and violence – pressures on mayors in the current crises in Europe" held in March 2022.

7 The Congress collaborated on the "Open-Government and Open-Data Against Fake News and Hate Speech" research project which included the WU Vienna – Institute of Production Management (Austria), the University of Public Administration and Finance Ludwigsburg (Germany), the Budapest University of Technology and Economics (Hungary), the Faculty of Public Administration at National University of Political Studies and Public Administration Bucharest (Romania), and the Pavol Jozef Šafárik University Košice (Slovakia). Close to 200 members of the Congress took this opportunity to share their experience and ideas of effective remedies against fake news and hate speech, providing highly valuable input to the research team. This study can be downloaded here: <https://ocgit-service.com/demo/countfake2022/index.html>

6. This report outlines and explores the growing phenomena of the use of hate speech and fake news, their definitions, manifestations and effects on the working conditions of local and regional politicians across Europe. It also examines how campaigns of intimidation and abuse against local and regional elected representatives can escalate into more physical forms of attack.

7. The report suggests a range of strategies and measures that can be devised to detect and prevent fake news and hate speech and put in place effective remedies against online disinformation and verbal attacks against local and regional politicians. Finally, the report concludes by drawing together the main themes, examples and lessons from the data and experiences of local and regional politicians.

2. Defining fake news and hate speech

8. The Covid-19 pandemic has exacerbated the use of social media as ways of propagating hate speech and fake news as nationally imposed lockdowns shifted much face-to-face political interaction online. Although the pandemic itself cannot be entirely blamed for the rise in online abuse of local and regional politicians, as online intimidation existed before and will continue after the pandemic and lockdowns, it does provide a context within which we can understand the factors behind online abuse and fake news and how it affects the working conditions of local and regional politicians.

9. In responding to those emerging pressures, we are faced with clarifying and defining, certainly for the purpose of this report, hate speech and fake news and understanding the relationship and implications for local and regional elected representatives.

10. There is a lack of universally accepted definitions of hate speech and fake news, but several sources can provide the basis from which to develop a clearer understanding of both these phenomena, especially when taken together with priorities, resolutions and recommendations of the Congress as well as other relevant documents of the Council of Europe bodies.

Hate speech

11. The European Convention of Human Rights (after ECHR) can serve as a starting point when defining hate speech, as it sets standards for human rights and fundamental freedoms across member States. Article 10 of the ECHR provides the balance to ensure the protection of free speech and free expression in stating the following: “Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.[...] The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society”. Article 8 on the right to respect for private and family life as well as Article 14 and Protocol 12, which prohibit discrimination are also relevant. Moreover, discriminatory conduct can amount to violation of the prohibition of inhuman and degrading treatment under Article 3.

12. European Court of Human Rights case-law is relevant because its decisions on Article 10 cases recognise that freedom of expression may be subjected to restrictions and that member States have a positive obligation of protecting victims of hate speech that reach a certain level of severity.⁸ In that regard, any expressions that contribute to the political debate cannot be subjected to these restrictions, including provocation, shock, humour and lies. Furthermore, the fact of exercising a public function or of aspiring to political office necessarily exposes an individual to the attention of his or her fellow citizens, including in areas that come within one’s private life. In this regard, the ECHR case-law allows for a more restricted understanding of Article 8 for public figures, including local and regional politicians: the public’s right to be informed may extend to private and family life of public figures.

13. Several broad definitions have been developed by Council of Europe bodies.⁹ Overall, these define hate speech as speech rooted in intolerance and targeting of individuals or groups based on perceived or real characteristics.

⁸ ECHR Article 10 caselaw of the European Court of Human Rights is explored in a Guide prepared by the European Court of Human Rights which can be accessed here: https://www.echr.coe.int/documents/guide_art_10_eng.pdf. It is updated regularly and, most recently, on 30 April 2021. One particular relevant case-law is the case of *Brzeziński v. Poland*.

⁹ For a full overview, please consult the Council webpage dedicated to hate speech: <https://www.coe.int/en/web/committee-on-combatting-hate-speech/council-of-europe-work-on-hate-speech>

14. The Recommendation of the Committee of Ministers to member States on combating hate speech adopted on 20 May 2022 aims at preventing and combating hate speech in a comprehensive way, including in the online environment, and at ensuring protection against hate speech. In this recommendation, hate speech is understood as “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”, colour, language, religion, nationality, national or ethnic origin, age, disability, sex, gender identity and sexual orientation”.¹⁰

15. The European Commission against Racism and Intolerance General Policy Recommendation n°15 on Combating Hate Speech builds on Article 10 of the ECHR and draws a vital balance between protecting those who are subject to hate speech with the necessity of defending freedom of expression essential to any functioning democracy.¹¹ The balance between protection from hate speech and protection of free speech applies to local and regional elected representatives and protects the right of free and open debate among citizens and elected officials. The recommendation defines hate speech as “advocacy, promotion or incitement in any form of denigration, hatred or disparagement of any person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatisation or threat in relation to such person or group of persons, and the justification of any of the foregoing on the grounds of ‘race’, colour, descent, national or ethnic origin, age, disability, language, religion or belief, age, sex, gender identity, sexual orientation and other personal characteristics or status”. It furthermore specifies that “hate speech may take the form of public denial, trivialisation, justification or approval of genocide, crimes against humanity or war crimes found by courts of law, and the glorification of persons convicted of committing such crimes”.

16. Furthermore, the Additional Protocol to the Cybercrime Convention of the Council of Europe criminalises acts of a racist and xenophobic nature, including threats and insults as well as revisionist rhetoric committed through computer networks. At the United Nations level, the International Covenant on Civil and Political Rights (Article 20(2)) and the International Convention on the Elimination of All Forms of Racial Discrimination (Article 4) prohibit national, racial or religious hatred, in particular acts of violence or incitement to such acts.

17. If we take these definitions together, local and regional elected politicians can be seen as requiring protection both as individuals and also as a group. While it is most often individual local and regional politicians that experience hate speech aimed at them, the cumulative effect is to demonise local and regional politicians and make them an acceptable target for further abuse and intimidation which may include physical attacks.

18. Given that the Covid-19 pandemic and various national lockdowns have accelerated the use of online hate speech, it is important that a definition includes all fora in which spoken, written and public communication are expressed. At the same time space must be available for open debate, criticism and critique of individual local and regional politicians, the decisions they make and the quality of their work.

19. It is clear from the definitions above that the intention and language of any communication is important, in the context of local and regional politicians, to assess when something shifts from free speech to hate speech and to consider the effects of the latter on the working conditions of local and regional elected representatives.

20. Elected representatives have a special responsibility in not sharing and propagating hate speech, while at the same time they must be able to express their opinions and reflect the views of their voters. There is a higher level of impact for hate speech if promoted by elected representatives at all levels of government and if fake political statements are expressed by political figures of the highest standing, they can have a powerful impact which may be detrimental to local democracy. Overall, a high political office at local and regional level comes with a high moral responsibility for leadership in communication.

Fake news

21. Similarly to hate speech, a universally accepted definition of fake news¹² is lacking and also fraught with danger as fake news is often contextual and can be shaped and used to suit certain circumstances,

10 Recommendation CM/Rec(2022)43 of the Committee of Ministers to member States on combating hate speech.

11 [ECRI General Policy Recommendation N°15 \(coe.int\)](https://www.coe.int/en/web/campaign-free-to-speak-safe-to-learn/resources-on-dealing-with-propaganda-misinformation-and-fake-news)

12 See here for more Council of Europe publications on fake news and disinformation: <https://www.coe.int/en/web/campaign-free-to-speak-safe-to-learn/resources-on-dealing-with-propaganda-misinformation-and-fake-news>

objectives and targets. Sometimes more specific terms “misinformation” (false information shared with no intention of causing harm) or disinformation (false information shared intentionally to cause harm) are used. In defining fake news a further confusion can arise as politics, at all levels, is about values, judgments, opinions, feelings and interpretations and not always about ‘facts’. Politics is about views of what is and isn’t right or what makes for, or hinders, a good society. Thus, accusations of the use fake news can also be employed to damage what are legitimate political values and opinions and any definition must take account of why the term fake news is being brought to bear: to identify what is clearly fake and malicious; or to undermine legitimate views and opinions. Highly polarised political environments and media lacking independence can spread of fake news to discredit opponents or to lie about their achievements and magnify failures. In this case, sources of disinformation can be very much domestic and rely less on conspiracy theories than on the prospect of direct political gain.

