



Geneva International Centre *for* Justice
Independent, non-profit, non-governmental organisation

HATE SPEECH, SOCIAL MEDIA AND MINORITIES

The 46th Regular Session of the Human Rights Council

Geneva, 22 February – 23 March 2021

HATE SPEECH, SOCIAL MEDIA AND MINORITIES

Report of the Interactive Dialogue with Special Rapporteur on Minorities Issues

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Table of Contents

| | |
|---|-----------|
| A. INTRODUCTION | 4 |
| B. SUMMARY OF THE REPORTS OF THE SR (A/HRC/46/57; A/HRC/46/57/ADD.1) | 5 |
| 1) HATE SPEECH, SOCIAL MEDIA AND MINORITIES (A/HRC/46/57)..... | 5 |
| 2) VISIT TO KYRGYZSTAN (A/HRC/46/57/ADD.1)..... | 8 |
| C. THE INTERACTIVE DIALOGUE WITH THE SPECIAL RAPPORTEUR | 10 |
| 1) INTRODUCTION OF THE SPECIAL RAPPORTEUR | 10 |
| 2) STATES' COMMENTS AND QUESTIONS (REGIONAL GROUPS)..... | 12 |
| KYRGYZSTAN (COUNTRY CONCERNED)..... | 12 |
| ASIA AND PACIFIC GROUP..... | 12 |
| EASTERN EUROPEAN GROUP | 13 |
| LATIN AMERICAN AND CARIBBEAN GROUP | 14 |
| WESTERN EUROPEAN AND OTHER GROUP | 15 |
| 3) GENERAL CONSENSUS..... | 16 |
| 4) SPECIAL RAPPORTEUR'S FINAL REMARKS..... | 17 |
| 5) THE CONTRIBUTION OF NON-GOVERNMENTAL ORGANIZATIONS | 18 |
| D. THE POSITION OF GENEVA INTERNATIONAL CENTRE FOR JUSTICE..... | 18 |
| E. CONCLUSION..... | 19 |

A. INTRODUCTION

Two pandemics have been rapidly spreading throughout the year 2020: the first one is a disease concerning the body, namely the COVID-19 pandemic, and the second one involves our minds and often leads to atrocities, massacres and violence against the most vulnerable. While the scourge of the COVID-19 pandemic has been immediately addressed in order to have it under control, the spread of the hate speech, a rapidly expanding problem that has the potential to spark dangerous and violent events shows no sign of weakening. On the contrary, hate speech in social media is worryingly increasing and strengthening. The menace of hate speech is mainly affecting minorities, as approximately 70% of victims of hate speech or hate crimes belong to minorities.

However, the brutality and violence of hate speech, stemming from racism, prejudice, scapegoating and incitement to violence in social media is often ignored or normalized, with victims remaining unnamed.

This is a critical issue to tackle, as freedom of expression, one of the main pillars of a free, stable and democratic society, is constantly stressed and its restrictions tested. Following these premises, the dark side of social media cannot be ignored anymore, as it has become a vehicle for dangerous forms of hate speech, conspiracy theories, misinformation, disinformation, racism and scapegoating of minorities to conjure and spread.



Therefore, the scope of the discussion opened by the Special Rapporteur on Minorities Issues, Mr. Fernand de Varennes, highlights some of the gaps in efforts to combat hate speech in social media and the extent to which owners of social media platforms continue to ignore

the issue and are not taking sufficient measures to curtail the spread of hate speech. Moreover, he provided guidance on the human rights obligation of States, corporations and other actors involved in relation to addressing the most prevalent instances of hate speech in social media, namely those targeting national or ethnic, religious and linguistic minorities.

Lastly, the Special Rapporteur focused the attention to the visit he conducted to Kyrgyzstan

which gave him the possibility to examine good practices and possible obstacles to the promotion and protection of the human rights of persons belonging to national or ethnic minorities, religious or belief minorities and linguistic minorities in Kyrgyzstan in conformity with his mandate.

B. SUMMARY OF THE REPORTS OF THE SR (A/HRC/46/57; A/HRC/46/57/Add.1)

The Special Rapporteur on Minorities Issues, Mr. Fernand de Varennes, delivered two reports A/HRC/46/57 and A/HRC/46/57/Add.1 to the 46th session of the Human Rights Council, discussing respectively the widespread targeting of minorities through hate speech in social media and reporting on the official visit he conducted to Kyrgyzstan in 2019 at invitation of the Government.

