



# Addressing hate speech in the media: the role of regulatory authorities and the judiciary

## INTERNATIONAL CONFERENCE

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## Hate speech – the role of the national regulatory authorities (NRAs) in the digital environment

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# Finding balance

...the need to ensure a **proper balance** between freedom of expression and an effective fight against acts of a racist and xenophobic nature;

Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems, Strasbourg, 28.I.2003

(45) There are new challenges, in particular in connection with video-sharing platforms, on which users, particularly minors, increasingly consume audiovisual content. In this context, harmful content and hate speech provided on video-sharing platform services have increasingly given rise to concern. In order to protect minors and the general public from such content it is necessary to set out proportionate rules on those matters.

European Parliament legislative resolution of 2 October 2018 on the proposal for a directive of the European Parliament and of the Council amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities

# Hate speech definition?

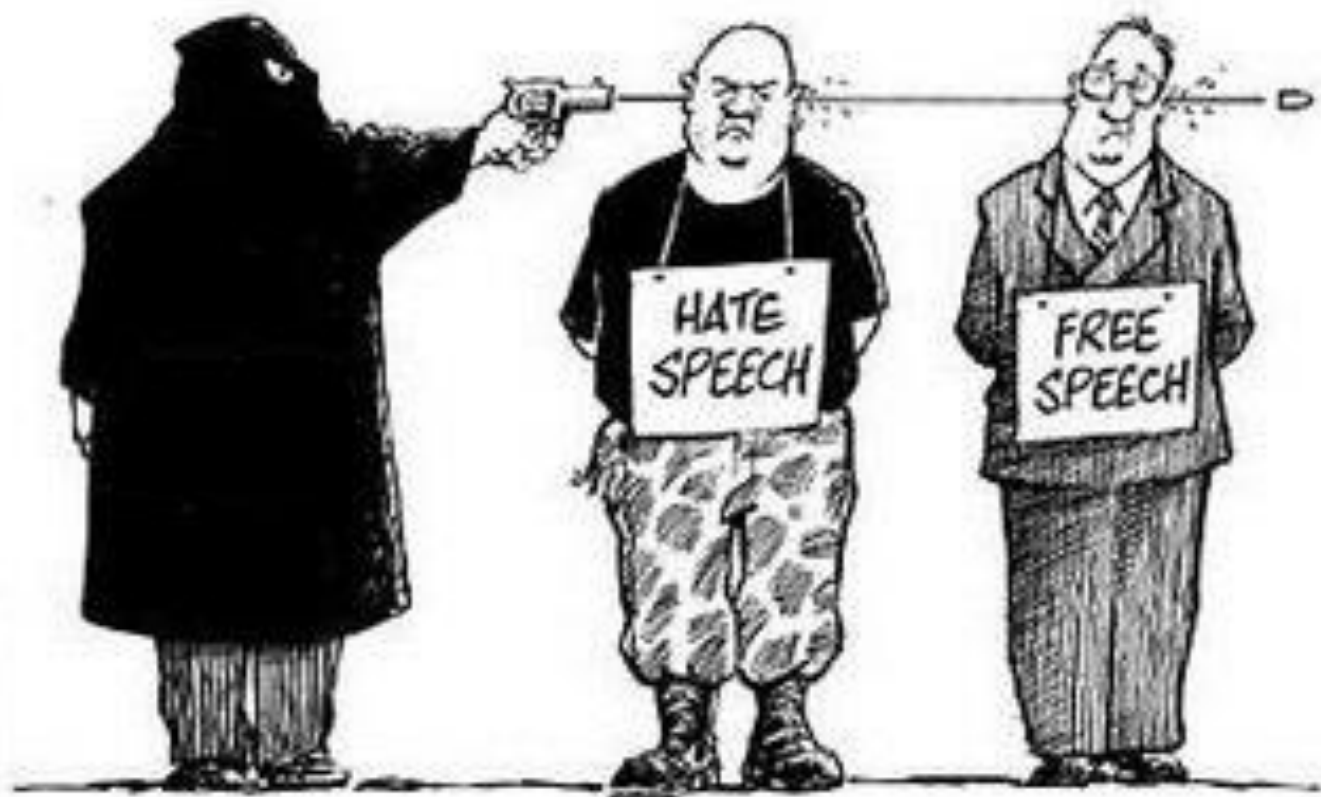
'The term "hate speech" shall be understood as **covering all forms of expression** which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin.'

Appendix to Recommendation No. R (97) 20 of the Committee of Ministers on "Hate Speech"



# ONLINE PLATFORMS





Internet troll









“Freedom of expression constitutes one of the essential foundations of [a democratic] society, one of the basic conditions for its progress and for the development of every man. Subject to paragraph 2 of Article 10 [of the European Convention on Human Rights], it is applicable not only to ‘information’ or ‘ideas’ that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population. Such are the demands of that pluralism, tolerance and broadmindedness without which there is no ‘democratic society’. This means, amongst other things, that every ‘formality’, ‘condition’, ‘restriction’ or ‘penalty’ imposed in this sphere must be proportionate to the legitimate aim pursued.”

Handyside v. the United Kingdom judgment of 7 December 1976, § 49.

# Thank you!

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**Agencija za elektroničke medije**

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