



# Addressing hate speech in the media:

the role of regulatory  
authorities and  
the judiciary



INTERNATIONAL  
CONFERENCE

Organised by the Council of Europe in  
partnership with the Croatian Agency for  
Electronic Media

6-7 November 2018  
Zagreb, Croatia

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Agencija za elektroničke medije  
Agency for Electronic Media



**Publication by the Council of Europe**

Cover page images: Shutterstock

Printed in Strasbourg on 16 November 2018

## INTERNATIONAL CONFERENCE

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

Organised by the Council of Europe in partnership  
with the Croatian Agency for Electronic Media

**Zagreb, Croatia, 6-7 November 2018**

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## CONCEPT NOTE

Hate speech and other, less extreme forms of derogatory and offensive language targeting ethnic, religious, sexual and other minorities, migrants and refugees and many other groups and individuals, are a widespread phenomenon within Europe. The Council of Europe and its member states have over decades developed a comprehensive range of standards and measures to curb expression that spreads, incites, promotes or justifies hatred, intolerance, discrimination and hostility, while guaranteeing everyone the right to freedom of expression and information.

Mindful of the wide scope of this right, national authorities, guided by the European standards and the case-law of the European Court of Human Rights (“the Court”), restrict criminalisation to the most harmful speech and other expressions, fostering a society where different views and opinions can coexist, even when – in the words of the Court – they offend, shock or disturb. However, this tolerance is not without limits and should not be used as a pretext for stifling different views, professing hostility and excluding vulnerable and minority groups from public debate. Left unanswered, the spread of hateful discourse can undermine the roots of society and lead to deep divisions.

The emergence of digital technologies and social media has opened up new, multi-directional spaces for communication, thereby laying foundations for enhanced social interaction and diverse expression. Today, anyone can set up a website or communicate via social media, getting their message across to a potentially global audience. However, these technologies have also given the rhetoric of hate speech new powers to spread at an unprecedented speed and volume, and to find favourable recipients not only locally but across the globe.

The challenge of countering hate discourse is a multidimensional task and requires a complete package of differentiated but complementary strategies, involving a range of stakeholders and an array of measures: legal, political, educational, informational, cultural, etc. In addition to addressing hate speech, as a manifestation of hatred and intolerance, these measures must focus on underlying social structures and arrangements that normalise and perpetuate such attitudes.

Powerful forces in society have a significant influence on the tone and level of public debate, including how hate speech is spread, challenged and countered. In this context, the media have a particularly important role to play, given their potential for reaching the broadest audiences, shaping the political agenda and influencing public opinion. They can contribute to generating and disseminating hate discourse, or they can wield their voices and power to fight against it.

In an increasingly multicultural and transnational society, and especially in nationalistic environments where populist (political) forces widely use – as well as trivialise – hate speech, it is of great importance how such discourse is analysed, contextualised and evaluated by societal opinion-makers, first and foremost by the media. The partisan media may amplify hate messages, serving as propaganda tools for particular political and/or social agendas and polarising audiences. Responsible journalism, however, with its commitment to truth, fairness, accuracy, accountability and humanity, can act as a powerful informational, educational and awareness-raising platform, promoting the values of cultural diversity and tolerance.

While education and awareness-raising are both crucial elements in curbing hateful expression, there is also a need for a robust legal background and instruments to effectively prosecute hate speech and hate crimes. The extent of legislation and enforcement may differ across the countries; still legal sanctions constitute the ultimate tool for disempowering the users of hate speech and providing relief to their victims.

The international conference<sup>1</sup> will examine how hate speech is regulated in different member states of the Council of Europe, focusing on the specific roles of the judiciary, national media regulatory authorities and media self-regulatory bodies. It will further explore how media literacy programmes can raise awareness about hate speech and the risks it poses for democracy, empowering citizens to critically analyse news and information and develop counter-speech and alternative narratives.

This conference aims to promote and encourage the implementation of the norms and standards pertaining to hate speech through the exchange of experiences, innovative approaches and valuable national practices. In various sessions, the participants will be able to share their work and ideas on the scope of hate speech in their specific national contexts and culture, and on different strategies employed to counter this phenomenon.

The Council of Europe is actively supporting cooperative efforts of national authorities via many regional events and activities. One of the recent results is the publication “Media Regulatory Authorities and Hate speech” (2017), which was prepared by the representatives of the national regulatory authorities of South East Europe in the framework of the Council of Europe and the European Union joint programme “Reinforcing Judicial Expertise on Freedom of Expression and the Media in South-East Europe (JUFREX)”. This publication contains information about relevant cases dealt with by these authorities and offers a starting point for the discussion on how to combat hate speech in the media.

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<sup>1</sup> Croatia, Slovenia, Hungary, Poland, Slovakia, Czech Republic, Romania, Bulgaria, Albania, Bosnia and Herzegovina, Montenegro, Moldova, Serbia, “the Former Yugoslav Republic of Macedonia”, Ukraine, Georgia and Kosovo (This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence).

## PROGRAMME

Venue: Westin Hotel, 17<sup>th</sup> floor, Panorama room

6<sup>th</sup> November 2018

8.00 – 8.45

Registration and meeting organisers and participants

09.00 – 09.20

### Welcome addresses

- **Nina Obuljen Koržinek**, Minister of Culture of Croatia
- **Mario Horvatić**, Assistant Minister, Ministry of Foreign and European Affairs of Croatia
- **Patrick Penninckx**, Head of Information Society Department, Council of Europe

Moderator: **Robert Tomljenović**, Vice-President of the Croatian Electronic Media Council, Croatian Agency for Electronic Media

09.20 – 9.45

### Hate speech - the concept and the legal framework according to the European standards on combating hate speech and promoting a culture of tolerance

*Article 10 of the European Convention on Human Rights, other Council of Europe instruments, the balancing act between freedom of expression and hate speech.*

- **Sejal Parmar**, Assistant Professor, Department of Legal Studies, Central European University

9.45 – 10.10

### Hate speech in the media – taking stock of national approaches

*What kind of protection from hate speech is afforded in the national legislations? What constitutes the notion of hate speech in member states and where is the line drawn between “prohibited” and “allowed”? What other strategies and initiatives are used to combat hate speech in the media?*

- **Tanja Kerševan Smokvina**, Associate Partner at Wagner-Hatfield and Visiting Lecturer at University of Maribor

10:10 – 10.40

Joint picture and networking

10.40 – 11.10

## FLASH SESSION I: Hate speech in social media

*Roles and responsibilities of social media and other internet intermediaries in combatting hate speech on their platforms and promoting responsible journalistic reporting, content moderation and removal in line with international and national standards of freedom of expression*

- **Gabriella Cseh**, Director of Policy for Russia and CEE, Facebook

11.10 – 12.40

## Panel discussion 1

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

*Dilemmas and challenges for NRAs: effective implementation of national and European standards on hate speech in the digital environment, powers and competences of NRAs, negotiating specific national contexts in combatting hate speech.*

Moderator: **Stanislav Bender**, Head of Monitoring Department, Croatian Agency for Electronic Media

- **Asja Rokša-Zubčević**, Head of Division of Audiovisual services and international cooperation in broadcasting, Communications Regulatory Agency of Bosnia-Herzegovina  
*Presentation of the results of the Study “Media regulatory Authorities and Hate speech” (JP “Reinforcing Judicial Expertise on Freedom of Expression and the Media in South-East Europe (JUFREX)”)*
- **Rosa Cavallaro**, Audiovisual Content Directorate, Media Regulatory Agency, Italy
- **Elfa Ýr Gylfadóttir**, Media Commission, Icelandic Ministry of Education and Science, vice-chair of CDMSI
- **Bissera Zankova**, lawyer, former member of the Bulgarian media and ethics commission
- **Adam Baxter**, Principal in Ofcom’s Standards and Audience and Protection Team, United Kingdom

12.40 – 14.10

Lunch

14.10 – 14.55

## Panel discussion 2: first session

Moderator: **Pavlo Pushkar**, Head of Division – Department for the execution of ECtHR judgments, Council of Europe

### European Court of Human Rights approach to hate speech

*The notion and content of hate speech in the case law of the European Court of Human Rights, exclusion of hate speech from protection of the European Convention on Human Rights, recent developments in light of the digitisation of media and communication*

- **Kirill Belogubets**, lawyer at the European Court of Human Rights
- **Khagani Guliyev**, lawyer at the European Court of Human Rights

14.55 – 16.15

## Panel discussion 2: second session

### Hate speech – the role of the national judiciary

*Dilemmas and challenges for national judiciary authorities: defining hate speech, striking the right balance between freedom of expression and hate speech; implementing the standards resulting from the case-law of the European Court of Human Rights; judicial procedure challenging the decisions of the NRAs; emerging issues brought by the digital (r)evolution.*