1) Hate speech, Social Media and Minorities (A/HRC/46/57)

In the report on hate speech targeting minorities in social media (A/HRC/46/57), the Special Rapporteur provides an overview of the activities associated with his mandate, as well as his efforts to increase awareness of minority issues among United Nations Member States and to consolidate the organization of regional annual forums, specifically the Forum on Minority Issues. In fact, he identifies the need for a more regional approach with respect to the Forum on Minority Issues in order to make the Forum more accessible to minorities in different parts of the world and more receptive to regional concerns and contexts, especially during the ongoing COVID-19 pandemic.

After having stressed how hate speech is worryingly spreading and strengthening, with minorities as the main victims, Mr. de Varennes then moved to international human rights law by starting a deep analysis of the freedom of expression and opinion and to what extent it can be restricted in cases of forms of hate speech targeting minorities in social media. Whatever the nature or content of hate speech is, international law provides for only a limited number of permissible restrictions on freedom of expression. *As outlined in the report, it is therefore essential to clearly set out the human rights obligations and responsibilities of the parties most directly involved, particularly States and owners of social media platforms.*

As enshrined in Articles 19 and 20 of the International Covenant on Civil and Political Rights and in the Convention on the Prevention and Punishment of the Crime of Genocide, there are three strictly delimited contexts in which freedom of expression may be restricted:

- (a) States must criminalize expression that constitutes incitement to genocide;
- (b) States have an obligation to prohibit by law, though not necessarily to criminalize, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.
- (c) States may further restrict the exercise of the right to freedom of expression only as provided by law and as necessary for respect of the rights or reputations of others or for the protection of national security, public order, or public health or morals.

Therefore, hate speech in social media may thus involve one of the three contexts in which freedom of expression may be subject to permissible restrictions under international human rights law. However, as stressed from the Special Rapporteur there are a number of specific issues relating to the recognition and protection of the human rights of minorities that are often insufficiently addressed when considering hate speech in its various forms, as shown through unclear, imprecise legislation States put in place to comply with their legal obligations. In any case, as stressed in the report, it should be made clear that States are required to ensure that their legal obligations are respected by social media platforms, since the latter constitute the main ecosystems in which prohibited forms of hate speech have found particularly fertile ground.

In this context, the Special Rapporteur reminds States that restrictions on forms of expression in social media are permissible only as provided by law, and that they must be clearly and narrowly defined. He also invites States to refer to existing guidance, particularly the six-part threshold test in the Rabat Plan of Action and Principle 12 of the Camden Principles on Freedom of Expression and Equality. Lastly, Mr. de Varennes calls on States to review their legal framework to ensure that it incorporates a list of protected characteristics and identifies minorities as the main victims, in order to establish independent and authoritative specialized institutions to counter hate speech and to adopt human rights education initiatives on minority rights in order to promote diversity and inclusion.

Considering the role and responsibilities related to owners of social media platforms, who currently enjoy a large degree of immunity when being the carriers of hate, violence and calls of genocide against minorities, there remains glaring gaps that need to be filled with adequate protection policies for minorities and the most vulnerable and marginalized groups. Online platforms are based on designed algorithms who target audiences with precision and funnel users towards specific communities. When these algorithms extrapolate data from extreme violence or obsessive contents that have maximized views, the result is an explosion of hate, radicalization, dehumanization, scapegoating, incitement to genocide and advocacy of hatred that constitutes incitement to violence, hostility or discrimination against minorities in social media, leading to alarming increases in hate crimes and atrocities.

“Hate pays, minorities suffer: social media platforms are hugely profitable, while minorities increasingly experience hate and incitement to violence through the platforms”.

Even when social media platforms have adopted policies to combat hate speech, they may be too slow, ineffective or broadly formulated as in the case of Tik Tok’s Community Guidelines where no single reference to the word “minority” is contained. Also, implementation often fails to protect the most vulnerable from harm. Algorithms being developed and the use of artificial intelligence lack protocols and human rights impact assessments, and thus duly take into account the vulnerability and targeting of minorities in social media. This contributes to and accentuates the hate and harm experienced by minorities in social media.

Thus, the Special Rapporteur invites social media platforms to put in place procedures and mechanisms for the mandatory collection of data on hate speech, incitement to genocide and extreme forms of violence that should be disaggregated according to the basis of the hatred. Also, he encourages social media companies to manage hate speech on their platforms with reference to the human rights implications of their products, including algorithms and artificial intelligence programs, by having human rights review processes that refer to and focus specifically on the groups most susceptible to hate speech in the States concerned.