22. More worryingly, the term ‘fake news’ has been used to silence journalists and citizens and undermine freedom of expression in some countries by discarding verified information which could contribute to the public debate. Thus, in Russia laws against “fake news” target dissident opinions.¹³ Even though it is not the purpose of this report to discuss media freedom, it is important to keep in mind that repeated attacks against freedom of the press may have a chilling effect, in the words of the European Court of Human Rights,¹⁴ where a person engages in “self-censorship”, due to a fear of disproportionate sanctions or a fear of prosecution under overbroad laws. Laws regulating fake news have appeared in Council of Europe member States such as France¹⁵ and Germany,¹⁶ but their application has so far remained uncontroversial or underutilised. Albania, Austria, Poland, Türkiye and several other member States are considering adopting legislation to restrict the spread of disinformation. Others have set up task forces, action plans or other non-legal means to tackle disinformation.

23. Thus, we must, for this report, understand fake news as it applies to, and is used against, local and regional politicians. In that regard, fake news is something which is beyond the simply inaccurate, wrong, or unknowingly false as it is created for specific political, social, economic or financial reasons. In the political world fake news, or the accusation of its use, can be employed to create a negative image of individual politicians, political groupings and also the policies and positions of individuals and political groupings.

24. Following the typology detailed in the inter-university study, reasons for the creation of fake news can be summarised as:

- Conspiracy theories: where those spreading fake news are often unaware they are doing so and where people firmly believe the information they are distributing is accurate and factual. Behind such conspiracy theories is the assumption or belief that powerful individuals and groups are themselves spreading misinformation, deliberate lies or attempting to cover up certain issues or facts.
- Financial motivations: to weaken the commercial or financial position of companies, organisations, groups and individuals or to falsely inflate the value of the same companies, groups etc. The important quality here is the exaggeration of a position or the creation of an entirely false position for the target of the fake news.
- Political motives: where created stories, exaggerated incidents or the embroidering of occurrences and experiences, or taking actions and statements out of context or reproduced incompletely are used to produce a distorted and, or, unrealistic or wholly false images of political action or positions. Here we can see a particular area where the working conditions of local and regional politicians can be negatively affected, especially by the online spreading and distortion employed in fake news.
- Satire: while satire – the use of humour, irony and exaggeration for political reasons – has a long and honourable usage in politics spreading back into centuries before free speech existed as it does now, concerns arise when satire is taking for fact or reality.

25. Social media and online platforms provide fertile ground for the spreading of fake news – again exacerbated by Covid-19 lock-downs and quarantine regulations shifting more and more political activity

¹³ <https://www.politico.eu/article/russia-expand-laws-criminalize-fake-news/>

¹⁴ ECHR Article 10 caselaw Guide prepared by the European Court of Human Rights which can be accessed here:

https://www.echr.coe.int/documents/guide_art_10_eng.pdf .

¹⁵ <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000037847559>

¹⁶ https://www.bmj.de/DE/Themen/FokusThemen/NetzDG/NetzDG_EN_node.html

online.¹⁷ The ease with which fake news can be generated and disseminated and the credence which is often given to it has particular implications for local and regional politicians who have a much closer proximity to those they represent than national politicians.

26. Several issues have recently emerged regarding the spread of fake news online. First, algorithms and paid advertisement can contribute to amplify and fasten the spread of online disinformation. Social media platforms are regularly asked to update or improve their content regulation and moderation policies. For instance, scientific research showed that in general fake news on Twitter have 70% more chances to be re-tweeted than a true piece of information.¹⁸ Creating the impression of a piece of information to be verified is easier online as seeing the same title repeatedly on a news feed can reinforce the impression of truth. Finally, groups of “supersharers” have established very successful techniques to relay and share fake news through different channels and profiles.

27. The profile of local and regional politicians and the fact that they live and work in close proximity not just to their communities but also to those who create, spread and employ fake news and hate speech against them adds a dimension to the effect of fake news and hate speech and increases its toxicity and negative influence on local and regional democracy. That proximity, while an important element of the role and work of local and regional representatives can stimulate suspicion about their motives simply because they are close to those represented and the intensity of local politics can magnify such suspicions, even if unfounded.¹⁹ In addition perceptions about municipal and regional institutional secrecy, lack of openness and transparency or feelings of ‘cover ups’ and general negative attitudes towards municipal and regional governing institutions can be given vent through online hate speech and fake news.

3. Hate speech and fake news: the impact and implications for local and regional politicians.

28. The proximity of local and regional politicians to those they represent places the use of hate speech and fake news into a specific and potentially intense context and its usage has specific effects on the working conditions of local and regional politicians. The close proximity between representative and represented, at the local and regional level, means that there is an extra layer of intimidation generated by online hate speech and fake news, in that those employing such methods could live or work very close to the targets of their campaign – local and regional politicians. It is that proximity that means that the threat of online activity spilling over into real life abuse – verbal or physical – is ever present. The Association of Mayors in France has reported an increase in physical attacks on mayors as part of a general toxic atmosphere within which mayors now work. The causes of such attacks, while mayors have been in their communities, have been as mundane as mayors’ confronting noise in the community, fly-tipping and rubbish dumping.²⁰

29. Regional and local elected representatives live, socialise and work within the areas they represent, making them easier targets for face-to face verbal and physical attacks and sometimes placing their families in complicated situations.

30. To fully understand the impact and implications of hate speech and fake news on the working conditions of local and regional politicians, four areas need to be explored and understood:

- the nature of hate speech and fake news as it is employed against local and regional politicians;
- how hate speech and fake news is used to intimidate or harass local and regional politicians;
- the effects on the working conditions of local and regional politicians when subject to hate speech and fake news;
- the effect of hate speech and fake news on the lives and families of local and regional politicians beyond the political office they hold.

¹⁷ In the United-Kingdom, abuse is more common online than offline for local councillors. See the results of a survey by the Local Government Association of the United-Kingdom, “Debate Not Hate: The impact of abuse on local democracy” (2022) available here: <https://www.local.gov.uk/publications/debate-not-hate-impact-abuse-local-democracy> .

¹⁸ See in particular on content moderation in local languages, a study on Bosnia-Herzegovina: <https://www.article19.org/wp-content/uploads/2022/06/bosnia-herzegovina-country-report-content-moderation.pdf>

¹⁹ Copus, C., (2016) *In Defence of Councillors*, Manchester University Press.

²⁰ See article: <https://www.euronews.com/2020/08/31/french-local-mayors-facing-wave-of-violence-says-association>.