- **Alexandru Tanase**, Member of the Venice Commission, former President of Moldovan Constitutional Court
- **Tomas Åberg**, project leader at Näthatsgranskaren (social media hate crime examiner), disclosure and reporting of hate speech on social media, in cooperation with the Swedish police
- **Eva Steinberger**, judge, Germany
- **Ivan Glavić**, State Prosecution Office, Croatia

16.15 – 16.30

Break

16.30 – 17.50

## Panel discussion 3

### The role of the media self-regulatory mechanisms

*Dilemmas, challenges and opportunities for media self-regulatory mechanisms: effective implementation of editorial standards and professional ethics, codes of conduct, complaints mechanisms, cooperation with relevant stakeholders*

Moderator: **Alf Bjarne Johnsen**, Head of Norwegian Press Complaints Commission, Senior Political Reporter at Verdens Gang Media House

- **Daphne Koene**, secretary Netherlands Press Council – The Netherlands
- **Ljiljana Zurovac**, Program Director, Press Council of Bosnia-Herzegovina
- **Menno Ettema**, Programme Manager, No Hate Speech and Cooperation Unit, Anti-Discrimination Department, Council of Europe
- **Mikko Salo**, Faktabaari, member of the independent EU High-Level Expert Group on Fake News, Finland
- **Marius Lukošiusas**, Programme specialist, Division of Freedom of Expression and Media Development, UNESCO

18.45 – 20.45

Cocktail reception hosted by the Croatian Agency for Electronic Media and the Embassies of Denmark, Finland, Norway and Sweden – Westin Hotel, 17th floor, Panorama room



7<sup>th</sup> November 2018

9:00 – 9:30

### FLASH SESSION II: Framing the public debate on migration and refugees

*How to avoid divisive narratives and the rhetoric of hate; humanistic reporting and making refugees' and migrants' voices heard, the role of the media in engaging positively with the public attitudes towards migrants and refugees.*

- **Tomáš Boček**, Special Representative of the Secretary General on migration and refugees, Council of Europe

9:30 – 11:00

### Panel discussion 4

#### Media literacy, a necessary tool in the fight against hate speech

*How NRAs, self-regulatory bodies and other relevant stakeholders can promote media literacy to build critical thinking and enable media and their users to effectively respond to the rhetoric of hate? What can we learn from national experiences?*

Moderator: **Martina Chapman**, Director of Mercury Insights Limited, Ireland, member of MSI-JOQ

- **Kristine Meek**, Norwegian Media Authority
- **Saara Salomaa**, National Audiovisual Institute, Finland (KAVI)
- **Lana Ciboci**, Vice president of Association for Communication and Media Culture, Croatia
- **Gitte Stald**, IT University of Copenhagen, Denmark

11.00 – 11.15

Break

11.15 – 12.00

#### How to ensure an effective framework for preventing hate speech through cooperation?

*Continued cooperation of all relevant institutional bodies, improved cross-border cooperation in cases with cross-border impact, transparency and inclusiveness in the work of NRAs, the judiciary and self-regulatory bodies.*

- **Tanja Kerševan Smokvina**, Associate Partner at Wagner-Hatfield and Visiting Lecturer at University of Maribor
- **Lejla Dervišagić**, Council of Europe expert

12.00 – 12.20

#### Closing remarks

- **Patrick Penninckx**, Head of Information Society Department, Council of Europe
- **Robert Tomljenović**, Vice-President of the Croatian Electronic Media Council

12.20 – 13.00

Networking session

## ACTIVITY REPORT

### Overview of the conference

More than 130 participants and speakers from 28 Council of Europe (CoE) member states met in Zagreb, Croatia, on 6-7 November 2018 to discuss how hate speech is tackled by national authorities and at the international level. The conference was organised in Zagreb in partnership of the CoE and Croatian Agency of Electronic Media (AEM), with the support of the Embassies of Denmark, Finland, Norway and Sweden.

The roles and practices of the judiciary, national media regulatory authorities and media self-regulatory bodies were in focus of the discussions, which highlighted also the responsibility of the media to avoid divisive narratives and rhetoric of hate in reporting on migrants and refugees, and for making their voices heard. The conference further explored how media literacy programmes can raise awareness about hate speech and its risks for democracy, while empowering citizens of all demographic groups for critical understanding of media, as well as engaging in dialogue, counter-speech and alternative narratives.

The line-up of 34 speakers brought an extensive range of expertise from diverse sectors. Primarily aimed at regulators and judiciary of Croatia, Slovenia, Hungary, Poland, Slovakia, Czech Republic, Romania, Bulgaria, Albania, Bosnia and Herzegovina, Montenegro, Moldova, Serbia, “the Former Yugoslav Republic of Macedonia”, Ukraine, Georgia and Kosovo,<sup>2</sup> the conference was attended by prominent legal and media experts, media literacy experts, judges, prosecutors, journalists, representatives of numerous European regulatory and self-regulatory bodies and civil society organizations from a larger selection of countries, as well as representatives of the Council of Europe, European Court of Human Rights, UNESCO and embassies. It is important to note the participation of a senior representative of Facebook.

The conclusions of the conference pointed to the scale of hate speech affecting ethnic, religious and sexual minorities, immigrants and other groups in Europe, and stressed that the fight against it is a complex and multidimensional process requiring coordination of various stakeholders, including institutional and non-institutional actors, politicians, legislators, regulators, judges, prosecutors, media, digital intermediaries, journalists, civil society organisations and academia.

The conference was covered by several media, including the Croatian Public Service Broadcaster Hrvatska Radiotelevizija which reported on it in the main evening news and two other live studio interviews with speakers, a national radio network which broadcast a report with recorded statements, the most circulated daily Večernji list, the Croatian news agency HINA and various Croatian and regional online media.

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<sup>2</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

## Opening and keynote speeches

**Patrick Penninckx**, Head of Information Society Department, Council of Europe, underlined the importance of discussing hate speech in the global context and highlighted the range of activities, standards and measures of the Council of Europe addressing it. The Croatian Minister of Culture **Nina Obuljen Koržinek** stressed that hate speech negatively affects the whole society and pointed to the new challenges in the digital environment. She emphasized the need for legislative reform, as well as for education and media literacy, encouraging citizens to critically analyse news and information. **Mario Horvatić**, Assistant Minister at the Ministry of Foreign and European Affairs of Croatia, emphasised the importance of the conference, held in Zagreb at the time of the Croatian Presidency of the Council of Europe. In his remarks, **Robert Tomljenović**, Vice-President of the Croatian Electronic Media Council at AEM, said that, both, regulators and judiciary, shall gain a better understanding of the new media landscape and the role they play in it. To him, it is equally important that internet intermediaries take over their share of responsibility. What is needed, is a wider cooperation of all actors in the society and more focus on media literacy which remains the core systematic approach to raising awareness on hate speech.

Keynote speeches, offered by **Sejal Parmar** (Central European University) and **Tanja Kerševan Smokvina** (Wagner-Hatfield), set the scene of the conference by explaining the international legal foundations and national approaches. **Parmar** (CEU) presented the concept of hate speech in the framework of Article 10 of the European Convention on Human Rights and other Council of Europe instruments, and the uneasy balance between freedom of expression and hate speech. Outlining that hate speech is covered by media laws, criminal codes, and codes of conduct/ethics, she stressed the importance of independence of regulatory authorities and courts; training provided to judiciary, law enforcement agencies and other key state actors, particularly on issues concerning online hate speech; as well as clear policy guidelines and easily accessible complaint procedure. **Kerševan** (WH) pointed to the lack of published data on recorded cases and scientific research on the root causes of hate speech and correlation between hate speech online and its offline effects. She discussed national approaches and current regulatory practices in the context of the upcoming changes brought about by the revision of the AVMS Directive. She underlined the importance of self-regulatory bodies and civil society organisations, and stressed the need for more clarity and guidance in the implementation of the hate speech regulation, as well as collaboration on the inter-institutional and transnational basis. She called for regulators to assume more responsibility, and apart from classic regulatory intervention, use their knowledge, skills and voice to engage in research, dialogue and awareness raising.

