

# FREEDOM OF EXPRESSION IN POLITICAL SPEECH

ONLINE EVENT  
Geneva | 28-29 April 2022

WITH THE SUPPORT OF:

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

GLOBAL STUDIES INSTITUTE



UNIVERSITÉ  
DE GENÈVE


# THURSDAY 28.04.22

14 :00 

## OPENING SESSION

---

- **Professor Yves Flückiger** Rector of the University of Geneva
- **S.E. Simon Geissbuehler** Head of the Peace and human Rights Directorate, Swiss Ministry of Foreign Affairs
- **Marija Pejčinović Burić** Secretary General of the Council of Europe
- **Dunja Mijatovic** Commissioner for Human Rights, CoE

14 :30   
16 :00


## FIRST PANEL – THE IMPORTANCE OF POLITICAL EXPRESSION FOR DEMOCRACY

---

Freedom of expression covers speech that can disturb or even shock. Are there any special features in terms of the freedom of expression of politicians or of candidates in an election? In this context, what is the role of parliamentary immunity, of obligations or oaths of respect for the protection of the constitutional order?

- **Professor Frédéric Bernard** University of Geneva
- **Boriss Cilevics** Member of Parliamentary Assembly CoE, Legal Affairs Committee, Rapporteur
- **Herdís Kjerulf Thorgeirsdóttir** Member of Venice Commission, CoE
- **Patrick Penninckx** Head of Service of the Information Society Department, CoE
- **Meaghan Fitzgerald** Head of Election Department, ODIHR

## SECOND PANEL – LIMITS TO THE FREEDOM OF POLITICAL SPEECH

 16:30  
18:00

What are the limits of political speech in a democratic society, particularly in terms of hate speech, calls for violence, denial of crimes against humanity (Holocaust), calls to overthrow the constitutional order, glorification of crime – including terrorism? Are there any limits imposed by law on political discourse? Are there ethical obligations or good democratic practices in this area? Is there an ethical obligation to respect the independence of certain public institutions or the press? Are the rights and limits the same for elected officials and activists or candidates?

- **Petra Bayr** Member of Parliamentary Assembly, CoE, General Rapporteur on combating racism and intolerance
- **Eric Wennerström** Judge, European Court of Human Rights, CoE
- **Yevheniya Kravchuk** Member of Parliament (Rada), Ukraine
- **Professor Nula Frei** Universities of Fribourg and Geneva
- **Anne Weber** Secretariat of States against Corruption (GRECO), CoE

## FRIDAY 29.04.2022

## THIRD PANEL – LIMITS TO LIMITATIONS ON POLITICAL SPEECH

 09:00  
10:20

Possible restrictions on freedom of expression are limited in most constitutional and international instruments protecting human rights. How are these conditions assessed, for example, in cases of "insults", "propaganda", "blasphemy", calls to overthrow the constitutional order or secession? Is the case of the spread of "fake news" a special case allowing restrictions to be envisaged (is the situation in this area the same for elected officials as for activists or candidates)?

- **Professor Ledi Bianku** Former Judge at the European Court of Human Rights, CoE
- **Professor Maya Hertig** University of Geneva
- **Kirill Bellogubets** Officer in Unit for RUS, Registrar's department, ECTHR, CoE
- **Peter Noorlander** Consultant for Human Rights law

10:35  
12:00



## FOURTH PANEL - HOW TO ASSESS AND JUSTIFY THE EFFECTS ON A DEMOCRATIC SOCIETY OF LIMITATIONS ON FREEDOM OF EXPRESSION IN POLITICAL SPEECH?

---

How to assess the proportionality of the sanctions that can be imposed? How can the impact on freedom of expression and the functioning of democratic institutions of the use of criminal or civil prosecution of politicians be assessed? Could we consider a more constructive alternative to legal sanctions?

- **Professor Yuliya Kaspiarovich** University of Groningen
- **Jeroen Schokkenbroek** Director of the Anti-Discrimination Directorate (including fight against hate speech), DG II, CoE
- **Dr. Elina Steinerte** President of Working Group on Arbitrary Detention, UN
- **Professor Müller-Török** University of Ludwigsburg
- **Professor Joaquin Pablo Urías Martínez**, Constitutional Law, University of Sevilla

12 :00



## CONCLUSIONS

---

- **Professor Nicolas Levrat** Director of Institute of Global Studies, University of Geneva
- **Christos Giakoumopoulos** Director General for Human Rights and the Rule of Law of the Council of Europe

Moderator : **Dr. Frédéric Esposito** University of Geneva



**Register here**

<https://formulaire.unige.ch/ouils/limesurvey3/index.php/787453?lang=en>