2) Visit to Kyrgyzstan (A/HRC/46/57/Add.1)

The Special Rapporteur on Minorities Issues visited Kyrgyzstan from 6 to 17 December 2019, where he consulted widely with government representatives and stakeholders, both national and local, including senior government officials. In addition, the Special Rapporteur consulted with a wide spectrum of civil society organizations working on issues affecting national or ethnic minorities, religious or belief minorities and linguistic minorities.



His visit was primarily to gather information on the human rights of persons belonging to minorities in Kyrgyzstan, and the obstacles and challenges they are faced with. He aimed to propose possible ways of addressing existing lacunae or gaps, to

identify possible improvements to existing legislation, policies and practices, and promote pathways for the effective implementation of the international obligations of the country concerned in relation to minorities' rights.

After having commended the Government of Kyrgyzstan for its generally positive record with regard to its engagement with international human rights institutions and mechanisms and its legislative and institutional framework which guarantees equality and non-discrimination on multiple grounds, the report illustrates Kyrgyzstan's positive steps and developments in the field of human rights protection, including gender equality, respect for cultural and linguistic diversity and statelessness.

However, some areas of concern still persist to ensure the full realization, namely recognition, protection and implementation of the human rights of minorities. In fact, the Special Rapporteur urges additional improvements where there are legislative gaps particularly in case of minorities' protection. The Office of the Ombudsperson (Akyikatchy) receives complaints

about human rights violations, including from members of minorities, such as alleged police mistreatment, discrimination in the provision of public services, and hate speech and hate crime, and also with regard to registration of religious organizations.

The main concerns of the Special Rapporteur's visit in Kyrgyzstan focus on recent legislative developments on statelessness that can be interpreted to unduly impact individuals from certain ethnic minorities, as new laws enable the revocation of Kyrgyz citizenship from citizens for serving in the military services of a foreign power or who have been convicted of terrorism, where judicial authorities have the tendency to consider Uzbeks or Uighurs as more prone to terrorism.

Further, due to the different languages minorities speak, they are facing significant challenges in accessing quality education, despite the Constitution, in which Article 10 recognizes that ethnic minorities form part of the population of Kyrgyzstan, and that they have the right to preserve their native language as well as to create conditions for its learning and development. According to Mr. de Varennes, Kyrgyzstan should ensure that its policy on language use in education does not discriminate, directly or indirectly. This means that it should increase the number of schools that use Uzbek as the language of instruction, ensure appropriate and proportional budgetary resources for the provision of quality mother-tongue education, while providing effective teaching of Kyrgyz as a second language, and re-establish university admission tests in the Uzbek language.

As Kyrgyzstan does not systematically collect disaggregated data on its population, languages, cultures or religions, public authorities do not have precise information on the population of a country to design better-targeted and effective evidence-based policies and programmes. Moreover, considering that participation of minorities in public life is extremely limited compared to the proportion of these minorities in the total population, the Special Rapporteur remarks that such practice allows the Government to ensure the effectiveness and implementation of specific shaped programmes and policies for those who are most vulnerable and marginalized, including minorities. Also the Government of Kyrgyzstan needs to provide additional support to deaf people by increasing the presence of sign language in public infrastructures, but also including deaf people in the area of employment. Other minorities to direct attention to are the religious ones, as obstacles in confession registration or difficulties

that minorities face with regard to the burial of their relatives in their respective regions remain areas of concern for the Special Rapporteur.

The last aspect falling into the scope of the Special Rapporteur's analysis of the human rights situation in Kyrgyzstan are several ongoing factors that could bring the level of interethnic tension to breaking point, such as the absence of minority languages in education and public services, the underrepresentation of minorities in the civil service and in political, judicial and other State institutions, cases of claimed unfair treatment by law enforcement authorities, and issues relating to resource management, including water and land.

In this regard, Mr. de Varennes strongly recommends that the Government adopt a national plan for citizenship and inclusion to recognize and celebrate its diversity in order to tackle growing stereotyping, ethnic profiling, and stigmatization of minorities, as well as the rise of hate speech against them. This should include a review of negative stereotyping of minorities in educational and other official materials.