## Hate speech in social media

**Elvana Thaçi** (CoE) interviewed **Gabriella Cseh**, Director of Policy for Russia and CEE (Facebook), on actions performed by Facebook in combatting hate speech on their platform, especially in terms of promoting responsible journalistic reporting, as well as content

moderation and removal in line with international and national standards of freedom of expression. The presented policies and measures of one of the largest social media platforms attracted a lot of attention, numerous questions and also criticism from the conference participants. **Cseh** informed that the company is making large investments in solutions combining AI and human resources. She revealed they will be hiring 20.000 moderators and if that won't suffice, they will hire more. They are not looking for hate speech pro-actively, it has to be reported by viewers. In responding to the questions from the audience, she claimed that it was very difficult to object false narratives. FB makes distinction in the treatment of disinformation and hate speech. While hate speech is to be removed, in case of disinformation campaigns, if they are led by fake accounts, the reaction of FB is also rather simple, and they have a special team for that. However, if it is not done by bots, it is more complicated. She said there was not many fact checkers whom FB can work with directly. What they do in certain cases is pushing down the visibility of content.

## National regulators in the digital environment

The panel discussion moderated by **Stanislav Bender** (AEM, HR) brought together representatives of national regulatory authorities to discuss dilemmas and challenges in implementation of national and European standards on hate speech in the digital environment. **Asja Rokša Zubčević** (CRA, BA) stressed that the independence of NRAs, being an absolute prerequisite for effective performance of regulators, is increasingly at stake. She noted wide tendencies to reduce regulatory independence or powers. As one of co-authors of the Study "Media regulatory Authorities and Hate speech: Reinforcing Judicial Expertise on Freedom of Expression and the Media in South-East Europe", prepared under the umbrella of the CoE JUFREX project, she underlined the importance of such initiatives, build on regional collaboration. **Rosa Cavallaro** (AGCOM, IT) explained that the Italian regulator does not have possibility to sanction hate speech, but still applies a range of responses, including developing media literacy programmes. In her comprehensive intervention, **Elfa Ýr Gylfadóttir** (Media Commission, IS, vice-chair of CDMSI) presented the current forms of disinformation and how the information with emotional effect is more likely to be distributed on social media. She noted that communication is not just about distribution of correct facts, but also values and different narratives. She admitted that with the adoption of the new AVMSD, at the beginning of the period of 21 months the EU member states have at their disposal for transposing it to their national laws, most of them have no clue on what to do. She pointed to a question of scale; there is an enormous amount of content that cannot be tackled by traditional regulatory approaches. She stressed that technology is making the life of regulators more challenging, therefore media regulators will be looking into testing new, also technology-based approaches, while also encouraging people to be critical, engaging in media literacy, and building partnerships and trust. A special challenge to which she doesn't see the answers at this point is the issue of jurisdiction related to the extension of scope of the AVMSD to video-sharing-platforms (VSP). **Bissera Zankova** (Media 21, BG) also highlighted the constant challenges to independence of regulatory bodies and presented the results of the survey carried out by COMPACT, a transnational project within Horizon 2020, indicating that social media by their specific nature require to be overseen by

newly set regulatory bodies or extended powers of current audiovisual media regulators. **Adam Baxter** (Ofcom, UK) emphasised that regulators are rightfully concerned around the issues of hate and incitement, but freedom of expression has to be equally paid attention to. He described the Ofcom approach to hate speech as agnostic; they do not claim they want to regulate it, what they find important is to make a contribution to the debate. In terms of enforcement, he highlighted the importance of independence and transparency of regulators and availability of meaningful sanction powers. He also reported that Ofcom recently issued a hefty sanction of £ 200.000.

## Judiciary in the digital environment

In the first session of the panel, focused on the role, practices and digital challenges in judicial consideration of hate speech, the panel moderator **Pavlo Pushkar** (CoE) presented the European Court of Human Rights (ECtHR) approach to hate speech. Two panellists, both lawyers at the ECtHR, **Kirill Belogubets** and **Khagani Guliyev**, joined in an in-depth discussion of the ECtHR's case law. It was pointed out to the *Perinçek v. Switzerland* (2013) case, a landmark case, which from the legal point of view should be a main point of reference as regards the judicial approach the harmful speech. If there is no call to violence or justification of violence, hatred and intolerance, the national authorities should not be invited to intervene. The rights of others should be dealt with by defamation laws and not be connected to hate speech. There should be a high standard of scrutiny for the utilization of criminal laws, hate speech interpreted in a limited manner, criminal offenses precisely defined and used in a very restricted mode. **Belogubets** also argued that sometimes it is better to tolerate hate speech instead of having intrusive governments. As regards the *Delfi AS v. Estonia* (2015) case, he explained that the case is about the role of intermediaries, but stressed that their responsibility should be applied proportionally, depending on their size.

The second sub-panel, composed by representatives of national judiciary and related bodies, examined their questions and challenges in defining hate speech, striking the right balance between freedom of expression and hate speech; implementing the standards resulting from the case-law of the European Court of Human Rights; judicial procedure challenging the decisions of the NRAs; and emerging issues brought by the digital (r)evolution. **Alexandru Tanase** (Venice Commission, former President of Constitutional Court, MD) used, among others, the case of the Pittsburgh synagogue shootings to illustrate how, once infiltrated in a society, hate cannot be controlled. He explained the limits of freedom of expression on a number of examples from the judiciary practice and by pointing to the proportionality test. **Tomas Åberg** (Näthatsgranskaren, SE) presented the work of the social media hate crime examiner, engaged in disclosure and reporting of hate speech on social media to the judiciary, in cooperation with the Swedish police. Their goal is strengthening the expertise and methodology within the criminal justice system and reducing the number of unreported online hate crimes. **Eva Steinberger** (Judge, DE) and **Ivan Glavić** (County State Attorney's Office in Zagreb, Delegation of the Republic of Croatia to the Cybercrime Convention Committee, HR) described practical challenges of the national judiciaries in judicial treatment of hate speech. The case law is rich, but it is constantly

evolving, and each case the judiciary deal with is context dependent and has to be assessed on a case by case basis.

An important outcome of the discussions within the judiciary panel is that judiciary itself, like the law enforcement agencies, require specialist knowledge to counteract hate speech. This involves not only enforcing law against a particular incident, but understanding broader hate speech context, why hate speech had been used, is it an instrument of a larger campaign of seeding intolerance, negative stereotyping, eventually inciting to action in the long-term. Judges and prosecutors are moral authorities for dealing with allegations of hate speech – there is an external and internal element thus to what judiciary does – they don't only ensure impartial application of the laws, but also enforce moral and ethical standards in the course of the proceedings. However, the judge or law enforcement should not deal with allegations of hate speech on the basis of what they personally like or dislike, but their actions should be completely neutral.

## Media self-regulation

A varied and dynamic group of stakeholders composed the panel discussing the challenges and opportunities for media self-regulatory mechanisms. The moderator **Alf Bjarne Johnsen** (Norwegian Press Complaints Commission and Verdens Gang Media House, NO) initiated the debate by an overview of the questions related to the role of journalism and its self-regulatory bodies and chances for effective implementation of editorial standards and professional ethics. He stressed the availability of tools and pointed to the Ethical Journalism Network's 5-point test for hate speech.

**Daphne Koene** (Netherlands Press Council, NL) presented the Dutch case as a good practice and one of the possible solutions in making self-regulation more effective. She underlined that their activity is not limited to complaints handling, but they also make statements on their own initiative. Their blog is widely republished. When dealing with complaints, they normally process individual complaints, but, again, if there is a collective interest in place, they also take into account reports made by institutions that defend such interests. Besides, they co-organise debates, participate in meetings, and carry out research on what can be done to improve the existing approaches. **Ljiljana Zurovac** (Press Council, BA) also showed that the mandate of self-regulatory body is not limited to processing complaints. Among others, they engage in training activities aimed at journalists, students of journalism, citizens and judiciary. They also launched a campaign "Stop! Hate Speech" covering 7 most visited online media. She stressed that freedom without responsibility is anarchy, and pointed out also to challenges faced by self-regulatory associations in the region, namely the political pressures and misuse of defamation law, lack of resources due to poor economic situation in media, low transparency on online media and a lack of proper understanding of the role of the media in democracy.

**Menno Ettema** (No Hate Speech, CoE) informed that hate speech will be in the focus of the European Commission against Racism and Intolerance (ECRI) in its 6<sup>th</sup> monitoring cycle (next

year). Within the No Hate Speech movement, they launched a youth campaign mobilising people to combat hate speech and promote antidiscrimination. They built a network of national campaigns in 45 states; national authorities are also participating. According to him, multi stakeholder approach is one of the key strategies. Monitoring is also important, especially if qualitative, describing hate speech, the narratives behind it and its results. Also, he was of the opinion that self-regulation must come with education and training, and saw a possibility of self-regulation to engage more with tech providers. In case of grey areas, he wondered, the tech companies may wish to transfer such cases for the assessment of independent bodies. **Mikko Salo** (Faktabaari, FI; also EU High-Level Expert Group on Fake News) stressed that while hate speech is illegal, disinformation is difficult to regulate. According to him spilling on bad news can make the things worse and the more we talk on fake news the more we legitimise it. He welcomed the set of EC Roadmaps to implement the Code of Practice on disinformation published on 16 October 2018 as something to follow and praised the work of Reporters without Borders who created the Journalism Trust Initiative and gathered a high level group of experts from entities that create communication architecture and norms in a joint effort addressing disinformation by a set of trust and transparency standards.