31. Additionally, it is important to keep in mind that hate speech and fake news, while affecting everyone, can disproportionately impact politicians based on their gender,²¹ age, sexual orientation, religious and cultural background, etc. Xenophobic, homophobic, transphobic, racist and misogynistic slurs and fake news are also detrimental to local and regional democracy as these can contribute to harassing and bullying groups often underrepresented in political life. Candidates and elected representatives who overlap two or more of these characteristics, such as for instance being a young woman from a minority group, can become the targets of even more online and offline intimidation and threats campaign. The Council of Europe Commissioner for human rights²² pointed to the detrimental effect of hate speech and online violence on female politicians, their working environment and their engagement. They have a deterrent effect on women's (re)election and undermine the democracy itself.²³ The Commissioner also underlined that female elected representatives from already discriminated minorities are particularly vulnerable.²⁴

The nature of hate speech and fake news employed against local and regional elected representatives

32. Hate speech and fake news aimed at local and regional elected representatives have specific intentions, unlike critical but genuine news or spoken / written opinion. The primary intention is to undermine the work of, and intimidate, elected representatives. Online and offline hate speech is designed to reach one or several of the following objectives:

- undermine, diminish and erode the standing, character and image of either an individual local or regional representative or local and regional elected representatives as a group, sometimes through resorting to their personal and private lives, and/or misrepresentation of their opinions, decisions or actions and even exaggeration of their mistakes or policy errors
- impede and deter local or regional elected representatives from undertaking their duties and responsibilities or from making decisions;
- hinder and prevent them from taking certain action, considering certain alternatives or agreeing certain actions;
- impair and limit their actions and even force them into overturning decisions or actions taken legitimately because of fear or intimidation caused by hate speech and fake news;
- encourage other citizens to act in equally intimidatory or inflammatory ways towards local and regional elected representatives or to encourage and incite other citizens to despise and hate them individually;
- cause harassment, hurt, fear and alarm over the safety of local and regional elected representatives to such an extent that they may resign from office or not seek election or re-election.

33. It must be clear that criticism, the expression of opposition or alternative views, even if done in a robust and forceful fashion is not hate speech, nor when tempers flare are one-off insults or comments. Opposition and the discussion of alternative views – even if critical or questioning of an individual or group, is a vital part of free speech and of the proper functioning of democracy at all levels. Holding local and regional elected officials to account for their decisions and actions is also a key feature of local democracy. It is when incitement to violence, inflammatory portrayals, fabricated, exaggerated or wholly false news is employed that the line is crossed into fake news and hate speech.

34. Hate speech against local and regional politicians has a general deleterious and damaging effect on the nature and fabric of local and regional democracy and free speech and action more generally by calling into doubt the probity, honesty and ability of local and regional politicians as a group.

35. While it is unlikely that local and regional elected representatives are subject to hate speech and fake news for the single and simple reason alone that they are local and regional politicians, combating both the individual use and cumulative collective effects of hate speech against local and regional

21 See Congress Report on Fighting sexism against women in politics at local and regional level, CG38(2020)07.

22 The Council of Europe Commissioner for Human Rights regularly highlights the need to address hate speech through her/his country monitoring and thematic activities. The Commissioner has published issue papers on [the rule of law on the Internet](#), the rights of [LGBTI persons](#), [Roma and Travellers](#), [refugees and migration](#), [women's rights and gender equality](#).

23 See Commissioner's Human Rights Comment (2022): No space for violence against women and girls in the digital world, available here: <https://www.coe.int/en/web/commissioner/-/no-space-for-violence-against-women-and-girls-in-the-digital-world>

24 See Commissioner's Report (2021): European countries should lift the taboo on Afrophobia and start addressing this phenomenon, available here: <https://www.coe.int/en/web/commissioner/-/european-countries-should-lift-the-taboo-on-afrophobia-and-start-addressing-this-phenomenon>

politicians requires robust mechanisms, to protect the framework and process of local and regional democracy as well as the individuals involved. It is the case however, that local and regional representatives who are not members of national ruling parties may face intimidation and threats simply because they have secured election to local and regional authorities. As the Mayor of Šabac in Serbia, Nebojsa Zelenovic, has pointed out, many of the small minority of Serbian mayors who did not belong to the ruling party were periodically subjected to police investigations and institutional manoeuvring, as well as arrests and threats.²⁵ Similar threats were faced by mayors and candidates to local councils in Georgia, Turkiye and elsewhere.²⁶

36. There is an internationally wide-spread practice of using social media to spread allegations about local and regional elected representatives on issues such as: child abuse, paedophilia, breaches of Covid-19 lock-down regulations or benefit fraud. As an Alderman reported, a website had been created which linked her and her colleagues, to offensive images posted on that site but in such a way that no legal recourse was possible. Similar examples were provided by councillors in Australia and Canada for example.

37. Local and regional politicians can become the target of hate speech and fake news because of a dislike of their political affiliation; for instance, or because of opposition and anger generated by a particular political / ideological stance they take or view that they express; or because of a position they take or decision they support or are involved in, over some local or regional issue and sometimes even national issues. In particular, during the Covid-19 pandemic, decisions taken at the national level were often a source of tensions for local elected representatives from the party in Government. This was particularly acute in Austria, United-Kingdom and France. For instance, a Mayor in the French Alps allegedly received over 800 hateful online messages after meeting with President Macron at the beginning of the sanitary crisis.²⁷

38. By simply undertaking the responsibilities of their office local and regional politicians are in a position where their decisions and actions will likely upset, anger or offend someone and local and regional representatives understand and accept this as part of their office²⁸. It is however, the way in which some members of the public express their views and the intensity, vitriol and longevity of any campaigns aimed at an individual or at groups of local and regional politicians that is a defining point of harassment and intimidation.

39. Oftentimes the use of hate speech can take place in public places where the local or regional politician may be present as a private individual with their friends and families in a social setting. Moreover, perpetrators can target the families – including the children – of local and regional politicians, who may also suffer verbal abuse and or threats in public places because of the actions or decisions of the local and regional politician to whom they are related or with whom they are friends. Friends and family may also appear in fake news and fabricated stories to further intimidate and threaten the elected politician. The Lord Mayor of Dublin experienced racial abuse targeted towards her daughter.²⁹ Councillors have provided other examples of where family and friends had been targeted as a way of intimidating the councillor and such examples provided during the drafting of the report indicate the existence of a much wider problem the extent or effect of which is under-researched.

The manifestations of hate speech and fake news, notably online

40. Manifestations of hate speech and fake news are multifaceted, complex and often very much depend on the context. Hate speech and fake news and their manifestations have specific national settings and particular targets groups within national settings. They display themselves through specific national prejudices and images. Overall, any available method by which an individual may be harmed, abused or threatened has been employed against, and experienced by, local and regional elected representatives

25 See conclusions of this debate here: <https://www.coe.int/en/web/congress/-/congress-focuses-on-undue-pressure-exerted-on-mayors-and-local-elected-representatives>.

26 See Congress report on The situation of independent candidates and the opposition in local and regional elections; CG(2022)42-13

27 See interview here: <https://www.francebleu.fr/infos/faits-divers-justice/800-insultes-et-menaces-sur-le-compte-facebook-du-maire-de-saint-gervais-apres-la-visite-d-e-macron-1581873714>

28 See the results of a survey by the Local Government Association of the United-Kingdom, "Debate Not Hate: The impact of abuse on local democracy" (2022) available here: <https://www.local.gov.uk/publications/debate-not-hate-impact-abuse-local-democracy>. 88 per cent of respondents said they had experienced abuse and/or intimidation, directed at them personally in relation to their role as a councillor or because they were a political candidate.

29 See interview here: <https://www.sundayworld.com/news/irish-news/dublin-lord-mayor-hazel-chu-disgusted-after-sexual-content-and-racial-abuse-directed-at-her-daughter-40015832.html>

across Europe. Hate speech and fake news employed against local or regional politicians or their friends and families, can take the following forms, either online or offline:

- Abusive, insulting, humiliating, malicious and contemptuous comments.
- Intimidatory, threatening and frightening statements – including threats of harm, physical attacks or death threats and threats of sexual abuse and rape.
- Use of symbols, diagrams, graphics and photographs (real or doctored) designed to intimidate or cause fear and harassment.
- Encouraging and inciting others to abuse, intimidate, or cause fear and harassment for local or regional politicians or their friends and families.
- Posting on online social media designed to spread fake news, manufactured stories, exaggerated examples, out of context comments and quotes.

