**Panel address**

**Snežana Samardžić-Marković**

**UN regional forum on Hate Speech, Social Media and Minorities**

21 September – time & platform tbc by organisers

Excellencies,

Distinguished speakers,

Dear participants,

Thank you for the opportunity to address this forum on a very timely and important topic. It is a daunting challenge to find a balanced yet effective approach to addressing hate speech, but we need to succeed – the fundamental rights of individuals and the health of our democracies depend on it.

Hate speech concerns us all, but particularly those from a minority background who are disproportionately targeted by hate speech which limits their freedom of expression, hinders their well-being and sometimes even threatens their lives. People belonging to visible, linguistic, sexual and other minorities face additional barriers to seeking redress against hate speech offences and do not always feel the solidarity they deserve from wider society.

The Council of Europe, as the continent’s leading human rights body, has worked for many years with and for the protection of human rights of members of minority communities.

*The Framework Convention for the Protection of the National Minorities* is a key instrument in this area. The monitoring process of the convention has evidenced very high levels of hate speech against refugees, migrants and other “visible” minorities. Less often, but equally disturbing for the victims, hate speech circulates also against traditional, well-established minorities.

Particularly worrying is that political representatives often fail to condemn hate speech or even worse, post hateful messages themselves. Such rhetoric from elected representatives is a threat to democracy because it dissuades persons belonging to minorities to voice their views and it makes societies more divided and violent.

The Advisory Committee of the Framework Convention has also observed hate speech in the context of memory politics. Social media are full of arguments about the “right” or “wrong” interpretation of history, national heroes, monuments and memorial days. Unfortunately, a tweet does not allow for untangling the complexity of European history and different perspectives on it, though this is exactly what we need. The Council of Europe has programmes for media literacy and intercultural education, as well as for multi-perspectivity in history teaching which deliver results if deployed on a sufficiently large scale. Aware of the importance of history and its teaching for Europe and based on the achievements of its decades-long programme in the field of history teaching, the Council of Europe is finalising the establishment of an Observatory for History Teaching in Europe.

Strategies to address hateful narratives with human rights and inclusion narratives as well as strategies to bring people together for a respectful and informed debate are also approaches that work – we have piloted and validated some very effective methodologies in this respect – such as the anti-rumours approach – in the context of our Intercultural cities programme.

Roma and Travellers are among the groups which suffer the most from hate speech. Media remain hostile to them and in most of the cases paint a negative image of Roma based on stereotypes. The European Commission Against Racism and Intolerance (ECRI) has expressed concern about the widespread problem of racist and intolerant hate speech towards Roma in several countries. The Council of Europe Strategic Action Plan for Roma and Travellers Inclusion tackles the issue of hate speech against Roma through a comprehensive framework on anti-Gypsyism.

ECRI has noted that members of vulnerable groups, including national minorities, migrants and LGBT, lack understanding of their rights and are reluctant to report hate speech and discrimination. This limits the availability of data on the magnitude of the problem and undermines our ability to understand how to address it. We are working on setting up efficient desegregated data collection in several Council of Europe member states, to address this challenge.

The COVID pandemic has only accelerated the problem. Existing inequalities have become even more enforced and made it more difficult to mount an effective response to the crisis. For example, there has been insufficient information in minority languages, and old discriminatory hate narratives have been recast into new messages. Enhanced conspiracy theories and new disinformation campaigns have seriously undermined efforts to inform and protect our society against the pandemic, pitching communities against each other, and worsening the reality of many people in a disadvantaged situation.

The Council of Europe has been working for decades on helping national authorities including courts, to find the right balance between protecting freedom of expression and protecting the victims of hate speech and we still haven’t found it... The evolving case law of the ECtHR case law and ECRI’s General Policy Recommendation 15 give guidance on how to find such a balance, including through measures such as awareness-raising, prevention and self-regulation which complements our toolbox of measures to address hate speech.

Binding standards have been developed for example through the Additional Protocol to the Cybercrime Convention, according to which the 29 member States, who have ratified this treaty, are obliged to criminalise certain forms of hate speech, such as Dissemination of racist and xenophobic material through computer systems (Article 3 of that Protocol). Gender often intersects with other grounds of discrimination. A new standard on Sexism adopted by the Committee of Ministers last year therefore addresses specifically the situation of Women from minority backgrounds.

The CoE’s youth campaign No Hate Speech Movement is a concrete example of how best to inform citizens of the risks hate speech poses to human rights and democracy and mobilise them to stand up for human rights online.

Public authorities have a particular responsibility to help communities address hate speech incidents, by providing fair information about the incident, its harmful effects, and measures taken to redress them. Such actions can help dispel rumours and address misgivings, as well as provide support to the victims. An inclusive community is not only supportive and understanding of the needs of both the victims of hate speech and of the society as a whole, but it will also be able to prevent escalations and strengthen resilience to overcome hate incidences when they do take place.

Based on its multi-dimensional, long-standing experience with fighting hate speech, the Council of Europe believes that a comprehensive strategy is essential. This requires an inter-disciplinary approach and coordination between a range of institutions, as well as civil society and internet intermediaries. To this effect, a new Council of Europe Committee of Experts has been tasked to draft a new standard on a comprehensive approach to combat hate speech within a human rights framework.

I am confident that the deliberations and the sharing of promising practices over the next days will give valuable input to the work of the UN Special Rapporteur on minority issues as well as to the Council of Europe.

I look forward to this forum’s results and to our continuous cooperation.

***Background:***

The Forum aims to reflect on regional experiences on addressing hate speech, particularly through social media targeting minorities, and will:

* Identify legal, institutional and policy challenges;
* Explore and identify appropriate responses; and
* Strengthen the participation of persons belonging to minorities and their representatives in the development of laws and policies;

The Regional Forum outputs will feed into the:

* New guidelines on the effective protection of the human rights of minorities in social media;
* Special Rapporteur on minority issue’s thematic report for the 46th session of the UN Human Rights Council in March 2021; and
* UN Forum on Minority issues, Geneva November 2020;

Keynote speeches should be no longer then 7 minutes. There is no Q&A or panel discussion. From the CoE also the the Chair of ECRI, Maria Daniella Marouda will speak.

Tentative List of speakers:

* + 1. **H.E. Mr. Alexander Schallenberg**, Minister of Foreign Affairs Austria *(confirmed)*
    2. **Snezana Markovic**, the Council of Europe’s Director General for Democracy
    3. **Emily O’Reilly**, European Ombudsman
    4. **Eamon Gilmore**, EU Special Representative for Human Rights
    5. **Birgit Van Hout**, UN Human Rights Regional Representative for Europe *(confirmed)*
    6. **Michael O’Flaherty**, Director of the EU Agency for Fundamental Rights
    7. **Maria Daniella Marouda**, Chair of European Commission against Racism and Intolerance *(confirmed)*
    8. **Christophe Kamp**, Director of the Office of the High Commissioner on National Minorities, OSCE *(confirmed)*
    9. **Katarzyna Gardapkhadze**, First Deputy Director, OSCE Office for Democratic Institutions and Human Rights