**Marius Lukošiusas** (UNESCO) stressed that hate speech is a collective responsibility of public officials, media and other actors. He sees an opportunity in a global self-regulatory initiative within the framework of European standardisation organisations creating a certification mechanism to be used on social media and provide safeguards on the source of media. He underlined the importance of quality journalism and pointed to the CoE initiative on quality journalism of which UNESCO is a part of. In South East Europe, they are supporting self-regulatory authorities in 7 countries, mainly through developing their capacity to address the digital challenges. He emphasised the need to reinforce and reinvent press councils in the world – they have to become gatekeepers of quality journalism in the digital world.

## Public debate on migration and refugees

in his address, **Tomáš Boček**, Special Representative of the Secretary General on migration and refugees (CoE), talked on how to avoid divisive narratives and the rhetoric of hate. He highlighted the need for humanistic reporting and making refugees' and migrants' voices heard, and in this regard underlined the special role of the media in engaging positively with the public attitudes towards migrants and refugees.

## Media literacy

The last panel examined how NRAs, self-regulatory bodies and other relevant stakeholders can promote media literacy to build critical thinking and enable media and their users to effectively respond to the rhetoric of hate. The moderator **Martina Chapman** (Mercury Insights Limited, IE, MSI-JOQ) believes that media literacy is a dynamic concept that evolves in response to challenges that arise from changes in technological, social, cultural and

political factors, often differing not only from country to country but also from sector to sector. She stressed that since media technology keeps evolving, media literacy is a life-long learning journey and a behaviour-change journey. This takes energy, insight, and a range of different stakeholders providing support to people at different stages of their personalized learning journey, but most of all, as stressed by **Chapman**, it takes time and long-term funding. She warned against seeing media literacy as some kind of magic bullet or panacea.

Not surprisingly, the panel was overrepresented with examples of practices from Nordic countries, which are often cited as leaders in promotion of media literacy. **Kristine Meek** (Norwegian Media Authority, NO) presented a long and elaborated tradition of Norwegian NRA with regards to media diversity and media literacy. Their efforts are supported by constant research on a national scale. They also engage in campaigns and produce teaching materials, tools and resources. **Saara Salomaa** (National Audiovisual Institute – KAVI, FI) described the Finnish approach to media literacy as comprehensive and inclusive. Many organisations are involved in promoting media literacy, such as NGOs, public and private, schools, libraries, kindergartens, museums. KAVI is responsible for governance and strategic work, research and reports, promotion of co-operative culture and awareness raising. She emphasized that media education is not a quick solution; and also that since education is mostly advocating for good, not against bad, being proactive, not just responsive, is also important.

**Lana Ciboci** (Association for Communication and Media Culture, HR) talked from the perspective of civil society organisations and highlighted their special contribution in media education, due to their specific role in society, bridging divisions between other stakeholders and supporting dialogue. Their special advantage is their access to adults and disadvantaged people and their mandate in providing lifelong support. She presented notable results including 800 workshops and lectures and more than 17500 participants, all achieved with only 20 active volunteers. Their efforts were recognised by the Evens Foundation which granted them a special jury prize for media education in 2017.

The importance of research was accentuated by the last presentation, offered by **Gitte Stald** (IT University of Copenhagen, Denmark Break, DK). She shared the findings of a recent research, carried out in the period of 2016-2018 among young people in Denmark. The study explored the young people's perceptions of democracy, information, debate, and participation. The study showed that 18-35 years old compared to 35+ mainly access to news via Facebook, use the traditional media for news less, but trust traditional media more than 35+. Similarly, they find Facebook much less trustworthy than 35+. They are more likely to change opinion when debating online, more often find that news stories online are not trustworthy and more often search for alternative information.

## Closing of the conference

The penultimate session of the conference offered a space for discussing the immediate take-home messages while also pointing to issues that – due to the scope of the conference – have not been discussed that broadly, for example the responses to data profiling,



algorithmic processing and business models contributing to online distribution of disinformation and hate speech.

According to the conference Rapporteur **Tanja Kerševan Smokvina** (WH) one of the key messages was that the traditional regulatory frameworks are not adapt to digital challenges and not effective in combating hate speech online. The internet transmitted communication, in case of violations, calls for quick reactions, which are not possible in the current organisational frameworks and require different resources and approaches. The scale of the problem and lots of unanswered questions, especially with regards to jurisdiction, indicate lots of work for regulators, but also the need to create effective partnerships with other stakeholders, based on trust and surpassing the state borders. As confirmed through numerous examples at the conference, a range of responses is possible besides the classical regulatory or judicial tools.

**Lejla Dervišagić** (on behalf of CoE) presented a set of policy conclusions and recommendations for future activities. The comments from the floor highlighted that it should be clear from recommendations that media literacy programmes should address adequately all demographic groups, and also that the various activities planned should be ongoing, not project based, what opens a question of sustainability that should be effectively addressed. The revised policy conclusions and recommendations are attached at the end of this report (below). They include the possibility of reassessment and further development of the currently applicable standards on hate speech.

The closing speeches were delivered by **Patrick Penninckx** (CoE) and **Robert Tomljenović** (AEM). Both representatives of the organisers of the conference expressed a great satisfaction with the event and the quality of discussions. **Penninckx** called for a thorough rethinking of existing approaches, taking into consideration also the changed media habits and consumption patterns and altered roles of different stakeholders in the new media environment.

## Special event and guests

Alongside the conference, the screening of the movie *Utøya: July 22* was organised for the conference participants on 5 November 2018, as a reminder of the 2011 terror attack in Norway that left 77 people killed and several wounded. Throughout the duration of the conference, the Ambassadors of Norway **Astrid Versto** and of Sweden **Diana Madunic** were present at it with their teams, provided encouraging speeches at the evening reception and engaged in discussions with participants. The conference was attended by other members of diplomatic corps in Zagreb, including the Israel Ambassador **Zina Kalay Kleitman**, and representatives of Danish, Finnish, French, British and Russian Embassies.

## CONCLUSIONS AND RECOMMENDATIONS

1. Hate speech targeting ethnic, religious, sexual minorities, immigrants and other groups and individuals is and continues to be a widespread phenomenon in Europe.
2. Countering hate speech is a complex and multidimensional task which requires coordination of different stakeholders: states, international organisations, international and national NGOs and businesses, in particular internet companies such as social media.

At the national level, parliamentarians, law-makers, political leaders, judges, prosecutors, lawyers, journalists, national media regulatory authorities and self-regulatory bodies, civil society, academics, educators, internet companies are encouraged to work together to identify further action to combat hate speech:

- a) Political leaders must assume their responsibility: Europe should remain a region of peace and prosperity. Diversity is to be taken as a value and advantage, and not as a pretext for the division of society. As regards migration, political leaders should refrain from hate speech and instead engage with people's genuine concerns about migration, promote an open discussion of solutions and provide responses to real concerns;
- b) Law-makers, judges, and prosecutors should find the right balance between protecting freedom of expression and restricting forms of expression that seek to incite violence, hostility and discrimination: the European standards and the case-law of the European Court of Human Rights provide valuable guidance in defining and addressing hate speech. A regular evaluation exercise should be put in place focusing on whether the national legislation adequately reflects and implements these principles and standards. Specific training modules on hate speech should be developed;
- c) National media regulatory authorities should play an important role in promoting democracy, a culture of tolerance and diversity: their engagement in combating hate speech includes transparency, professionalism, accountability, inclusiveness, and continued cooperation with all relevant institutional bodies and organisations. Ethical standards and codes of conduct, quality journalism, involvement, development of critical skills through media and information literacy activities, human rights education, campaigns against stereotypes and populism, regional and international cooperation should be further promoted, developed and supported;
- d) Media are a powerful force in society and have a corresponding responsibility in addressing hate speech: the media community is encouraged to further develop a system of collective self-regulation based on agreed codes of ethics and mechanisms to receive and respond to complaints on hate speech.

Media and information literacy programmes should be supported and promoted. Educational programmes and training materials especially for young people about countering hate speech should be developed.