41. The main difference between online and face-to-face hate speech and fake news is that the latter has a greater propensity to result in physical confrontation as arguments intensify, yet on-line abuse and the use of fake news may also generate physical confrontation should those employing or viewing online hate speech and fake news be so stimulated as to take more physical and confrontational action.

42. Online hate speech and fake news is a safer environment for perpetrators as they are able to hide behind the anonymity that some social media platforms provide or use the ability to create fake profiles; even if not disguising their identity, perpetrators are operating at a distance from their target and in a safe physical environment such as their own home. Besides, fake news and hate propagators can leverage their direct access to the electorate through social media. Without the filtering and the criticism of the independent press, or of a discursive and critical environment they can freely develop alternative narratives without being challenged or proven wrong.

43. Online security for local and regional representatives must be at a level to protect them from the risk of their personal and employment data being stolen or their social media accounts being hacked or cloned and used to spread false or hate narratives which can undermine their work. Multiple cyber-attacks on Ukrainian critical infrastructure and public authorities' websites, for example, have been conducted by Russia as part of its illegal and unjustified invasion of Ukraine. A cyber-attack on the Lviv city council website on 13 May 2022 resulted in data being stolen and published on Telegram channels linked to Russia. While the context of the invasion is not the every-day experience of local and regional representatives it does indicate the risks to their online security especially from well organised and targeted attacks.

44. There is the ever present danger that online abuse, aggression and threats will spill over into real life and contribute to an increasingly toxic and dangerous political environment, leading to resignations by representatives or decisions not to stand or re-election in local and regional elections. Indeed, threats that were acted upon have resulted in physical assaults, verbal abuse in a public place and fire-bombings and acid attacks on the homes of local and regional politicians. For instance, the Lord Mayor of Galway, Ireland, stepped down temporarily after several insulting and threatening messages were written on his house and car³⁰. Local and regional politicians have been stalked and or followed by other individuals and groups both on foot and in vehicles. Attacks on property other than homes such as cars, bicycles, shops and office premises and tragic and chilling incidences of the murder of local and regional politicians have also been recorded in this global phenomenon.

45. Different social media outlets provide different settings, operational styles and techniques for the employment of hate speech and fake news against local and regional elected representatives. Online media outlets enable the creation of pages, profiles or online presence to post aggressive, offensive, abusive or fake material and altered photographs in regard to a single targeted local or regional elected representative or particular groups. It can quickly give the impression – to the targeted elected representative and the public – of the existence of wide-spread support for opponent's position and for the comments, abuse or fake news distributed. These posts can remain online on social media platforms for a sustained period of time but can also remain catalogued on search engines, leading to long-term impact on an elected representative's public image. The life-span of such posts makes it all the more important that municipal and regional institutions are proactive in identifying then pressing site administrators to remove such posts.

30 See article here: <https://www.irishtimes.com/news/politics/mayor-of-galway-city-to-return-to-duties-after-break-following-abuse-1.4523297>

46. These targeted campaigns can be further amplified by perpetrators using simultaneously several outlets, making the content of the post even more “believable” by inundating different social media outlets. Local and regional representatives have described how, in this way, only a handful of “supersharers”, relying on private groups and chat rooms, can have a very detrimental impact on their work and lives. A disguised or manipulated online presence can create the impression of an organised and well-supported group behind the objectives of the social media campaign, considerable local or regional opposition to one particular measure, or that there is some form of official group – such as a residents association or a pressure group - that does not in fact exist. Strategies to do so are becoming increasingly professionalised such as the use of aggressive ‘likes’ where a small number of people can click and simulate endorsement from a wide range of social medias, or respond multiple times to a particular post, by providing ‘likes’ for an online attack on a local or regional politician.

47. Similar to the use of aggressive ‘likes’ is the well reported use by local and regional representatives of emojis, hashtags, memes, images, altered photographs, fake images and videos in posts or in responses posts to harass and intimidate and to create the impression of a well-supported campaign against a particular local or regional politician. To support their rhetoric, perpetrators can even go as far as the cloning of local and regional politicians’ websites or their social media platforms to make it appear that they are the sites of those local and regional politicians and then to post fake news about their activities, voting, speeches, advice session details, home addresses and phone numbers, or photos of them, their friends and family, for example.

48. Some social media platforms can also be used to generate petitions, notices or motions and complaints about local and regional politicians and their decisions or actions that are based on fake news, exaggerated examples, or distortions and lies about their social and private life. The employment of social media to stimulate the vexatious and spurious use of municipal complaint, petitioning and questioning procedures is a growing and linked part of online fake news.

49. The issuing of threats of violence or death threats and threats of rape or sexual violence are part of the experiences of local and regional politicians both online and offline, although such threats more often come from untraceable sources when the user of the social media platform feels their own anonymity or disguised identity provides safety from detection. Direct threats of violence or death threats and threats of rape or sexual violence also arrive however, from written letters, notes, graffiti and face-to-face confrontations. A former member of the Congress, Jos Wiene, the Mayor of Haarlem, in the Netherlands received death threats after working with the police and public prosecutor to confront drug trafficking and he thus operated with 24 hours guards. He pointed out that around 25% of mayors in the Netherlands had received threats but death threats were a new pressure now being experienced.³¹

50. What is also clear from the experiences of local and regional politicians is that hate speech and fake news can effectively blur as fake news, stories, lies, distortions and exaggerations are used to generate hatred, ridicule and contempt for the politician; and the use of hate speech can itself generate a false image or the production of lies and distortions through the spreading of rumour and fake news. While fake news and hate speech can be understood as distinct concepts they certainly blur in their usage when it comes to the experiences of local and regional politicians and to the effect they have on their working conditions.

Hate speech and fake news: the effects on the working conditions of local and regional elected representatives

51. The various legal documents against hate speech and fake news have in common the desire to protect certain categories of people or people with certain characteristics from online or offline hatred, denigration, abuse and vilification.³²

52. The primary effects of such hatred, denigration, abuse and vilification are to worsen the life experiences and expose to danger certain individuals and groups and to undermine their effectiveness as citizens and elected officials. or to legitimise them as a public target. It has been, for example, a tactic of the Russian Federation’s invasion of Ukraine to employ fake news in regard to mayors as a way of legitimising them as a target for repression during the invasion.³³

31 See Speech by Jos WIENEN, Mayor of Haarlem, The Netherlands, 36th Congress Session – Chamber of Local Authorities, 3 April 2019, https://search.coe.int/congress/pages/result_details.aspx?objectId=090000168093c780

32 <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=28598&lang=en> <https://www.coe.int/en/web/congress/e-democracy#%7B%22115210302%22%7D> https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680a67955

33 <https://www.theguardian.com/world/2022/apr/16/stay-go-ukrainian-mayors-agonising-choice-russia-invaded>

53. The promotion of distortions, lies, half-truths and exaggerated incidents or false accusations or the spreading of abusive or threatening comments and images about local and regional politicians weakens their effectiveness as community leaders and representatives and damages their effectiveness within the municipality or regional authority. The status and authority of the elected representative is also damaged by hate speech and fake news, and as a consequence the legitimacy of the office to which they are elected is challenged. The effect is therefore individual and collective; the damage is to local and regional democracy as a whole. Developing municipal and regional policy, becomes increasingly difficult if a sustained campaign of fake news, false allegations and exaggerated out of context stories is deliberately employed to consistently undermine the probity and integrity of the elected politician and local and regional politicians as a group. Councillors have reported that the vexatious use of complaints procedures, petitioning, or sustained letter writing campaigns to municipalities complaining or making various allegations about particular councillors, have been employed as a way of undermining their activities. It is the sustained nature of such campaigns and their intensity which tips them over into fake news.

