

International Conference

**“ADDRESSING HATE SPEECH IN THE MEDIA:
the role of Regulatory Authorities and the Judiciary”**

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OPENING ADDRESS

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Dear Friends and Colleagues,

I am delighted to meet all of you today at the joint call of the Council of Europe and the Croatian Agency for Electronic Media to examine the alarming trend of hate speech across our societies, and especially in the media, and look cooperatively for new solutions, best practices and approaches to “gardening” public speech and educating our citizens for a democratic culture of tolerance and respect for diversity.

This conference is organised here, in Zagreb, under the Croatian chairmanship of the Committee of Ministers of the Council of Europe, to mark the leadership provided by the Republic of Croatia in Strasbourg during the last six months in addressing multiple challenges Europe is currently facing. Hate speech is one of these challenges!

From the outset, I would like to thank the Minister of Culture and the representative of the Ministry of Foreign Affairs for their opening remarks and express my deep satisfaction with the way we worked together with the Croatian Agency for Electronic Media in organising this event which we hope you will find not only useful, but also insightful, revealing and inspiring.

The hate speech is becoming a crucial social and political problem in many member States of the Council of Europe. We are free to express ourselves, even to the extent that our opinion may offend, shock or disturb others. But not everything is acceptable as free speech. The moment people start publicly inciting to violence, hostility or discrimination against a group of persons, then this is hate speech not free speech. The Secretary General of the Council of Europe Thornbjorn Jagland is urging us: "Hate speech is not free speech - hate speech is an abuse of freedom of expression!"

Whether online or offline, the hate speech and its impact on European societies is one of a major cause for concern for the Council of Europe. From shouting at someone in the street to posting offensive comments online – hate speech can take many forms. Respecting human dignity is especially challenging in cyberspace where borders and borderlines are less apparent. We must draw the line when hate begins.

Whether there is no universally agreed definition on what is hate speech, it remains often a manifestation of discrimination, and can lead to other human rights violations. The recent political developments indicate that it is more appropriate to have a flexible approach on what is hate speech, because of new targets and contents.

According to the Committee of Ministers Recommendation on "hate speech" from 1997, the term "hate speech" shall be understood as covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or all other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against

minorities, migrants and people of immigrant origin; hatred on religious grounds; homophobic speech, misogyny and sexism, etc.

In fact most countries have adopted legislations banning expressions that can be included in this concept, with slight differences. The Council of Europe has also produced numerous detailed standards on hate speech, which are effectively monitored by its human-rights mechanisms, while the case law of the European Court of Human Right guides the national courts in addressing this phenomenon.

It shows how important it is to find a balance between the right to freedom of expression, protected by Article 10 of the ECHR, on one side, and combating hate speech on the other. This balance should always be respected in a pluralistic and democratic society, hate-speech provision should not be used to suppress legitimate criticism.

The role of the media in combating hate speech is particularly important. The digital technologies and social media has opened up new spaces for communication and contribute to the diversity, but these technologies also contribute to make hate speech go faster and further.

We all understand that tackling hate speech is a complex and multidimensional task in which we are all involved: parliamentarians, law-makers, political leaders, journalists and the media, judges, prosecutors, lawyers, national media regulatory authorities; self-regulatory bodies, civil society, academics, teachers and, more recently, internet intermediaries and social media providers. We are all responsible and we have all a role to play!

The importance of media and information literacy in combating hate speech cannot be underestimated either. It is important to increase the

knowledge of everyone about diversity: diversity is the first step to build a culture of solidarity and culture of tolerance.

The Council of Europe spares no effort to maximise the effectiveness of its action to address hate speech. It constantly promotes a coordinated approach with other international organisations, notably the European Union, the OSCE and the UN as well as with the national authorities of its member States, in tackling this issue. It equally invest resources to develop inter-professional cooperation activities at national, regional and international level in order to share experiences, practices, ideas and strategies to counter hate speech.

On this occasion I would like to also mention the excellent results of the *No Hate Speech Movement* led by the Council of Europe since 2013, mobilising young people in 45 countries to combat hate speech and promote human rights online.

I urge all of you here, and all Europeans out-there, especially journalists, politicians and all competent authorities to show "zero tolerance" for hate speech and the stigmatising of individuals or groups!

In conclusion, I would like to thank you for your attention and invite each of you to actively participate in the thematic debates animated by our outstanding speakers and moderators during these two intense days in Zagreb!