Media are invited to engage comprehensively with the public attitudes towards migrants and refugees, not only by refraining from hate speech and providing fact-

based information on migration but also by emphasising emotive and value-driven arguments about migration, shared values and the positive impact of migration in our societies;

e) Media self-regulatory bodies play an important role in promoting the knowledge and understanding of ethical rules and quality journalism: they are encouraged to adopt and disseminate recommendations and guidelines on countering hate speech offline and online and to offer trainings to their members;

f) Civil society, including victim's associations, should be supported in its efforts: individuals in both formal and informal organisations should be motivated to get involved in awareness-raising activities and campaigns against hate speech. Social media platforms such as Twitter and Facebook have an enormous potential for dissemination of information and can be used as a space for citizenship building and participation for young people to promote diversity and a culture of tolerance;

g) The internet has become one of the principal means for individuals to exercise their right to freedom of expression: it offers essential tools for participation in activities and debates relating to questions of politics or public interest. The internet also enables hate speech to spread with unprecedented speed and volume, while its proponents and protagonists often remain anonymous. A charter of ethics for social media regulation should be created in order to comprehensively address hate speech and harmful content;

h) Educational systems (formal and informal) have a vital role to play in ensuring a hate-free public communication sphere of the future: special courses and training programmes (not only in schools but also in continued education) seeking to promote a culture of tolerance and diversity are one of the best means to combat hate speech.

3. Media and information literacy provides an effective and engaging platform for applying critical thinking skills to a wide range of issues. Activities and actions pertaining to the media, information and internet literacy should be fostered to raise awareness about hate speech and the risks it poses for democracy and individuals.

4. The Council of Europe together with other international organisations should continue to play a sustained role as a coordinator of wider campaigning efforts against hate speech, and promote an environment favourable to a culture of tolerance and to respect for human rights. Activities/projects at the national, regional and international levels should continue to be part of the Council of Europe's continued action in combating hate speech.

As part of its concerted efforts, the Council of Europe should capitalise on these conclusions and engage in a process of reassessment and further development of the currently applicable standards on hate speech, with a view to developing approaches capable of addressing the multi-faceted nature of the phenomenon and providing graduated responses and guidance to the member states and other relevant stakeholders.

## SPEAKERS' PROFILES



**Sejal PARMAR** is Assistant Professor of Law at the Department of Legal Studies and a core faculty member of the Center for Media, Data and Society (CMDS) at the School of Public Policy at CEU. Her main field of expertise and research is international and European human rights law, particularly on freedom of expression. Parmar previously served as Senior Adviser to the Organisation for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media and Senior Legal Officer at ARTICLE 19, the leading international human rights NGO on freedom of expression. She continues to act as an expert for intergovernmental organisations and as a consultant for NGOs.

**Patrick PENNINGCKX** is currently heading the Information Society Department under the Directorate General Human Rights and the Rule of Law, Patrick coordinates standard setting and cooperation activities in the fields of media, internet governance, data protection and cybercrime. His professional focus encompasses areas such as freedom of expression, safety of journalists, human rights on the internet and sound internet governance, international standards in the data protection and cybercrime fields and their implementation. An outspoken public speaker promoting the Council of Europe values and achievements, he holds Political Science and Educational degrees from the University of Leuven. Previously, Patrick was in charge of Human Resources policy development, transforming the administrative management of personnel into a competency based human resource policy. He also led the Pompidou Group of the Council of Europe through major changes in membership profile, implementing flexible working methods and innovative human and financial resources management.



Before starting her independent career as an international adviser and lately joining a Brussels based consultancy, **Tanja KERŠEVAN SMOKVINA** spent most of her career at Slovenian media and communications regulatory authorities and participated in the work of EPRA and ERGA. Tanja has served two mandates at the Council of Europe CDMSI sub-committees, in 2016-2017 as Member of the Committee of Experts on Internet Intermediaries (MSI-NET) and in 2018-2019 as Member of the Committee of Experts on Artificial Intelligence (MSI-AUT). She holds a PhD in Communication Science from University of Ljubljana and teaches media related subjects at University of Maribor.



**Gabriella CSEH** is the Head of Public Policy for Russia and Central and Eastern Europe for Facebook; a lawyer. Currently, Gabriella focuses on issues related to data protection, privacy, human rights and Internet, freedom of speech and hate speech related issues, digital market, internet safety, the open Internet, and more broadly the social value generated by Internet-related services. Prior to joining Facebook, she was the executive director of Hungarian Public Service Radio for four years and the external relations director for PanTel telecommunications Ltd for seven years. Gabriella has also served as a diplomat and a civil servant.

**Stanislav BENDER** is Head of Monitoring Department in Agency for Electronic Media of the Republic of Croatia. Monitoring department supports the Electronic Media Council to fulfill his role and undertakes other statutory functions such as handling complaints, supervision of private and public broadcasters, conducting analysis and research, resolving market competition and other issues in the media industry. From 2007 onward he is Lecturer of New Media in the Department of Journalism at University of Applied Sciences - Vern. His research focuses on the uses, cultures and politics of digital media technologies, as well as online journalism, social media, media literacy, visual culture, popular culture, media law and public policy. He is also the Council of Europe expert, involved as an editor and author in the preparation of publication "Media regulatory authorities and hate speech". Prior to position in Agency for Electronic Media, he has worked successfully with a range of industry, government and not-profit organisations to address the practical challenges and opportunities posed by digital media.



**Asja ROKŠA-ZUBČEVIĆ** has worked at the Communications Regulatory Agency of Bosnia and Herzegovina for a number of years, dealing with all aspects of regulatory issues for audiovisual media sector. She was involved in the defense of freedom of expression case before the human rights court. She also performed as a judge at the Monroe E. Price Media Law Moot Court, annual South East Europe Rounds organized by University of Belgrade, in cooperation with the Oxford University, as part of the Programme in Comparative Media Law and Policy. She is the Council of Europe expert, involved in preparation of studies and research documents, including co-authoring publication "Media regulatory authorities and hate speech". Her article is also published in the book under the title: "Business and Government in the information society – The communication of digital video broadcasting policy in South East Europe", London 2015. She regularly contributes to preparation of documents, studies and panels of European Platform of Regulatory Authorities (EPRA). She holds M.A. in human rights and democracy (University of Bologna and University of Sarajevo), and a bachelor's degree in political science from the University of Illinois at Chicago, USA.



**Rosa CAVALLARO** began to work for Italian Regulatory Authority for communication sector in the 2000. She is an officer of Audiovisual Content Directorate. She is an expert in monitoring political and social pluralism in radio and television programs; her job is also related to the verification of compliance with the laws on the protection of minors and on the fundamental rights of the person by broadcasters. She participated in the working group for the drafting of two editions (2014 and 2017) of a "White Paper on the relationship between the media and children. Currently she is also following the works of the "Technical Table for Ensuring Pluralism and Correct information on Digital Platforms", established by Italian Authority to promote self-regulation of platforms and the exchange of best practices for the use of digital platforms. She is also participating as a drafter in the working group for writing the "Agcom White Paper on the digital contents" and in the working group of Erga (European Regulators Group for Audiovisual Media Services) "Subgroup SG 1 - Internal and External Plurality". Furthermore she is following for Agcom, as observer, the meetings of "Committee of experts on quality journalism in the digital age (MSI-JOQ)" - Council of Europe, Strasbourg (2018-2019). In the past she also worked as a journalist and author of television programs.

**Elfa Ýr GYLFADÓTTIR** is the Director of the Media Commission, the independent regulator for media in Iceland. Prior to that she was the Head of Division of Media at the Ministry of Education, Science and Culture. Ms. Gylfadóttir was one of the main authors of the Act on the National Broadcasting Service No. 23/2013 and the Icelandic Media Law No. 38/2011, transposing the AVMS Directive. Ms. Gylfadóttir has been a lecturer at the University of Iceland for 15 years. She is the author and co-author of several peer reviewed articles on media policy and media law. Ms. Gylfadóttir is the Vice-Chair of the Steering Committee on Media and Information Society (CDMSI) at the Council of Europe. She was the Chair of the CDMSI in 2016-2017.



**Bissera ZANKOVA** has studied law and has specialized in editing and publishing at the Sofia University "St.Kliment Ohridsky", Bulgaria. She holds a Master (1999) and a Doctorate (2005) of Comparative Constitutional Law from the Central European University, Budapest. For many years Ms. Zankova has been a Council of Europe expert in the field of freedom of expression and media, a member of CDMSI and its Bureau. She has taken part in the Council of Europe missions in various European countries. Currently she is independent researcher and consultant as president of "Media 21" Foundation registered in Bulgaria. The foundation pursues projects and partnerships in new media and journalism. Mrs. Zankova has been also a member of the Bulgarian Commission on Media Ethics during 2015 - 2017. She is particularly interested in media policy and media regulation and self-regulation.