54. Hate speech and fake news undermines the psychological and psychical well-being of those subjected to it and produces feelings of insecurity, uneasiness, fear, anxiety and uncertainty all of which can distract and weaken the activities with which the politician engages, such as voting on an urban planning issue, implementing regulations etc. Threats of physical abuse are particularly devastating. For instance, in the United-Kingdom, a councillor was threatened by a member of the public with assault if he attended a particular meeting as a way of preventing him from voting on a certain contentious planning issue.

55. Threats of and actual physical violence against mayors, councillors and regional politicians are a not confined to large urban areas, but is also occurring in smaller and more rural areas³⁴. It is a disturbing and worrying consequence of the use of online hate speech and fake news that it is not contained online but the effects spill over into face-to-face confrontation.

56. For instance, the Mayor of the small town of Warin in Germany received death threats on an online far-right platform. He subsequently had to be placed under police protection and spend some time away from Warin.³⁵ The Mayor of Estorf, also in Germany, resigned after years of facing threats.³⁶

57. Many examples exist throughout Europe of mayors and local and regional councillors abused because of their ethnic, religious background. One of the most vocal advocate to fight online abuse is the Mayor of London, Sadiq Khan, who stated that he had received more than 250,000 hateful messages online and called for further regulation of online platforms.³⁷

58. At a debate Congress's Chamber of Local Authorities on 3 April 2019 on 'mayors under pressure' Aleksandra Dulkiewicz, the Mayor of the City of Gdansk, outlined threats and intimidation experienced by local and regional politicians. The session also heard from the Mayor of Altena in Germany, Andreas Hollstein who had been stabbed in 2017 by an opponent of his policies and he commented that "More than 50% of mayors in Germany have been threatened in one way or another.³⁸ All of these examples, while non-exhaustive, destabilise the elected representative and reduce their effectiveness in their office.

59. So much of what local and regional politicians do rests on the public aspect of their duties: speeches and comments in meetings and with the press; interaction with individuals in the community; meetings, events and communication with municipal and regional appointed officials and managers; policy debates with other elected officials; and interactions with other levels of government. Any fake or insulting post can damage the confidence of the local and regional representative or undermine their status, standing and reputation or more generally the office they hold. It makes it more difficult for them to interact in any setting.

60. Accusations of a sexual nature or that the politician may be racist, sexist or homophobic when made, even if unsubstantiated or disproven, can be particularly damaging as guilt by rumours and accusation can be a popular approach for online perpetrators of hate speech and fake news.

34 See Open-Government and Open-Data Against Fake News and Hate Speech, *op.cit.*

35 See article here <https://learn.german.dw.com/en/mayor-goes-underground-after-neo-nazi-death-threat/a-3910637>

36 See article here; [Mayor's resignation highlights threat to German leaders](#)

37 See article here: <https://www.globalcitizen.org/fr/content/london-mayor-sadiq-khan-racist-tweets-south-by-sou/>

38 See findings here: https://www.coe.int/en/web/congress/36th-session/-/asset_publisher/LEZ5pSQ25ulu/content/growing-pressure-on-mayors

61. Public debate and decision-making are adversely affected then by hate speech and fake news as it prevents serious consideration of important local and regional issues. The ability of the local and regional representative to hold to account, challenge, question and criticise appointed officials can be severely undermined if the elected politician is subject to a sustained campaign of fake news and public vilification – therefore local and regional democracy is further damaged.

62. It is useful to highlight general aspects of the effects of hate speech and fake news of local and regional politicians that are generalisable across the Council of Europe's member states, such as:

- Undermines the confidence and therefore effectiveness of the elected politician.
- Produces a toxic working environment.
- Creates a negative and hostile image of an individual and their probity, honesty, and integrity which damages their interaction as a representative with the public and the municipal and regional administrative machine.
- Damages their ability to engage in open public debate on policy and political issues.
- Using false, malicious, spiteful and fabricated allegations to lead to egregious sanctions being used by municipalities and regional authorities against politicians further damaging their effectiveness.
- Adverse effects on the mental and physical health of the local and regional politician.
- Resulting in the resignation of the politician or them deciding not to seek re-election.
- Leading to the politician and their families moving away from the area they live in and where they may well have been born and brought up.

63. Besides key effects on individuals, hate speech and fake news also damages the institutions of local and regional democracy as they too are undermined by any fake news or hate speech that is aimed at their elected membership. Abuse and intimidation of the democratically elected and electorally legitimised representatives of the public strikes at the very heart of a free and open society. It prevents local and regional institutions from consisting of a diverse, enriching and varied set of individuals, in particular from underrepresented groups, and reflecting the widest range of political and social opinions. Abuse and intimidation local and regional politicians receive can serve to discourage citizens from standing for election and therefore further damage the recruitment of local and regional politicians, especially from underrepresented groups. Following the 2021 local elections in Denmark, a survey of candidates showed that nearly half of the respondents had experienced harassment and threats during the campaign, 46 percent of the respondents answered that harassment and threats had influenced their behaviour and every fifth of them doubted a future in politics³⁹. Hateful comments on social media also impacted close to 30 per cent of respondents. Over time a toxic and debased local and regional democracy is created which also undermines democratic institutions and democracy at a national level. Cumulative damage can even be witnessed if several elected representatives from the same institution are targeted by fake news and hate speech. Local and regional authorities can also be the target of disinformation and hate speech and, while not explored in this report, their impact can also be very damaging on local and regional democracy.

64. It is vitally important not to underestimate the effects of how hate speech and fake news can erode and dilute the working conditions and the effectiveness of local and regional representatives and the effects it can have on their social, family and work life, to the extent that the lives of elected representatives may themselves be placed in danger. Indeed, the deliberate targeting of local and regional elected officials in Ukraine by the Russian Federation, in particular through cyber and disinformation attacks, leading now, in the context of the war, to physical violence, abductions and murders such as the kidnap by Russian troops of the Mayor of Melitopol, Ivan Fedorov, and the execution of the Mayor of the town of Motyzhyn, Olga Sukhenko and her family. Indeed, the reaction of mayors to the invasion influenced the nature of the resistance.⁴⁰

39 These figures are even higher when disaggregated by age and gender: 51 percent of female respondents, two thirds of respondents aged under 40 years old and two out of three candidates with ethnic minority backgrounds were subjected to harassment or threats during the election campaign. Furthermore, 25 percent of the female respondents aged 18 to 39 years experienced sexual harassment during the election campaign. <https://menneskeret.dk/nyheder/chikane-valgkamp-faar-lokalpolitikere-traekke-partierne-maa-paa-banen>

40 See articles on this topic here: <https://www.theguardian.com/world/2022/apr/16/stay-go-ukrainian-mayors-agonising-choice-russia-invaded> and here: <https://www.telegraph.co.uk/world-news/2022/04/04/ukraine-mayor-olga-sukhenkos-tortured-body-found-alongside-husband/>

The effect of hate speech and fake news on the lives and families of local and regional politicians

65. An often-overlooked aspect of the life and working conditions of local and regional elected politicians is the affect that their holding of an office at municipal and regional levels can have on their family and friends. The effect of elected membership of a municipal or regional body on the family and friends of the politician requires further research and understanding particularly as the very distinct context of the Russian Federation invasion of Ukraine has shown how the targeting of local and regional politicians can also involve family members.⁴¹ Overall, stress and strains of holding local and regional elected office generate issues that need to be addressed for families such as inter alia time constraints, reduced mental and physical availability, interference with family and social time, direct contacts of the electorate through family members and friends, increased tensions and conflicting career aspirations.