C. THE INTERACTIVE DIALOGUE WITH THE SPECIAL RAPPORTEUR

At the 46th Session of the Human Rights Council, the Special Rapporteur Mr. Fernand de Varennes presented his two reports related respectively to hate speech in social media mainly targeting minorities and the official visit that he conducted to Kyrgyzstan in 2019 at invitation of the Government (A/HRC/46/57 and A/HRC/46/57/Add.1). The discussion was held during the 35th meeting of the Council's Session, during which States and Non-Governmental Organizations had the opportunity to deliver statements, make comments and ask questions to the Special Rapporteur regarding his thematic report. Kyrgyzstan, the country concerned, had the right to respond with a statement immediately after the introduction of Mr. de Varennes.

1) Introduction of the Special Rapporteur

In his introduction, the Special Rapporteur on minority issues, Mr. Fernand de Varennes, mentioned that a treaty was essential in order to regulate hate speech that is circulating on social media, and this treaty must also specifically focus on the most harmful form of hate, which is also the most prevalent, and that is hate against minorities. By presenting the thematic report

on social media and minorities, and hate speech, the Special Rapporteur highlighted that this form of speech is increasing and is becoming more widespread.

“The Holocaust did not start with the gas chambers, it started with hate speech against a minority.”

The Special Rapporteur (SR) distinguished some prominent aspects of hate speech, which include dehumanising language and normalised violence. Further, Mr. Fernand de Varennes focuses on the international legal obligations of States, which are threefold in relation to hate speech, and these include: criminalising the most severe forms of hate speech, prohibiting other less ‘severe’ forms, and taking other necessary measures to counter other forms that need to be tackled in light of the possible harm that racism, intolerance, and prejudice could cause. The Rapporteur also mentions that distinguishing these three levels of hate speech is already developed through initiatives, including the Rabat Plan of Action. The SR then emphasizes that social media owners were never evil, but they must tackle the evil which their algorithms and business models were unleashing on millions.

Furthermore, the SR presented a report on his mission to Kyrgyzstan, where he said that real progress has developed in recent years, in particular in terms of the ratification of many United Nations human rights treaties. At the same time, he highlights his concern over sustainability in this regard. He recommends a more comprehensive anti-discrimination law. Finally, he pointed out that the rights of minorities, such as those of the Uzbeks, were not respected in terms of the use of their language in education or even access to public services in their own language. Such obstacles, he adds, made it difficult to hold certain activities of religious minorities which required more attention by the Government of Kyrgyzstan. The SR mentioned the necessity to officially recognize sign language and ensure its spread through public education.



2) States' Comments and Questions (Regional Groups)

Kyrgyzstan (Country Concerned)



Mr. Daniyar Mukashev, representative of Kyrgyzstan, expressed sincere appreciation for the fact that the report presented by the SR recognized the willingness of Kyrgyzstan to hold a dialogue and cooperate in this matter. The

representative further mentions that Kyrgyzstan had issued an invitation to all thematic Special Procedures in December 2020, and that the country is more than willing to upkeep its cooperation in this light. Moreover, the country has been addressing the issues highlighted in the report by following the recommendations emphasized by the SR; for instance, the draft law on ‘citizenship stripping’ has been returned for further elaboration, as mentioned by the representative. The representative then mentioned that the civic concept ‘Kyrgyz Zharany’ (Kyrgyz Citizen) was to expand the effectiveness of the policy in the ethnic sphere and even reinforce the unity of the people of Kyrgyzstan. It is important to note that this concept has undergone wide public discussions, which include international organizations and civil society.

Asia and Pacific Group

Mr. Alaa Sami, representative of Iraq, ensures that Iraq’s law aims to protect the rights of minorities and further prohibits hate speech. He also mentioned that the parliament is considering a new law on freedom of expression, peaceful protest, and assembly. The representative then highlights Article 9 of the democratic institution on diversity, which ensures that the state is taking appropriate measures to protect individuals on personal levels. In Indonesia, the health crisis is expanding its reach, and anxiety and fear have ensued, which means that more racism and xenophobia have emerged. According to the representative, Mr. A. Anindityo Adi Primasto, who called for the strengthening of support for freedom of expression, says sometimes, in its nuances, freedom of expression is used as a pretext to

promote hate speech. The representative further asked the SR the following question: “How can the Human Rights Council, its mechanisms, and treaty bodies, enhance their roles in country hate speech. And to what extent do you think legislation should play a persuading social media company to combat hate speech?”. As for Iran, the representative emphasized that the country has always respected minorities and ensured that all are treated equally. Furthermore, the representative rejected the violence against Muslims in France, the Netherlands, and the United States. Pakistan, India, and Nepal endorse the report and focused on the issue of minorities, and called for the reinforcement of dignity and human rights. Nepal’s 2018 Act, for instance, prohibits publishing any material that may hint at hate speech, even on the internet. Finally, Mr. Jiang Yingfeng, representative of China, mentions that racial discrimination is increasing in China, notably after the outbreak of COVID-19, where an increase in stigmatization of ethnic minorities, specifically Asian minorities, has ensued.