**Adam BAXTER** is a Principal in Ofcom’s Standards and Audience and Protection Team, helping to lead regulation of broadcast and on-demand content standards in the areas of protection of minors, harm and offence, incitement, due impartiality and elections/referendums. He has particular responsibility for overseeing issues relating to due impartiality and elections/referendums and has extensive experience in taking enforcement action against broadcasters in the area of hate speech and incitement. Prior to joining Ofcom in 2008, Adam has had a range of policy and related roles across the media and entertainment industry. He has Masters degrees from both Cambridge University and the University of Oxford. Whilst at Oxford he completed a thesis looking at the role of television in UK General Elections.

**Pavlo PUSHKAR** is a head of division at the Department for the Execution of Judgments of the European Court of Human Rights of the Directorate General of Human Rights and the Rule of Law of the Council of Europe. He is an expert of the Council of Europe on notably freedom of expression and journalists’ safety, media, sports conventions, migration and internal displacement, procedural law, mediation and arbitration, etc. He has worked at the Registry of the European Court of Human Rights from 2002 to 2016 as a senior lawyer and a non-judicial rapporteur. Before joining the Council of Europe, he worked as an advocate in the areas of international litigation and arbitration and as a public servant at the Supreme Court of Ukraine. Mr Pushkar has a PhD in criminal justice. He is a graduate of Kyiv Taras Shevchenko University Law Faculty (BA and MA in Laws, with honours); the Nottingham University School of Law (LLM in International Law); Queens Mary College University of London (International Arbitration). He is currently pursuing his research in the area of international law compliance with the Max Planck Institute of European Procedural Law in Luxembourg.



**Kirill BELOGUBETS**, Magister Juris in European and comparative law, Oxford University; case-lawyer at the Registry of the European Court of Human Rights since 2004, non-judicial rapporteur at the Registry of the Court for applications in respect of Russia in 2014.

**Khagani GULIYEV** has worked as a lawyer at the Registry of the European Court of Human Rights since 2007. He also holds a Ph.D in public international law from the University of Strasbourg and has worked as a lecturer in constitutional law at the same university since 2013.





**Alexandru TANASE** is Partner Lawyer at "Hanganu, Tănase and Partners" Law Firm, Chişinău, Moldova. He is also a Member European Commission for Democracy through Law (Venice Commission) of the Council of Europe and Lecturer in constitutional law at Moldova State University, Chişinău. He has previously served as the President of the Moldovan Constitutional Court and the Minister of Justice.

**Tomas ÅBERG** has worked as a police officer for 9 years, mostly as an investigator. Both before and after his police career he was living in East Africa working with security for company's but also with wildlife management. He is currently affiliated with Nätthatsgranskaren, a social media hate crime examiner. He has experience in searching for and identification of criminal hate speech according to the Swedish law, collecting evidence and ID and reporting to the police.



**Eva STEINBERGER** has studied law at the University of Passau, Germany and the University of Edinburgh, Great Britain from 1998 until 2005. From 2005 until 2008 she successfully completed her legal traineeship in Bavaria, Germany, which included working at the civil court, the prosecutor's office, the district administration, a law firm and at the European Commission for Competition in Brussels. After her final legal exams in 2008 she joined the Bavarian Ministry of Economics, Infrastructure, Traffic and Technology as a civil servant and worked as a legal advisor in the area of land planning law. In 2010 she became a Bavarian magistrate. Since then she has held different positions as a prosecutor and as a judge for civil law and for criminal law at the district court level and the regional court level. From 2013 to 2014 Eva Steinberger was seconded to the European Court of Human Rights in Strasbourg, where she worked as a legal assistant for the German division of the Court's registry. Currently Eva Steinberger works as a judge for criminal law at the Regional Court of Munich I.

**Ivan GLAVIĆ**, Ph.D., graduated from the Faculty of Law in Zagreb in 2001, where obtained a Master of Laws in 2008 and defended doctoral dissertation in 2011. Elected to the scientific title Research Associate, National Council on Science and Technology, in 2013. Since 2007 have held the position of deputy state attorney; currently works as a deputy state attorney at the County State Attorney's Office in Zagreb. Since 2009 have been professional teaching assistant at the Faculty of Law in Zagreb, Department of Criminal Law. Have been trainer at the Judicial Academy of Croatia, have held presentations at several national and international conferences on criminal law issues. In 2018 appointed as a Head of Delegation of the Republic of Croatia to the Cybercrime Convention Committee (T-CY).





**Alf Bjarne JOHNSEN** has chaired the Norwegian press complaints Commission in the Norwegian self-regulated Press Council, Pressens Faglige Utvalg, since 2014. He has more than 40 years' experience in journalism. Mr Johnsen is currently a Senior political reporter at Oslo-based Verdens Gang (VG) Media House, covering the executive and legislative bodies in Norway, and doing in-depth reporting on domestic and international security policy.

**Daphne KOENE** is the secretary of the Netherlands Press Council (Raad voor de Journalistiek) since 2001. After studying law at the University of Amsterdam – with specialisms Intellectual Property Law, Media Law and Information Law – she was a lawyer at the Intellectual Property Law department of the law firm Ekelmans Den Hollander in Amsterdam. In 1996 she continued her career at the Netherlands Union of Journalists (Nederlandse Vereniging van Journalisten) with specialisms Labour Law, Social Security Law and Copyright Law. In addition she was part time assisting secretary of the Press Council since 1999. She has been a speaker at various national and international conferences. Further she carried out a comparative research among several European countries – the Netherlands, Belgium, Great Britain, Germany, Denmark and Sweden – and is the author of the report “Press Councils in Western Europe”.



**Ljiljana ZUROVAC**, the Program Director of the Press Council in Bosnia and Herzegovina, holds a bachelor degree in Dramaturgy and Theatrology, and a bachelor degree in Comparative Literature. Apart from her journalistic career, she also works as a theatre play-writer and a TV screenwriter. She is also a lecturer and regularly teaches in the fields of Media Ethics and Self-regulation, Media Literacy, Conflict Resolution, Radio journalism, and Communications. She worked in Mongolia, Myanmar, Serbia, Montenegro, Albania, Macedonia, Moldova, Georgia, and Hungary, and she regularly participates in the local and international conferences as a panellist. Within the Press Council, she established educational programs for media ethics in the Media Ethics School for students of journalism. Also, she created a special range of Media Literacy workshop-programs. She is the founder

and producer of the radio show named “Your Voice in Media – ZOOM”. Prior to her current position in The Press Council in B&H, Ms Zurovac worked in the period from 1980 until 2009 as an active Radio and TV journalist, and as an editor and host of live Radio and TV programs at JRT – RTV Sarajevo, PBS B&H, and Radio FERN. She was a Member of the UNESCO/Guillermo Cano World Press Freedom Prize Jury and a President of this Jury in 2016. She is a member of IFJ and BHN Journalists' Association; Member of Article 10 ECHR Task Group of the European University Viadrina Frankfurt/Oder; Member of AIPCE – Alliance of Independent Press Councils in Europe.



**Menno ETTEMA** is No Hate Speech and Cooperation Programmes Manager at the Anti-Discrimination Department of the Council of Europe. In his function he brings together the organisations work on combatting hate through standards setting, monitoring and capacity building programme in cooperation with European partners and member states. Mr Ettema has previously worked as the European coordinator of the No Hate Speech Movement, a youth campaign of the Council of Europe to mobilise young people for human rights and against hate speech online (2016-17) and as an educational advisor (2010-2015) for the Youth Department of the Council of Europe. Before that he worked with youth peace organisations in the Middle East and coordinated the international secretariat of the United Network of Youth Peacebuilders. Mr Ettema studied Psychology of Culture and Religion at the University of Nijmegen, the Netherlands.