66. These effects on families and friends are intensified when that elected family member or friend is subject to hate speech and/or fake news and intimidation campaigns. Family members, friends and work colleagues of elected local and regional politicians must share the pressures and tensions and sometimes provide emotional support, but most importantly, they may also become the target of campaigns themselves.⁴²

67. Local and regional politicians have reported incidents where their family – including their children – have been targeted, either online or in real time, by those who originally targeted the politician but have then extended their campaign targets. Spouses, partners and children have been named on social media sites, personal details provided, or images and photos of them posted in a derogatory fashion to apply pressure to the politician concerned. In some instances, children of local and regional politicians have been approached at school by the children of those running hate speech and fake news campaigns and teased, intimidated or abused and we were given confidential examples of where parents had encouraged their own children to behave in such a way towards the children of councillors; in one example a threat was made to the child of a municipal councillor that the child should be ‘hung’ Some former councillors have reported that they have moved their families from their municipality as a result of intimidation of their children in particular, or because of the emotional effects on children from a campaign against the representative.

68. The crossing over of online hate speech and fake news into real life is either a deliberate part of the campaign or a spill-over and unintended effect, but either way it can have a devastating impact on all protagonists concerned and subject them to intimidation and abuse which damages their well-being and working, social and private lives. That effect can also be very damaging if unfounded allegations of a sexual, violent or fraudulent nature are made against the local and regional politician concerned.

4. Protecting local and regional politicians from hate speech and fake news

69. Any activity which deters citizens from engaging in public life at the municipal and regional level or which means an existing politician withdraws from elected office undermines democracy, democratic decision-making, public debate and the very core of an open society. Evidence is growing that local and regional representatives had resigned or decided not to stand for re-election because of the effects of abuse and intimidation they and their families had experienced. It is a shared responsibility to ensure a thriving local and regional democracy and, for that purpose, to ensure the continued safety of those we elect and of the environment in which they operate.

70. In parallel to growing online and offline hate speech and fake news, there is an expanding need for local and regional politicians to receive support, resources and protection in dealing with abuse and intimidation, on and offline, and to enable them to monitor and respond to threats made to themselves and their families. Any protection given to local and regional politicians should be extended to their family members, when necessary.

71. This need for support places a responsibility on the municipalities and regional authorities to which they are elected, on national authorities and law enforcement agencies responsible to protect all citizens

41 See on this topic: <https://www.nytimes.com/2022/05/24/world/europe/russia-ukraine-mayor-killed.html>

42 In Norway for instance, the Norwegian Police University College surveyed local and national politicians and found that in 2021, 46 per cent of politicians had experienced harassment in the form of physical attacks, threats of harm, property damage or direct or indirect threats on social media. Furthermore, four out of ten respondents had received direct or indirect threats stating that the sender would harm the politician or close family. See <https://sciencenorway.no/harassment-politics-security/harassment-and-threats-against-norwegian-politicians-have-increased-significantly-in-recent-years/1980684>

and on organisations which advise on dealing with abuse, intimidation, stalking and other threats. Political subjects, local media and civil society organisations can contribute to supporting solutions. Local and regional politicians can also take a series of actions to protect themselves and their families and require information, support and advice in how this can be achieved, and this needs to be a priority of national municipal associations.

72. Sophistication is also needed to finesse the support local and regional politicians receive so it is adapted to dealing with single, one-off incidences or with organised and sustained campaigns either online or in real time. Much of the support required will depend on the individual that is receiving the threats and abuse and how he or she perceives that threat and the consequent affect it has on their work as an elected politician and on their families. Some of the measures explored below must be understood as a quick reaction to a virulent or organised hate or disinformation campaign and may not be the most appropriate long-term solutions, as they may lock representatives in and separate them from the electorate they represent.

73. Any protection for local and regional politicians introduced to combat hate speech, fake news, abuse and intimidation must be compatible with fundamental principles of open and free democratic States. Special consideration to balancing rights, transparency and privacy should lead any initiative to protect elected representatives. For instance, keeping logs or registers must be in line with privacy standards and national legislations or left to law enforcement agencies. While it must be remembered that local and regional politics (and any politics for that matter) is a value laden emotive, principle driven and argumentative process that relies on free speech and expression and even on robust, critical and forceful debate and argument, hate speech and fake news crosses boundaries of acceptable practice within a democracy. Yet that must be achieved by recognising the balance needed between combating hate speech and fake news and encouraging citizen participation in civic and political life which is a priority of the Council of Europe, Recommendation CM/Rec(2018)4 of the Committee of Ministers.⁴³

74. National, regional and municipal governments are encouraged to fully and comprehensively review the protections they provide for local and regional elected representatives from fake news and hate speech and from physical abuse, intimidation and threats. The aim of such a review is to identify the gaps and weaknesses in any existing arrangements and to strengthen and augment those protections to ensure the working conditions of local and regional politicians are not adversely affected by hate speech and fake news.

75. National, regional and local authorities and the appointed officials and managers within them, need to be fully aware of the working lives of the elected politician, the demands they experience and the requirements for support and advice that they have as well as an awareness of the effects of their office on their private and social lives.

National authorities

76. First of all, national governments should ensure that local and regional elected representatives are protected by a comprehensive legislative framework⁴⁴. Relevant and appropriate criminal, civil and administrative law should address both online and offline threats. For instance, national legislation can make holding the position of a local or regional politician an aggravating factor in any legal action or prosecutions taken against those committing abuse or assault on a local and regional politician and sentences and punishment to be augmented accordingly. Hate speech is an aggravating offence in countries such as Finland, for example, and the use of hate speech against local and regional politicians could also be considered an aggravating offence alongside other protected groups and characteristics.

77. In countries where councillors are not recognised in law as ‘employees’ of the council, they should, for the purposes of legal protection from abuse, intimidation, stalking, assault and online hate speech and fake news be so recognised. Council leaders in England have recently demanded a specific law be introduced against the intimidation of holders of public office.⁴⁵ These legal measures should be taken in

43 <https://rm.coe.int/16807954c3>

44 Against Hate: Guidebook of good practices in combating hate crimes and hate speech’ is a pan-European survey of action taken, across 24 countries, to combat hate speech and although it does not relate specifically to local and regional representatives, it provides examples of how, and what, protection could be extended to them. Recording incidences of hate speech and providing legal remedies to it is commonplace across the nations within the study group, for example and is something which could be extended to local and regional politicians as a protected group or characteristic. Emilia Hämäläinen from the Police Department of the Ministry of the Interior, Sweden; Guide to good practice in identifying and preventing hate speech, 2022, available here <https://julkaisut.valtioneuvosto.fi/handle/10024/163035>

45 <https://www.theguardian.com/society/2021/oct/22/councillors-demand-better-protection-from-abuse-and-death-threats>

conformity with fundamental freedoms. In any case, national governments should acknowledge the extent of the issue at hand and that it is emerging as one of the key priorities for local and regional governance. In that regard, providing enough funds and resources for national agencies to tackle this efficiently and to stir leadership is paramount.

78. Even though legal remedies against online users have so far shown average results, national authorities could take measure or adopt legislation to expedite legal procedures in the case of online hate campaigns, in particular if local and regional politicians are under threat. In that regard, clearly identifying focal points within national cybersecurity agencies, human rights institutions or law enforcement agencies and making their contact details known to local and regional authorities could prove useful and save precious time during crisis situations. A detailed document of roles, responsibilities and contact details could be distributed to local and regional authorities and to the associations of local and regional authorities and representatives in each country. National authorities can provide additional training on handling victims of hate speech to law enforcement bodies and encourage cooperation and referrals between local and national police⁴⁶. National authorities can also identify (and hire) medical, psychological and legal assistance providers that are trained to deal with such situations and can be contacted through a confidential national helpline. In France, the Association of the Mayors of France has signed a convention with the NGO France Victimes to provide support to mayors and local councillors in need of support.⁴⁷

79. National authorities can also provide funds and other resources, to ensure that all municipalities (particularly the smaller ones, or those with resource constraints) and regional authorities are able to provide their elected politicians with support and advice. For instance, they can provide training sessions and materials for all local and regional politicians in how to identify and deal with fake news and hate speech and how to avoid and tackle public and private abuse, intimidation and threats made to them or to their families. For instance, in the Netherlands the Ministry of the Interior and Kingdom Relations have developed guidelines on disinformation and distributed them widely to local and regional authorities⁴⁸. National authorities may share and regularly update a comprehensive list of the national laws that tackle hate speech, fake news and physical assault, intimidation and threats and make these available to municipalities and regional councils, where relevant. It can entail targeted training for all those involved in protecting elected representatives.

