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Strasbourg, 26 October 2020

**10<sup>TH</sup> MEETING OF THE COUNCIL OF EUROPE  
DIALOGUE WITH ROMA AND TRAVELLER<sup>1</sup> CIVIL SOCIETY**

*Strasbourg, 26-27 November 2020*

**Combating hate speech directed against Roma and Travellers**

**CONCEPT NOTE**

**INTRODUCTION TO THE ISSUE**

According to General Policy Recommendation No. 15 on combating Hate Speech<sup>2</sup> by the European Commission against Racism and Intolerance (ECRI), hate speech is based on the unjustified assumption that a person or a group of persons are superior to others; it incites acts of violence or discrimination, thus undermining respect for minority groups and damaging social cohesion. In this recommendation, ECRI calls for speedy reactions by public figures to hate speech; promotion of self-regulation of media; raising awareness of the dangerous consequences of hate speech; withdrawing financial and other support from political parties that actively use hate speech; and criminalising its most extreme manifestations, while respecting freedom of expression. Anti-hate speech measures must be well-founded, proportionate, non-discriminatory, and not be misused to curb freedom of expression or assembly nor to suppress criticism of official policies, political opposition and religious beliefs.

Aware of the dangerous link between hate speech, radicalisation and violence, the Council of Europe has always stressed the importance of preventing hate speech and protecting the rights of its victims both through effective prosecution of the perpetrators and a diverse set of policy measures.

Criminal prohibition is necessary when hate speech publicly incites violence against individuals or groups of people. At the same time, criminal sanctions should be used as a measure of last resort. The right balance must be kept between fighting hate speech on the one hand, and safeguarding freedom of speech on the other. Any restrictions on hate speech should not be misused to silence minorities and to suppress criticism of official policies, political opposition or religious beliefs.

In many instances, ECRI has found that an effective approach to tackling hate speech, in particular cyberhate, is self-regulation by public and private institutions, media and the Internet industry. In practice this means taking measures such as the adoption of codes of conduct accompanied by sanctions for non-compliance. Education and counter-speech are also equally important in fighting the misconceptions and misinformation that form the basis of hate speech. Therefore, ECRI considers that effective action against the use of hate speech requires raising public awareness of the importance of respecting pluralism and of the dangers posed by hate speech.

Underreporting of hate speech and hate-motivated violence is another feature of these two phenomena. Victims, including Roma and Travellers, rarely report incidents to the authorities for fear of retaliation or of not being taken seriously, or because they have no confidence in the justice system. This contributes to the lack of data, which

<sup>1</sup> The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "Gens du voyage", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

<sup>2</sup> European Commission against Racism and Intolerance (ECRI) General Policy Recommendation No. 15 (CRI2016/15), available at: <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.15>

makes it difficult to quantify the extent of the problem and take effective measures to address it. ECRI recommends states to provide practical support to those targeted by hate speech and violence: they should be made aware of their rights to redress through administrative, civil and criminal proceedings and encouraged to report to the authorities and receive legal and psychological assistance.

The results of different monitoring activities of the Council of Europe, in particular those of the Commissioner for Human Rights<sup>3</sup> and the European Commission against Racism and Intolerance (ECRI)<sup>4</sup> as well as evidence from other sources, such as the European Roma Rights Centre's 2020 report *"Roma Rights in the time of COVID"*<sup>5</sup>, show that as the number of COVID-19 cases continues to rise worldwide, so do the amount of anti-Roma and anti-Traveller hate speech and different examples of negligence and denial of basic services, harsh treatment, evictions, pogroms and assaults against these communities. There has been a sharp, global increase in anti-Gypsyist and anti-Nomadist attitudes and violent incidents, including police violence. Politicians, state and municipal officials and other members of society have also been using hate speech rhetoric and blaming Roma and Traveller communities for their nations' struggles with COVID-19.

The [Council of Europe Strategic Action Plan for Roma and Traveller Inclusion \(2020-2025\)](#) aims at promoting and protecting the human rights of Roma and Travellers, combating anti-Gypsyism and discrimination and fostering inclusion in society. The strategy is structured around three main lines of action, all of which deal also with combating hate speech. These lines of action are:

- combating anti-Gypsyism and discrimination and supporting real and effective equality;
- supporting democratic participation and promoting public trust and accountability; and
- supporting access to inclusive quality education and training.

Stereotyping, stigmatisation, discrimination, hate speech and hate crimes cause great harm to the whole society and further perpetuate the marginalisation, poverty and suffering of Roma and Traveller communities posing serious obstacles for any policy initiatives trying to improve their situation. The words and images used in politics, in the news, and in social media have consequences and the media play a crucial role in influencing the public perception of Roma and Travellers and their socio-economic integration. The media should provide accurate, well researched and objective reports and analyses. However, both deliberate and unintentional negative portrayals of Roma and Travellers are often found in traditional and new media, thus negatively impacting people's views of these communities. In this context, all Council of Europe member states need to adopt new legal responses and standards and to implement creative measures that combat hate speech in the public space and in both traditional and new media. These should be combined with training of public authorities, legal professionals and law enforcement bodies based on relevant case-law of the European Court of Human Rights and Council of Europe standards, capacity-building of civil society, as well as educational and awareness-raising initiatives.