Eastern European Group

Ms. Kristina Sukacheva, the representative of the Russian Federation, highlights that online hate speech is a grave issue which has led to violations of human rights and the spread of violence. As such, the representative emphasized the importance of creating recognized political and legal frameworks for online communications. Notably, she mentions that in Ukraine, representatives of minorities are victims of hostilities, violence, intolerance, and numerous violations. As for Ukraine, the representative Mr. Andriy Baziv ensured that a national law which aims to protect minorities is currently under development in the country, and he further mentions that the territories occupied by Russia are hosts of systematic limitations of freedom of religion, where Ukrainian minorities are targeted as well.

For Armenia, major hate speech has been rampaging during the past years, and genocide through social networks have been witnessed, as mentioned by Representative Ms. Armine Petrosyan. She further asks the SR about United Nations machinery and how they could detect such activities as an early warning sign of an organized and systematic approach to hate speech online.



Moreover, the representative asked about any discussions which may be conducted with private companies who could manage social networks and, therefore, hate speech. Furthermore, for the representative of Slovenia, the pandemic has further aggravated the situation, and a multilayer approach is required to tackle such an issue. As such, they believe that reinforcing unity for the respect of human rights is of utmost necessity and that prevention is even more essential, as the most important strategies are cultural and educational diversity.

Meanwhile, according to the representative of Albania, Albania itself is concerned with the objectivity of the report, as most of the victims are specific minorities. Indeed, the country shares concerns on the recommendations made to states, and the representative emphasized that Albania has committed to protect minorities through the adoption of laws that are based on international standards. Serbia and Georgia both agree that it is fundamental to protect minorities within their countries, and both states are adopting laws and are following UN standards in order to prohibit hate speech and protect minorities. Romania aligns itself with the statement made by the European Union (EU), whereby persons who belong to minorities do contribute to the welfare of the state in which they reside. The representative underlined that frameworks of national strategies must be adopted to prevent such violations online and offline. Furthermore, the representative asked the Rapporteur the following question: “How can national actions contribute to the fight against hate speech?”.

Latin American and Caribbean Group



The representative of Ecuador, Ms. Patricia Borja, mentions the importance of online communication during the COVID-19 pandemic, but also mentions the danger of hate which targets minority groups on social networks. As such, the representative highlights that states must reinforce their efforts in order

to guarantee the protection of human rights, in addition to taking measures to counter such hate crimes. Moreover, Ms. Borja notes that the focus issue represented by the SR, which is the responsibility to criminalize such hate crimes, is crucial. There is a need for coordinated and joint actions by states to ensure the essential respect for minorities. For Paraguay, it is similarly

important to share responsibilities between civil society, states, and businesses, in order to protect minorities. The representative of Paraguay, Mr. Julio Peralta, further adds that COVID-19 has exacerbated inequalities in vulnerable groups, and has given a new wave of hate. Consequently, it is essential to foster dialogues between states in order to develop innovative strategies which focus on preventive measures and education. Lastly, Mr. Jairo Rodriguez, representative of Cuba, agrees with the rest by stating the importance of international cooperation, and emphasizes most importantly that the forum on minorities should not be politicized.

Western European and Other Group

FIRST, THE EUROPEAN UNION (EU), AS REPRESENTED BY MS. IVA GAVRILOVA, CALLED FOR THE IMMEDIATE REMOVAL OR DISABLING OF ACCESS TO ILLEGAL ONLINE CONTENT AS IT IS ESSENTIAL IN ORDER TO LIMIT MORE WIDESPREAD HARM AND DISSEMINATION. AT THE SAME TIME, THE ORGANIZATION BELIEVES THAT APPROPRIATE AND EFFECTIVE SAFEGUARD MUST BE PUT IN PLACE IN ORDER TO MAKE SURE THAT ACTIONS ARE IN FULL RESPECT FOR HUMAN RIGHTS.