80. Regarding online content, it is also possible for national governments, or supra-national institutions such as the European Union, to directly regulate or to collaborate with private internet intermediaries to ensure swift, transparent and effective removal or declassification of posts, images or videos that constitute hate speech. National authorities can also request them to review their moderation techniques and content promotion strategies, such as the use of algorithms and political advertisement. The European Union is currently working on a Digital Services Act, which once ratified, will protect fundamental rights online and hold private companies accountable. It worked in collaboration with Facebook, Twitter, Instagram, Tiktok and others to tackle Covid-19 related misinformation and requested some changes were made to their moderation rules and algorithms.

Local and regional authorities

81. Local and regional authorities can take practical steps to protect their elected members. The list of potential solutions explored in this section is neither exhaustive nor adapted to all situations as some of these measures are more appropriate to react to a virulent online campaign and others are measures of preventive nature. Indeed, depending on the size of the community, funds and capacities available and threat levels, each authority can determine the level of support needed and re-evaluate needs through time. Dedicated human resources can be costly and not all municipalities can afford such long-term support and may have to request additional support from national authorities, or obtain such support by

46 The European Union Agency for Fundamental Rights (FRA) reports that in Croatia, France, Latvia, Spain and the United Kingdom reported the existence of dedicated hate crime protocols or operational guidance available to law enforcement agencies; in Bulgaria, France and Italy law enforcement agencies are provided with a guide for interviewing victims and assessing their needs; in Austrian police officers have access to internal e-learning seminar on hate crime, and further instructions and videos are available. While all of this deals with the broad issue of hate crime and not specifically the needs of local and regional politicians and their specific experiences, such protocols and guides provide a model for national, regional and local authorities to develop appropriate techniques for local and national police agencies to emulate in regard to local and regional representatives. See: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2021-hate-crime-reporting_en.pdf

47 See article in French here: <https://www.banquedesterritoires.fr/le-ministere-de-linterieur-appelle-les-prefets-la-mobilisation-face-la-recrudescence-delus-menaces>

48 See Guidelines in Dutch here: <https://www.rijksoverheid.nl/documenten/publicaties/2022/02/09/handreiking-omgaan-met-desinformatie>

sharing resources, or working in partnership with other municipal and regional authorities. Other lower-cost solutions are explored below that can serve as mitigation techniques.

82. Depending on the threat levels, it is important to properly balance the need for politicians to share information with their electorate about their private lives and whereabouts (address, schedule, etc.) and the need to ensure their safety. The physical protection measures may temporarily protect elected representatives from a larger audience, but their application must remain limited in time and targeted. Otherwise, the risk of excluding the representative from its constituency may negatively impact his or her work and his or her relationship with voters. Paramount elements of an electoral campaign and mandate for local and regional politicians are to relate and bind with voters and to show proximity, sometimes through references to personal or professional lives. Some of the measures below explore keeping personal information private or avoiding spontaneous meetings, but they also must be taken only if appropriate and after careful consideration by elected representatives themselves. Any action taken is targeted at against those responsible for abusing or intimidation local and regional representatives and need not therefore damage the accessibility to the representative for local citizens. Again, it is vital that local and regional authorities share such material among themselves.

83. First, a comprehensive support system may be set up at the municipality or regional council. A detailed policy document can be prepared by all municipalities and regional authorities which lists the precautions, resources and support available and how these can be accessed (emergency contact phone numbers and email addresses). The policy document can also include protocols and procedures for dealing with on and offline hate speech and fake news. A dedicated contact point or a 24-hour emergency number, linked to a relevant authority, can also be set up to provide emergency support. Local and regional authorities can also appoint an officer or civil servant to be responsible for co-ordinating, advising and providing support, resources and advice to elected politicians regarding on and offline abuse and intimidation and ensuring personal safety and security. That official may keep a log of all reported incidents of abuse and intimidation – on and offline – against elected officials which is dated and timed and signed by the politician as evidence for law enforcement agencies and to map patterns of abuse within legal provisions. Politicians could be invited to report any social media sites posting fake news and hate speech and for that official to issue formal rebuttals and alternative narratives. In Denmark for instance regular surveys to measure unreported hate crime are conducted and local and regional authorities should conduct similar regular surveys of their elected representatives to gauge the true depth of hate speech, abuse, intimidation and physical assaults they experience, rather than rely only on reported cases.⁴⁹

84. Physical and mental safety of local and regional elected representatives is also paramount and depends very much on the context and level of threats perceived. Local authorities or law enforcement authorities can ban visits to local and regional politicians' homes by the public and can request appointments to be made only via the municipal and regional authority. Risk assessments can be conducted by the municipality or regional authority for any public activity involving elected politicians, in particular during electoral meetings or virulent online hate speech and fake news campaigns. They can provide home security systems such as alarms, panic alarms, internal and external CCTV. In tense situations or perhaps late-night meetings, local and regional authorities and law enforcement bodies can evaluate the need for police protection (if requested by elected representatives) or companions to accompany them to their cars or public transport. Protection (and resource for transportation/accommodation) can also be required when local and regional elected representatives are carrying out home visits in regard to their pastoral and caring roles or during open town-hall meetings. Local and regional authorities should also identify medical, psychological and legal assistance providers that are trained to deal with such situations.

85. Finally, local and regional authorities can provide advice and training to their elected representatives. It could relate to identifying social media which have promoted fake news and hate speech and making this register available to elected politicians. Advice and training could also be provided on the ways in which different social media platforms operate and on the way they can be employed to intimidate, abuse and spread hate speech and fake news and what can be done in each situation. Furthermore, advice on how elected representatives communicate online could also be provided, such as having a separate personal and institutional account, to refrain from posting personal details online, such as birthdays, phone numbers, email and home addresses, photos and comments (about family or friends, or even invitations to events). Separating the private from the official life on different social media accounts

49 Emilia Hämäläinen from the Police Department of the Ministry of the Interior, Sweden; Guide to good practice in identifying and preventing hate speech, 2022, available here <https://julkaisut.valtioneuvosto.fi/handle/10024/163035>

provides an important level of security, but care must be taken when giving access to the private account to those requesting contact.

86. While it should be the responsibility of each municipality and regional authority to maintain, update and provide the documents and policies suggested above, it should be the national associations of local and regional authorities within each member state of the Council of Europe to produce draft model policies. Those draft model policies can then be amended and nuanced by municipalities and regional authorities to reflect their own local circumstances, knowledge and experiences.

87. Perhaps the most complex initiative, local and regional authorities can engage in creating and promoting counter narratives which attempt to re-establish the truth and restore trust in elected representatives. Online activity enables the spread of rumours, falsehoods, distortions and lies about local and regional politicians. But there is also a way in which those politicians, supported by their municipalities and regional authorities, can respond to and publicly refute fake news and hate speech. Speedy, accurate and effective rebuttal by the municipal or regional authority needs to provide a robust defence of the individual politician from hate speech, fake news and verbal and physical abuse and this must be seen as part of the responsibilities for the municipality and regional authority. These counter narratives can take the shape of rebuttals, communication campaigns on varied social media platforms, statements by local and regional leaders expressing solidarity and condemning hate speech and fake news. Little research has been done in the field of behavioural communications to evaluate the impact of such measures at local and regional levels but promoting understanding and fostering a more tolerant political environment could be beneficial to local and regional democracy. Some municipalities have charged senior officials with challenging online harassment and bullying of councillors as part of their duties, forcing inter-net trolls to remove abusive posts and in encouraging and advising site administrators how to better govern and managed their sites to prevent online abuse.