**Mikko SALO** is Faktabaari (FactBar) Founder, Finnish transparency NGO chair and LUT University EU Advisor. In 2014 he founded the fact-checking service bringing accuracy to European election debate. Since he has worked with (journalism) schools, media educators, scientists and voluntary crowds for a pedagogical, secure and engaging online fact-checking and debate focused new media concepts. Mikko is a member of the EU's High-Level Expert Group on Fake News and online disinformation whose report "Multi-dimensional approach to online disinformation" triggered also the first online platform code of practice on disinformation. His current fact-checking and digital media literacy efforts link to forthcoming European elections and ways to tackle "information disorders" such as 1) building FactBar EDU to empower educators in voter literacy, while involved in 2) promising European fact-checking efforts like #Femfacts -project debunking damaging misrepresentations of women in European news media and 3) several technology solutions. He has a versatile experience on European Affairs in member state and EU-level having served also four EU institutions. He has an interdisciplinary educational background majoring in political sciences. [www.linkedin.com/in/mvsalo](http://www.linkedin.com/in/mvsalo)



Since 2005 **Marius LUKOŠIŪNAS** works for UNESCO. He worked as an Advisor for Communication and Information Program at UNESCO Moscow (2005-2010) and Cairo offices (2010-2014). As of mid-2014 Marius Lukošiusas works for the Division of Freedom of Expression and Media Development at the Organization's headquarters in Paris. Before joining UNESCO Marius Lukošiusas served as the Head of the Press Service and Advisor to the President of the Republic of Lithuania in 2004-2005. In 1997 & 2000-2004 he worked as media and political affairs officer in two peacekeeping missions – the OSCE Mission in Bosnia & Herzegovina and the UN Mission in Kosovo. In between the two peacekeeping jobs in the Balkans Marius Lukošiusas for three years (1997-2000) managed EU enlargement related media projects at the European Journalism Center based in Maastricht, the Netherlands.

He also occupied a position of the Director of the Institute of Journalism of Vilnius University in 1992-1997 and holds PhD from Moscow State University (1990). Marius Lukošiusas started his career of a journalist in Lithuanian TV in 1987, reported from few hot spots during the break up on the Soviet Union in the early nineties, and moderated first presidential debates during the first Lithuanian presidential elections of 1992.



In January 2016, Ambassador **Tomáš BOČEK** was appointed Special Representative on Migration and Refugees of Council of Europe Secretary General Thorbjørn Jagland. His mandate is to gather information on the situation of migrants and refugees in the member States, and to develop proposals for action at national and European level. He also liaises with international partners, in particular the United Nations High Commissioner for Refugees, the European Union, the International Organisation for Migration and UNICEF. One of his priorities is to improve the situation of the high number of refugee and migrant children in Europe. He is responsible for the implementation of the Council of Europe's Action plan to this effect. He has also undertaken fact-finding missions to hotspots, camps and detention centres in several member States. A lawyer by training and a career

diplomat, Tomáš Boček studied at the University of Pilsen and has a degree in public international law from Paris I University – Panthéon Sorbonne. From 2004 to 2008, he was the Agent of the Czech Republic before the European Court of Justice and the Court of First Instance in Luxembourg. In 2007 and 2008, he was also Adviser to the Deputy Prime Minister for European Affairs and, from 2008 to 2009, Deputy Minister for International Relations and European Affairs at the Ministry of Justice of the Czech Republic. From 2010 until the end of January 2016, he was Ambassador and Permanent Representative of the Czech Republic to the Council of Europe and from 2013 to 2015 also Vice-Chair of the Governing Board of the Council of Europe Development Bank.



**Martina CHAPMAN** is an independent consultant specialising in the areas of digital media literacy. Originally from a broadcasting background, Martina has worked in media strategy and policy since 2008. Since establishing Mercury Insights in 2013, Martina has provided advice and support relating to media literacy policy, strategy, research and projects to a wide range international organisations and media regulators, including the Broadcasting Authority of Ireland, the Georgian National Communications Commission, the Council of Europe, the European Audiovisual Observatory, the European Platform of Regulatory Authorities, Ofcom, the UK communications regulator, The Eurovision Academy, the OSCE and the Irish Film Institute. Martina currently acts as

national coordinator for Media Literacy Ireland and is a member of the Council of Europe Committee of Experts on quality journalism in the digital age (MSI-JOQ). Prior to setting up her own business, she was the BBC's Editor for Media Literacy and she previously held the staff position of Media Literacy Policy Executive for Ofcom. Martina holds an MA in Film and Television Management and Policy. She has been member of a range of media-literacy related steering groups and working groups and she is a regular contributor to national and international conferences and seminars.



**Kristine MEEK** of the Norwegian Media Authority is responsible for the authority's insight and communications activities within the areas of media pluralism, media literacy, media ownership and media economy - as well as the EU safer internet program with special focus on social media and gaming. Meek is a sociologist and former journalist, who has a long track record from the media and the communications industry. Before joining the NMA she was head of communication in Telenor Norge, Norway's biggest telecom operator.

**Saara SALOMAA** (M.A.) is a senior advisor and media education team leader in KAVI, a Finnish governmental agency with a legal obligation to promote media literacy. Media education in Finnish National Audiovisual Institute, KAVI includes expert consulting, networking and strategic planning, lecturing for professionals, research and producing educational resources. KAVI also coordinates two significant awareness campaigns, Media Literacy Week and Game Week, and serves as the Finnish Safer Internet Centre.



**Lana CIBOCI**, PhD, is a vice dean for scientific affairs and quality management at Edward Bernays University College. She holds lectures at the Faculty of Teacher Education (University of Zagreb), Centre for Croatian Studies (University of Zagreb) and Edward Bernays University College. She is a vice president of the Association for Communication and Media Culture within which the Children of the Media project was implemented. The project won the Special Jury Prize as part of the Evens Foundation's 2017 Media Literacy Prize. She is a member of Croatian team of EU Kids Online. Lana is one of the authors of the first public opinion study on media literacy in Croatia and editor-in-chief of the scientific journal Communication Management Review. She is the author of several scientific papers about children and the media with an emphasis on media literacy. Scientific interests: children and media, media literacy, media and violence.



**Gitte BANG STALD** is an Associate Professor, ph.d. and head of network at the University of Copenhagen. Her primary research areas are digital media, democracy, citizenship, and participation; mobile media and social change; digital youth media cultures; digital media and globalisation. She participated in the European comparative project Children and Their Changing Media Environment 1995-1998; in the research programme Global Media Cultures 1999-2001; in research and development projects on mobile content for young Danes 2004-6; on mobile solutions for dyslexics 2006-7; in The MacArthur Foundation's series on Youth, Digital Media and Learning; in the project Mobity on user driven mobile media communities 2008-9. She participates in the two European networks/projects EU Kids Online 2006-2014 and in Net Children Go Mobile 2012-2014. She has

published articles on subjects such as media and cultural globalisation, adolescents' digital media cultures, and mobile media and communication. She is co-editor of *Global Encounters: Media and Cultural Transformation* (2002) and of *Digital Aesthetics and Communication, Northern Lights* vol 5, 2007. From 1994 to 2007 she worked at Film & Media Studies, Institute for Media, Cognition and Communication at the University of Copenhagen.

From 2001 until September 2018, **Lejla DERVIŠAGIĆ** worked at the Council of Europe, in Media and Internet Division. She was responsible for the cooperation programmes and activities related to freedom of expression and freedom of the media in Council of Europe member States. From October 2018 she works as an independent consultant.



**Robert TOMLIJENVIĆ** is the Vice President of the Electronic Media Council and Deputy Director of the Agency for Electronic Media, an independent regulatory body for the electronic media in the Republic of Croatia. Among other things, he is responsible for projects related to the protection of minors in electronic media and media literacy (eg. [www.medijskapismenost.hr](http://www.medijskapismenost.hr), Media Literacy Days...). Before joining the Agency (2013.), he spent his entire professional career in the electronic media and the audiovisual industry, working as a journalist, editor and television producer. Among other things, he worked as a reporter and news editor for Radio 101, acted as the editor in chief of the news program at Family Radio, and spent eight years as the Zagreb-based correspondent for the BBC World Service. He was also one of the founders and editor of the award-winning daily news show *News of the day* on CCN (a network of local TV stations), and the first Head of the news of RTL Televizija, where he set up the whole system and developed the concept of the news programme. He also worked as a television producer, producing documentaries and drama series.