The EU's priority, according to Ms. Iva Gavrilova, is to promote efforts to protect the public from internet based threats. As such, the representative highlighted that the European Commission works with judicial authorities and law enforcement to provide clear guidance, training, and best practices. Moreover, the Commission also put forward a new ten year framework for the participation and inclusion of Roma minorities.

The representative finally asked the SR about the innovative, preventive, and educational strategies presented in the report, which focus on the respect and protection of diverse communities, and the best practices to take in this regard specifically. Second, on behalf of the Nordic and Baltic Countries, Ms. Tine Mørch, Norway's representative, outlined that states must assure that hate speech regulations are not used in order to suppress individuals who belong to minority groups.

The group focuses on an open dialogue and free speech to counter and address hate speech. The representative raises the concern over political actors who are using social media to manipulate crucial information. As such, digital skills must be empowered in order to stand

against misinformation; hence the importance of dialogue and communication between human rights organizations and tech companies.

Greece aligns its statement with the EU, and the representative further emphasized the minorities in Turkey and the issues revolved around that topic are challenging and targeted. The representative then asked the SR to elaborate on his idea on the alliance to create materials that could inform international and national bodies of the



enactment and development of Holocaust denial laws. Also, in Switzerland, some minority groups are being discriminated against and attacked.

The representative, Ms. Barbara Fontana, is specifically concerned with the abuse of free speech as a pretext for racist attacks. As such, the representative asked the SR to elaborate on some examples of hate speech targeting minorities online, which would help states understand the situation even more.

The United States of America mentioned that society must raise its voice against hatred and bigotry, and further asked about the steps recommended by the SR to foster and encourage communication between private stakeholders and states, in order to counter discrimination. Finally, Ms. Tichy-Fissblberger, the representative of Austria, highlighted the country's priority to fight against hate speech online, and assured that a designed legislation to prevent and protect this form of discrimination online as well as measures against cyber bullying must be strengthened.

3) General Consensus

Throughout the Interactive Dialogue, most speakers focused on national and international laws that could help prevent hate speech online. Most importantly, most states suggested a reinforcement of the definition of free speech, and how it should not be abused and used a pretext to spread hate. It is also clear for most states that the current wave of the COVID-19 pandemic has allowed for more hate to prosper and spread online, notably against Asian

minorities around the world. Most states therefore agreed that an open dialogue and proper free speech can counter the consequences of hate speech and crime. It is equally a consensus among most countries that international cooperation is necessary. Cooperation between states, private tech companies, and humanitarian organizations must ensue. Indeed, law enforcement and judicial authorities can help regulate these crimes, according to most states.

In essence, countries are committed to protect minorities online and offline, notably through the adoption of national laws that are based on international standards. Most importantly, they recognize the importance of criminalizing such hate crimes. According to most states, there is an urgent need for coordinated and joint actions in order to ensure respect for minorities.

4) Special Rapporteur's Final Remarks

Mr. Fernand de Varennes noted the best practices and policies that addressed and acknowledged the main victims of hate speech, including those that addressed anti-Semitism and Islamophobia, have proved effective. Moreover, the SR recalled the situation of the Rohingya minority, and noted that this situation did not happen overnight, but was fostered by hate speech and messages that were propagated through Facebook. Some comments attacked these minorities by claiming that they were a threat and did not belong. These actions have led to the fleeing of thousands of Rohingyas. Furthermore, the SR highlighted that the measures adopted by states are not always helpful and do not always protect minorities, and he also mentioned that some national legislations continue to lack the aspect of protection for minorities. The SR continued his remarks by saying that social media platforms have become more responsive to the needs of protecting against hate speech, but at the same time, minorities are not at the centre of such protection policies. He claimed that minorities are not yet integrated in the self-regulation of certain social media, which does not respect human rights standards. Indeed, Mr. Fernand de Varennes welcomed the need for coordinated efforts for a regulatory framework which would regulate hate speech on social media. He maintained that global challenges require global response and efforts, hence the need for a treaty involving three main actors: states, civil society, and social media owners. He concluded by declaring a need for clear, comprehensive, and consistent regulatory frameworks which would enable states to outline their behaviour so that hate speech cannot prosper online or offline.

5) THE CONTRIBUTION OF NON-GOVERNMENTAL ORGANIZATIONS

Many NGOs came prepared for the discussion and expressed their concern over the spread of hate speech perpetrated against minorities in social media. Online speech is part of a broader environment of discrimination and persecution of marginalized groups such as minorities, women and persons with disabilities.