88. Municipalities should be encouraged, where necessary to share resources and support, as far as possible, across municipal boundaries. Municipalities and regional authorities should also share information regarding social media sites known to spread fake news and hate speech against local and regional politicians with national authorities and law enforcement agencies.

89. Local and regional politicians will make their own assessments of the severity of any threat they receive or any physical assaults etc they, or their families, experience. But all politicians should be encouraged and supported by their municipal and regional authority in reporting such incidents to the police and for the municipal and regional authority to be responsible for following up each and every complaint made to the police. Sweden operates special hate crime investigation teams and where such teams exist they provide the obvious link for local and regional politicians experiencing hate speech; such teams should be formed with a specific focus on local and regional politicians.⁵⁰

Preventing hate speech and fake news

90. Despite the fast-paced online media environment, local and regional authorities can also explore less reactive measures to curb the use of hate speech and fake news in their constituencies. This prevention approach relies on the hypothesis that it is the responsibility of all citizens to ensure that the political environment online and offline does not become a place for hate and disinformation. It is important to support the establishment of a more ethical, moral and inclusive political culture at all levels of government, which welcomes lively and free of fear political debate and exchange of ideas.

91. Over the last few years, a wide-ranging array of local, regional and national soft initiatives have flourished in Council of Europe member States to counter the rise of these phenomena. Not unlike mechanisms listed above to protect elected representatives, these activities can require collaboration at all levels of government and with the private sector, civil society organisations, political parties and media organisations. These initiatives should be considered an integral part of comprehensive strategies to fight hate speech and fake news as they address root causes and may contribute to longer-term improvements.

92. Local and regional authorities can launch education and communication campaigns to promote ethics and tolerance in social media and disinformation awareness. Authorities (at all levels of government) can fund local and regional projects or can partner with civil society organisations to address the root causes of hate speech and fake news through creative and educational programmes targeting

⁵⁰ Guide to good practice in identifying and preventing hate speech, [op.cit.](#)

the general public. It may include larger programmes to help citizens separate truth from disinformation or to distinguish fake news from verified information⁵¹. Specific programmes targeting perpetrators can also be important to understand local drivers of tensions and to avoid escalation. On the other hand, specific programmes targeting victims of hate speech can also be useful, in particular for groups that are most targeted, to ensure they run for elections and participate actively in the political life without fear of intimidation.

93. Political parties and media organisations can also contribute by having guidelines, such as codes of conduct, for their members which promote the use of tolerant and inclusive speech and avoid sharing unverified fake news. Such codes of conduct should in particular promote openness and awareness around potential conflicts of interest situations. For instance, in Italy, the National Network for the fight against hate speech and hate phenomena invited candidates in the local elections in 2021 and 2022 to sign a vademecum against hate⁵². The fifth recommendation addresses online hate speech in particular and invites candidates to “promote responsible use of social networks (both directly and through their own political structures), including moderation of the comments of followers and the removal of any hateful or discriminatory expressions”.

94. While local and regional representatives are currently not a group protected in law by anti-hate speech (and fake news) activities they can benefit from and be included, as a group, in any campaigns or policies such as those currently devised and promoted by the Council of Europe which includes training resources and facilities.⁵³

95. Finally, the “Counter-fake” inter-university study recommends promoting open government and open data to tackle hate speech and fake news. As previous Congress recommendations noted,⁵⁴ there are several benefits to implement an open government strategy such as increasing transparency and accountability and de facto leaving less space for conspiracies and corruption allegations, developing trust, credibility and reputation, promoting progress and innovation and encouraging community engagement. All these factors could contribute to strengthening local and regional democracy.

5. Conclusion

96. By drawing together the Council and Congress’ existing positions on fake news, hate speech and free speech and democracy the report and its recommendations provide the basis for protecting local and regional politicians and for and strengthening and enhancing their working conditions which in turn augments the quality of citizen engagement and participation and the quality of local and regional democracy.

97. Hate speech and fake news are on the rise throughout Europe and their fast-paced escalation has been further amplified by the use of social media and online platforms. Local and regional elected representatives, and sometimes their families and friends, have become targets for verbal and physical threats, intimidation and violence.

98. Hate speech and fake news are mainly employed against local and regional politicians to undermine them in their office; to cast aspersions on their character or integrity; intimidate them into taking or avoiding a particular course of action or supporting a particular decision; and, to generally oppose them politically. They damage their working conditions and by extent their capacity to deal with issues related to their constituencies. Hate speech and fake news can even discourage potential candidates from running in local and regional elections, especially for citizens from underrepresented groups who are more often targeted. As a consequence, the very fabric and processes of local and regional democracy is damaged and citizen engagement and participation weakened.

99. Hate speech and fake news is caused by suspicion about the motives, objectives and probity of decisions and actions taken at the municipal and regional level and about those taking the decisions. Lack of information and access to municipalities and regional bodies also stimulates suspicion about motives and probity. Finally, decisions made at the local and regional level can stimulate opposition –

51 See for instance local conflict-sensitive content moderation in Bosnia-Herzegovina: <https://www.article19.org/wp-content/uploads/2022/06/bosnia-herzegovina-country-report-content-moderation.pdf>

52 <https://www.retecontrolodio.org/2022/05/09/elezioni-2022-vademecum-cinque-punti/>

53 <https://www.coe.int/fr/web/inclusion-and-antidiscrimination/hate-speech-prejudices>

54 See Congress Report on Transparency and open government, CG35(2018)14 and Congress Report on Open data for better public services.

both to the decision itself and to those making them - leading to sustained campaigns which spill over into personal abuses, intimidation and possibly violence, such as the murder of German regional politician Walter Lübcke; the knife attack on Cologne's Mayor Henriette Reker in October 2015; and, a brutal assault the Mayor of the town of Oesdorf in Schleswig-Holstein, in 2016; both of which were occasioned by intense disagreement by the perpetrators with the mayors' policies.⁵⁵

100. Hate speech and fake news while being separate concepts do blur in the experiences of local and regional politicians and can also spill over into physical and verbal abuse and violence. Local and regional politicians are exposed to the public as the 'face' of their authority and as such can bear the responsibility, in the eyes of the public, for actions and decisions taken by their authority, even if the politician was not directly involved. The Covid-19 pandemic created new sources of frustrations and conspiracies and gave a spur to the use of social media as tools to spread disinformation and hate.

101. Combating the spread of hate speech and fake news and producing methods to prevent the physical and verbal abuse and violence against local and regional politicians must be compatible with the principles of free speech, democratic engagement and citizen participation in local and regional democracy and citizen engagement with municipal and regional bodies.

102. Combating online and offline hate speech and fake news must be undertaken in conjunction with a series of coordinated and comprehensive actions, as set out in the recommendation, to protect local and regional politicians from verbal and physical abuse, intimidation, threats and actual attacks. Legal remedies must be put in place by national governments to ensure sturdy protection of elected representatives and lively democratic debate, free of fear and intimidation. Prevention measures can also contribute to strengthening trust and legitimacy at local and regional levels, by promoting ethics, counter-narratives, open government and awareness of the phenomena.

⁵⁵ [IPOL_STU\(2020\)655135_EN\(1\).pdf](#)

Additional examples on the situation in France available here: <https://www.banquedesterritoires.fr/securite-un-ete-et-des-esprits-surchauffes>