## LIST OF PARTICIPANTS

### Albania

<b>Dilfirus Vrioni</b>	Chief of Public Relations Office, National Media Regulatory Authority
<b>Koloreto Cukali</b>	Head of Albanian Media Council
<b>Joana Qeleshi</b>	Head Judge, Durres District Court
<b>Kreshnik Ajazi</b>	Prosecutor, Tirana District Prosecution Office

### Bosnia and Herzegovina

<b>Svetlana Milišić-Veličkovski</b>	Judge, Supreme Court of the Federation of Bosnia and Herzegovina
<b>Sanin Bogunić</b>	Prosecutor, Prosecutorial office of Canton Sarajevo
<b>Irena Puzić Obradović</b>	Lawyer, BAR Association of RS
<b>Maida Culahovic</b>	RAK

### Bulgaria

<b>Maria Beltcheva</b>	Senior Expert, Bulgarian Council for Electronic Media, Bulgarian Council for Electronic Media
<b>Krasimira Medarova</b>	Judge, Supreme Court of Cassation
<b>Sava Petrov</b>	Prosecutor, Supreme Cassation Prosecutor's Office Bulgaria

### Croatia

<b>Damir Bučević</b>	Member of the Electronic Media Council, Croatian Agency for Electronic Media
<b>Anita Malenica</b>	Member of the Electronic Media Council, Croatian Agency for Electronic Media
<b>Miro Križan</b>	Head of Legal Department, Croatian Agency for Electronic Media
<b>Roberta Grgić</b>	Secretary to the Electronic Media Council, Croatian Agency for Electronic Media
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<b>Vjera Matković</b>	Media and Audio-visuals Office, Ministry of culture
<b>Marina Rakić</b>	Deputy Municipal State Attorney, Municipal State Attorney in Zagreb
<b>Vanda Mostovac</b>	Municipal Labour Court of Zagreb
<b>Tihana Balija</b>	Croatian Ministry of Foreign and European Affairs
<b>Filip Naglič</b>	Croatian Ministry of Foreign and European Affairs
<b>Martina Koščec Perić</b>	Central State Office for the Development of the Digital Society

## Czech Republic

<b>Bedrich Bluma</b>	Lawyer, Council for Radio and TV Broadcasting
<b>Katerina Lojikova</b>	Lawyer, Council for Radio and TV Broadcasting
<b>Václav Beneš</b>	Judge, Regional Court in Ústí nad Labem

## Georgia

<b>Nata Dzvelishvili</b>	Executive Director, The Georgian Charter of Journalistic Ethics
<b>Ekaterine Chakhrakia</b>	Lawyer at Legal Affairs Department, Georgian National Communications Commission

## Hungary

<b>Szabolcs Hornyak</b>	Judge, National Office for the Judiciary
<b>Melinda Lozonczi-Molnar</b>	Prosecutor, Head of Unit, Metropolitan Chief Prosecution Office
<b>Eniko Vegvari</b>	Youth Policy officer, member of the Hungarian No Hate Speech Committee, Ministry of Human Capacities
<b>Zsafia Magyarkuti</b>	Project manager, Subjective Values Foundation
<b>Dorina Csalar</b>	Legal Expert, National media and Infocommunications Authority

## Kosovo

This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence

<b>Niman Racaj</b>	Head of legal department -Independent Media Commission
<b>Edona Fetoshi</b>	Project Officer/ Public Relations Officer - Press Council
<b>Manushe Karaqi</b>	Judge, Special Chamber of the Supreme Court
<b>Rafet Halimi</b>	Prosecutor - Basic Prosecution in Pristina

## Luxembourg

**Jeannot Clément** Autorité luxembourgeoise indépendante de l'audiovisuel

**Luc Weitzel** Autorité luxembourgeoise indépendante de l'audiovisuel

## Moldova

**Veronica Cojocar** Member, Coordinating Council of Audiovisual

**Olga Manole** Member, Press Council

**Alexandru Arhip** Judge, Chisinau Court

**Carolina Vidrascu-Brinza** Prosecutor, General Prosecutor's Office

**Dumitru Lazur** CoE Office in Chisinau

## Montenegro

**Jadranka Vojvodić** Deputy Director, Agency for Electronic Media

**Paula Petricevic** Ombudsman, Vijesti

**Miroslav Turković** State prosecutor, Basic State Prosecutor's Office

**Jelena Anđelić** Judge, Basic court, Podgorica

## Poland

**Katarzyna Twardowska-Wojtowicz** Expert, National Broadcasting Council (KRRiT)

**Aleksander Wierzejski** Daily Chief Editor, TV Republika

**Agnieszka Matysek** Seconded Judge, Ministry of Justice

**Aleksandra Ziolkowska-Majkowska** Judge, District Court of Warsaw

## Former Yugoslav Republic of Macedonia

**Emilija Petreska Kamenjarova** Head of Human Rights and Media Literacy Unit, Agency for Audio and Audiovisual Media Services

**Mirche Adamchevski** President of the Appeals Commission, Council of Ethics in the media in Macedonia

**Daniela Aleksovska Stojanovska** Judge in Court of first instance Skopje 1 (criminal court)

**Natasha Godzoska** Public prosecutor in the Basic public prosecution office in Skopje

## Romania

**Anca Mihaela Trofin** Judge, Tribunal of Vrancea



<b>Nicolae Sergiu Cărlan</b>	Judge, First Instance Court of Cluj-Napoca
<b>Tiberus Ilie Moldovan</b>	Prosecutor, Prosecutor's Office attached to the High Court of Justice and Cassation

## Serbia

<b>Nenad Jankovic</b>	Regulatory authority for Electronic media (REM)
<b>Gordana Novakovic</b>	Secretary General, Press Council
<b>Gordana Komnenic</b>	Judge
<b>Slobodan Josimovic</b>	Deputy Public Prosecutor
<b>Jelena Kolo</b>	Regulatory authority for Electronic media (REM)

## Slovakia

<b>Ivan Tarabčák</b>	Legal and Licensing Department, Office of the Council for Broadcasting and Retransmission
<b>Andrej Schwarz</b>	Vice-chairman, Print-Digital Council of the Slovak Republic
<b>Eva Pauliaková</b>	Managing Director General Secretary, Slovak Press Publishers' Association Association for the Protection of journalistic ethics of the Slovak republic
<b>Jana Báležová</b>	Director, Criminal Law Section, Ministry of Justice
<b>Tomáš Honz</b>	Leader prosecutor, General prosecution, Department of extremist criminality

## Slovenia

<b>Teja Antončič</b>	Head of Content Regulation, Agency for Communication Networks and Services AKOS
<b>Mojca Budimir</b>	Legal Expert, Electronic Media Department, Agency for Communication Networks and Services AKOS
<b>Jelena Aščić</b>	Deputy chairwoman, Journalist Ethic Commission
<b>Polona Marjetič Zemljič</b>	Judge, Court of Appeals in Ljubljana
<b>Katarina Bergant</b>	Higher State Prosecutor, Head of Prosecutor's Office, District State Prosecutor's Office in Ljubljana
<b>Petra Zupancic</b>	Authorized person for the supervision of Audiovisual media, Agency for communication networks and services of the Republic of Slovenia

## Ukraine

<b>Olga Gerasymiuk</b>	First Deputy Chair of the National TV and Radio Broadcasting Council of Ukraine
<b>Maksym Dvorovyi</b>	Assistant to the Chair of Parliamentary Committee on Freedom of Speech and Information Policy, Coordinator of the Independent Media Council, lawyer of the Center for Democracy and Rule of Law
<b>Igor Rozkladai</b>	Lawyer of Center for Democracy and Rule of Law, member of the Independent Media Council

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## Embassy of Denmark

**Andreas Hector Skouvig Andersen**

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## Embassy of Finland

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**Laura Stoji**

**Kaarlo Somerto**

## Embassy of France

**Carole Perretto**

## Embassy of Israel

**Zina Kalay Kleitman**, Ambassador

## Embassy of Norway

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**Kim Kvaase**

**Christian Grotnes Halvorsen**

## Embassy of the Russian Federation

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## Embassy of Sweden

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**Hate speech** and other, less extreme forms of derogatory and offensive language targeting ethnic, religious, sexual and other minorities, migrants and refugees and many other groups and individuals, are a widespread phenomenon within Europe. The Council of Europe and its member states have over decades developed a comprehensive range of standards and measures to curb expression that spreads, incites, promotes or justifies hatred, intolerance, discrimination and hostility, while guaranteeing everyone the right to freedom of expression and information.

**The international conference** examines how hate speech is regulated in different member states of the Council of Europe, focusing on the specific roles of the judiciary, national media regulatory authorities and media self-regulatory bodies. It further explores how media literacy programmes can raise awareness about hate speech and the risks it poses for democracy, empowering citizens to critically analyse news and information and develop counter-speech and alternative narratives.



The Agency for Electronic Media (AEM) is an independent regulatory body for electronic media in Croatia. It grants concessions, issues licences, monitors the operations and programme contents and programme quotas of electronic media as prescribed by law, especially with a view to the protection of human rights as well as the rights of minors and consumers. The AEM passes secondary legislation acts, manages the Fund for the Promotion of Pluralism and Diversity of Electronic Media and organizes, inter alia, projects and campaigns related to media literacy and gender equality.

The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.



Agencija za elektroničke medije  
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