Overall, the message across all NGOs was that hate speech on social media platforms increased after the breakout of the COVID-19 pandemic, where religious, ethnic, and linguistic minorities, together with migrants, are the primary victims. Particular attention is

needed in order to protect vulnerable and marginalized groups, as they disproportionately suffer from the consequences of hate propaganda, misinformation, and scapegoating, eventually resulting in extreme violence where perpetrators enjoy impunity.

The general consensus of the statements was that States have positive obligations to create and enable a safe environment where freedom of opinion and expression are at its core, and where minorities are accurately protected. Many NGOs emphasized the promotion of inclusion of minorities in decision making processes and social media policies. Lastly, the Human Rights Council, together with the international community, should take appropriate steps to combat online hate speech targeting minorities, as it is important to start from the root causes of discrimination.

D. THE POSITION OF GENEVA INTERNATIONAL CENTRE FOR JUSTICE

Geneva International Centre for Justice (GICJ) believes that freedom of expression is a fundamental and inalienable right all human beings deserves, and therefore it should be carefully protected. However, too often, freedom of expression results in hate speech and

further targets and discriminates against minorities and vulnerable groups who are portrayed as a threat to our societies.

This is even more dangerous when considering the rise of hate speech in social media, where violence against minorities is becoming normalized, and their persecution acceptable, with victims suffering in silence and perpetrators enjoying impunity.

GICJ therefore calls on States to adopt or review a specific legislative framework against certain forms of hate speech in social media, consistent with international obligations. Further, social media platforms should implement monitoring systems to control and prevent hate speech, by including a human rights-based approach in their programs. It is crucial to include minorities and marginalized groups in the decision making process as well as to engage in dialogue, cooperation and action to address issues and improve practices and policies involving the human rights of minorities.

We join the request of the Special Rapporteur and other NGOs to the international community, together with relevant UN bodies, to initiate the negotiation for a new treaty extensively addressing the issue of online hate speech, including minorities, that clearly establishes States' obligations and social media platforms' responsibilities within this context.

LASTLY, WE WOULD LIKE TO REMIND THAT WHAT UNITES US SHOULD BE EMPHASIZED, NOT WHAT DIVIDES US. GICJ CALLS FOR BUILDING RESILIENCE TO DISCRIMINATORY HATE SPEECH, WHILE DEVELOPING RESPECT FOR DIFFERENCES, AS THE ANSWER TO HATE SPEECH AND HATE CRIMES IS SOLIDARITY, EQUALITY, RESPECT FOR EQUAL DIGNITY AND HUMAN RIGHTS. TOLERANCE, RESPECT, DIALOGUE AND INCLUSION OF DIVERSITY MUST BE RECOGNIZED AS A RICHNESS TO PRESERVE.

E. CONCLUSION

Just as the Special Rapporteur, Mr. Fernand de Varennes, stated during the interactive dialogue, “the Holocaust started not with the gas chambers, but with hate speech against a minority. False information may end up being harmful for minorities, even fatal, and result in so-called social media vigilante violence”. Then, he added that dehumanizing language, often reducing minority groups to animals or insects, normalizes violence against such groups and makes their persecution and eventual elimination acceptable, and that, when committed with a

discriminatory or biased intent, these violations become a pathway of demonization and dehumanization that can lead to genocide. Individuals can find themselves drawn by social media into dehumanizing language and hate-filled environments, and end up surrounded by people with similar viewpoints.

Even if the above scenario is not reassuring, we have taken steps forward by acknowledging the actual danger of online hate speech targeting minorities, by bringing the issue in an international debate and establishing a commitment towards the improvement of minorities' rights following a human rights-based approach. After the present discussion, the international community is expected to cooperate and engage in a dialogue with owners of social media platforms in order to remove the root causes of discrimination, hate, prejudice, scapegoating and persecution of minorities, by including them in their decision making process and shaping precise and clear legislation to fill the existing lacunae.

This might be the right time for the Human Rights Council to promote the drafting of a comprehensive regulatory framework to provide legislation on hate speech in social media, including hate speech against minorities. Global challenges need a global response, and this is why a treaty involving States, civil society and social media owners could be an effective solution to tackle online hate speech. Freedom of opinion and expression should be preserved and respected in order to aspire for a pluralist, inclusive, intercultural and equal society.

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