

THE CONSEQUENCES OF HATE SPEECH

If hate speech is unchallenged, it drives human rights abuses further: negative stereotypes are disseminated throughout society, groups become increasingly marginalised and isolated, conflict and division grows, and abuse or threats increase as new boundaries are tested. In the worst cases, mere 'expression' begins to translate into physical abuse. Hate speech can lead to hate crime, engaging human rights relating to personal safety and security. Hate crimes, including genocide, are always accompanied by hate speech. Not all hate speech results in hate crimes, but hate crimes always involve hate speech.

FREEDOM OF EXPRESSION?

Actions taken to combat hate speech may also engage certain human rights, because freedom of expression is a fundamental human right, and so is the right to freedom of thought, conscience or religion. Those who are accused of promoting 'hate' often appeal to these rights.

A proper understanding of human rights can help in resolving this apparent conflict. One of the key challenges in working to combat hate speech is being able to identify the best balance between allowing free expression, while still protecting other rights which may be engaged by its more violent forms.

USING HUMAN RIGHTS TO ADDRESS HATE SPEECH

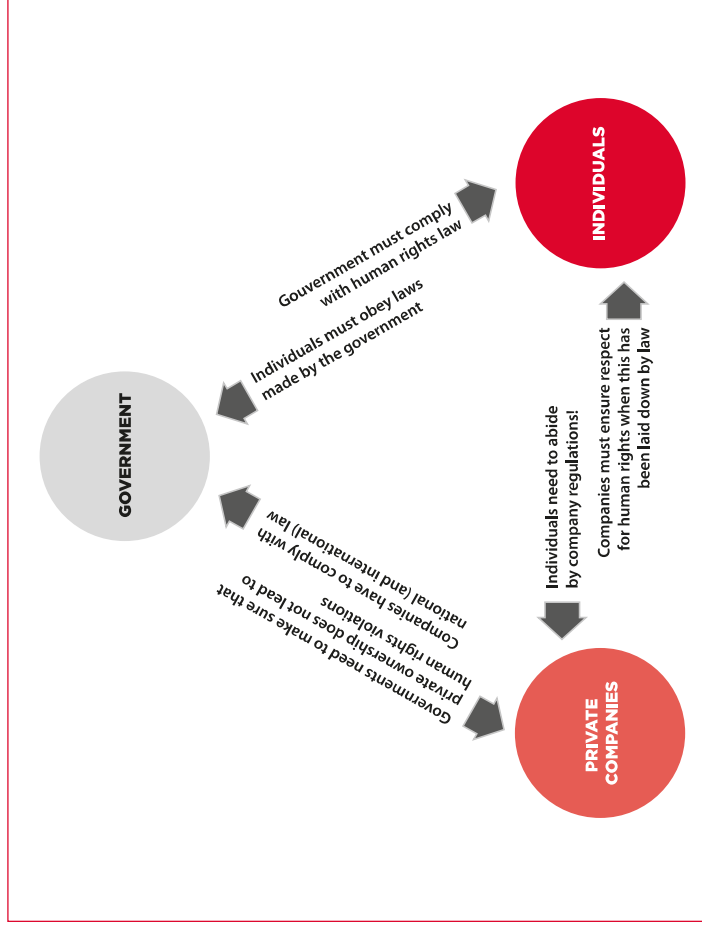
Human rights education provides a powerful tool to address hate speech online by developing young people's knowledge, skills and attitudes to tackle hate speech from a human rights-based approach. A human rights approach helps not only with developing empathy and respect for others; it also encourages active participation and a sense of individual agency.

You can find more information on Human Rights in Chapter 4 of *Compass*: www.scoe.int/compass

HUMAN RIGHTS AND THE INTERNET

The Internet is mostly "owned" and controlled by private companies. This makes the protection of human rights more complicated, because human rights are really 'rules for governments', not private companies. If a shopping mall or private nightclub wants to forbid people from wearing jeans, protesting, or distributing information about another company, all of which are forms of 'expression', you cannot plead freedom of expression and take them to the European Court of Human Rights! In the same way, private companies can mostly set the rules that people must abide by when using parts of the Internet owned by them. If people do not like the rules, they can complain, but the ultimate sanction is simply not to use the service. However, this does not mean that those parts of the world which are owned by private companies, including the Internet, are not regulated by human rights laws! Human rights impose (at least) two different types of obligation on governments:

1. They set limits on what governments are *actively* allowed to do, for example, they are not allowed to ban all political dissent, engage in torture, or deprive someone of their liberty without proper reason.
2. They oblige governments to take positive action to ensure that rights are properly protected. This may mean passing laws which prohibit discrimination, making sure that violent acts are prosecuted (and punished), or ensuring that victims receive proper protection.



In other words, governments also have to ensure that 'private' spaces do not lead to human rights violations. In theory, the safety of individuals in the 'private spaces' of the Internet are as much the responsibility of governments as anywhere in the 'real' world. In practice, governments interfere a great deal less in the 'virtual' world than they do in the 'real' world.

Furthermore, the distinction between private and public space is blurred and merits discussion. Not all sites are privately owned, and even when they are, the question of public accountability remains relevant. Is a social network that brings together 500 million people a purely private enterprise?

The No Hate Speech Movement has been called for by youth representatives in the Council of Europe to claim the Internet as public space with interests that extend far beyond the interests of internet businesses.

Remember: Just because there are relatively few 'laws' regulating expression on the Internet, that does not mean that individuals are encouraged to say and do whatever they like! The Internet will become whatever users of the Internet decide to make it, and young people should have as much possibility to influence this as anyone else!