

Item 7

Implementing the Protocol to the Convention on Cybercrime on Xenophobia and Racism: Good practice study

www.coe.int/cybercrime




The first Protocol on Xenophobia and Racism

Protocol concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems

Formal adoption 7 November 2002

Opening for signature 28 January 2003

Entry into force 01 March 2006

Currently 34 State Parties

Key provisions

- Dissemination of racist and xenophobic material through computer systems (Article 3)
- Racist and xenophobic-motivated threat (Article 4) and insults (Article 5)
- Denial, gross minimisation, approval or justification of genocide or crimes against humanity (Article 6)
- Relation between the Convention and this Protocol (Article 8)



The first Protocol on Xenophobia and Racism: implementation

Parties		Signatories
Albania	Monaco	Canada
Andorra	Morocco	Austria
Armenia	Montenegro	Belgium
Bosnia and Herzegovina	Netherlands	Estonia
Croatia	North Macedonia	Italy
Cyprus	Norway	Liechtenstein
Czech Republic	Paraguay	Malta
Denmark	Poland	Slovakia
Finland	Portugal	Switzerland
France	Romania	South Africa
Germany	San Marino	Türkiye
Greece	Senegal	
Iceland	Serbia	
Latvia	Slovenia	
Lithuania	Spain	
Luxembourg	Sweden	
Moldova	Ukraine	

Status as at 26 June 2023


▶ **34 Parties + 11 Signatories**



The first Protocol on Xenophobia and Racism: 20th anniversary

Series of activities:


- Series of webinars on the First Additional Protocol (15 December 2022 and 28 February 2023)
- International Conference on the occasion of the 20th Anniversary of the First Additional Protocol to the Budapest Convention, 30-31 January 2023, Strasbourg
- Good Practice Study



The first Protocol on Xenophobia and Racism: Good Practice Study

Methodology:

- Prepared by the Octopus Project and co-authored by Alexander Brown, expert consultant on hate speech and hate crime law
 - Questionnaire on good practices completed by: France, Germany, Norway, Slovakia, and Spain
 - Additional inputs from Brazil and Serbia
 - Input gathered from states and non-state actors that participate in the webinars and the conference
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The first Protocol on Xenophobia and Racism: Good Practice Study

Some good practices identified:

- Dedicated reporting mechanisms (e.g. online platforms, telephone hotlines)
 - Specialised authorities (e.g. special police cybercrime units, special public prosecutors for cybercrime)
 - Co-operation, domestic and international levels, among different agencies and stakeholders
 - Capacity-building in law enforcement (e.g. hiring more specialists, dedicated training, capacity management)
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The first Protocol on Xenophobia and Racism: resources

[First additional protocol dedicated page](#) :

- The official text of the protocol in official and non-official languages
- Webinars
- Cyberviolence webpage

[Cyberviolence page](#) :

- News items
 - T-CY's Mapping Study on Cyberviolence
 - Cyberviolence by themes
 - Legislation
 - Initiatives, policies, strategies
 - Resources
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Study on the first Protocol on Xenophobia and Racism: next

- Finalise good practice study
 - Octopus Conference, Bucharest, 13-15 December 2023: Workshop on the findings of the study
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