In order to support member states in their work on these issues, the Council of Europe's Committee of Experts on Combating Hate Speech (ADI/MSI-DIS) is currently preparing a new draft Committee of Ministers Recommendation on combating hate speech through a comprehensive approach. Active civil society consultations such as this 10<sup>th</sup> meeting of the Council of Europe Dialogue with Roma and Traveller civil society are an important part of the drafting process.

## OBJECTIVES OF THE 10<sup>th</sup> DIALOGUE MEETING

The 10<sup>th</sup> meeting of the Council of Europe Dialogue with Roma and Traveller civil society will focus on discussing hate speech and understanding its impact on Roma and Traveller communities and their social integration. It aims to:

- bring together different Roma and Traveller civil society organisations and international organisations concerned with hate speech and hate crime issues that are an integral part of their

<sup>3</sup> Council of Europe Commissioner for Human Rights: Thematic work on Roma and Travellers, available from: <https://www.coe.int/en/web/commissioner/thematic-work/roma-and-travellers>

<sup>4</sup> European Committee against Racism and Intolerance (ECRI), Country monitoring reports, available from <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/country-monitoring>

<sup>5</sup> European Roma Rights Centre (2020) Report: Roma Rights in the Time of Covid, available from: <http://www.errc.org/reports--submissions/roma-rights-in-the-time-of-covid>

work with the rule of law, democracy, fundamental rights and freedoms and voice out their observations and common concerns regarding hate speech;

- take stock of existing definitions and prevalence of hate speech against Roma and Travellers focusing especially on its characteristics in different member states;
- provide an overview of relevant international legal and normative instruments and case-law on hate speech at European level;
- highlight the main provisions relevant to Roma and Travellers in media and authorities that have specific roles and responsibilities concerning the regulation of hate speech and creation of counter narratives in the public space and in both traditional and new media;
- identify possible gaps in the national legislation, policy and practice concerning the help and support services for Roma and Traveller victims of hate speech;
- counter hate speech and hate crimes through sharing good institutional practices and exemplary civil society initiatives from different countries.

## **EXPECTED OUTCOME OF THE 10<sup>th</sup> DIALOGUE MEETING**

The involvement of Roma and Traveller communities and individuals, at every level of policy formulation, implementation and follow-up, is an essential component of the Council of Europe's policy regarding Roma and Travellers.

Whilst recognising that the responsibility of Roma and Traveller integration lies first and foremost with the member states, the Council of Europe considers that other actors, such as local and regional authorities, civil society and international organisations, have an important role to play in terms of policies and practices.

Civil society has the necessary networks and invaluable knowledge about the situation of Roma and Travellers on the ground and can contribute to assist member states and the Council of Europe in meeting their commitments regarding the fight against hate speech. The role of Roma and Traveller civil society is to provide support and be the bridge between Roma and Traveller communities and decision and policy makers. As Council of Europe programme beneficiaries, project implementors and complementary actors, civil society can facilitate Council of Europe actions through constructive and mutual dialogue.

The 10<sup>th</sup> Dialogue meeting will increase awareness and knowledge of the situation of Roma and Travellers concerning hate speech and efficient legislative and other measures against it. It will deepen understanding of Roma and Traveller civil society's role and tools in actively promoting and contributing to the fight against hate speech and hate crimes in the member states.

The Dialogue meeting will also serve as a forum for Roma and Traveller civil society organisations and other stakeholders to improve their knowledge, exchange experiences and share best practices, and plan future co-operation activities to combat hate speech directed against Roma and Travellers.

## **PARTICIPATION**

Participants: 60-70 persons

25 representatives of Roma and Traveller civil society organisations, including youth and women organisations that have been co-operating with the Council of Europe and preferably have contributed to designing and/or implementing measures against hate speech.

Member state representatives, such as Equality Ombudsmen, who have actively contributed to hate speech monitoring systems, participated in media self-regulation concerning hate speech and in the development of support services for Roma and Traveller victims of hate speech.

Members of other Council of Europe services; members of the Inter-Secretariat Task Force on the Implementation of the Council of Europe Strategic Action Plan for Roma and Traveller Inclusion (2020-2025); and others who are

mainstreaming Roma and Traveller issues into their respective areas of work such as the European Court of Human Rights, the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe, the Human Rights Commissioner, the European Social Charter, the European Commission against Racism and Intolerance (ECRI), the Advisory Committee to the Framework Convention for the Protection of National Minorities (FCNM), the Committee of Experts of the European Charter for Regional or Minority Languages (ECRML), the Conference of INGOs, the Council of Europe Development Bank (CEB), the Youth Department, the Gender Equality Division, the Children's Rights Division, etc.

Application deadline: 8 November 2020, midnight (CET)

Selection criteria for Dialogue participants:

- experience and expertise regarding the different priorities of the Council of Europe Strategic Action Plan for Roma and Traveller Inclusion (2020-2025);
- geographical representation of the participants at national and regional levels and across Council of Europe member States;
- age and gender balance;
- current or latest contribution or project implementation in the fields of combating hate speech;
- contributions to developing standards against hate speech and to monitoring their implementation;
- ability to work orally and in writing in at least one of the official languages of the Council of Europe (English or French) or in Romani;
- personal motivation.

Only successful candidates will be notified.

Notifications will be sent out in the week of 16-20 November 2020.

#### **DATE AND VENUE OF THE 10<sup>th</sup> DIALOGUE MEETING**

The meeting will take place online on 26-27 November 2020.