



Addressing hate speech in the media:

the role of regulatory
authorities and
the judiciary



REGIONAL
CONFERENCE

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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CHAIRMANSHIP OF CROATIA
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Agencija za elektroničke medije
Agency for Electronic Media



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

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Working language: English

Hate speech and offensive language targeting ethnic, religious, sexual minorities, immigrants and other groups is a widespread phenomenon within Europe. The Council of Europe and its member States through various measures and initiatives have undertaken to tackle this issue, while guaranteeing everyone the fundamental right to freedom of expression and information.

Media have an important role to play in generating and disseminating such discourse and also in lending its voice and power to fight against it. Technological developments bring also significant challenges that the media and the content regulators have to face.

Preventing and countering hate speech in the media is a multidimensional task and requires a complete package of differentiated but complementary strategies, involving a range of stake-holders¹, i.e. national media regulatory authorities, media self-regulatory bodies, the judiciary the media as well as the citizens themselves.

The regional conference² will examine how hate discourse is regulated in different member States of the Council of Europe focusing on the specific role and work of national regulatory authorities, the judiciary and media self-regulatory bodies. It will offer a setting to better understand and exchange on the scope of hate speech, their respective role and the different strategies required to effectively combat it. A specific focus will be put on the empowerment of media users through media and digital literacy, as a necessary and complementary tool to combat hate speech.

The conference provides an opportunity to share European standards, look at significant experiences at the national level and exchange with peers from other countries. The Council of Europe has supported such cooperative efforts via many regional events and activities, for instance, within 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)”, the representatives of the regulatory national Authorities of South East Europe, with the support of the Council of Europe, produced a publication on “Media Regulatory Authorities and Hate speech” in June 2017. This publication contains information about significant cases that were dealt with by them and offers a starting point in providing recommendations in combating hate speech in the media.

¹ This emerges from the conclusions of an international conference organised by the Council of Europe in Strasbourg on 13-14 October 2015 “Freedom of expression: still a precondition for democracy?” See conference report:

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016805aa8be>

² Croatia, Slovenia, Hungary, Poland, Slovakia, Czech Republic, Romania, Bulgaria, Albania, Bosnia and Herzegovina, Montenegro, Serbia, “the Former Yugoslav Republic of Macedonia”, 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.

DRAFT PROGRAMME

6th November 2018

- 09.00 – 09.15** **Welcome addresses**
- 09.30 – 10.00** **Hate speech - the concept and the legal framework according to European standards on combating hate speech and promoting a culture of tolerance**
- 10.00 – 11.00** **Hate speech and offensive language in the media – taking stock of national approaches**
- What kind of protection from hate speech and offensive language brought by national legislations? What are the main trends of what constitutes the notion of hate speech and offensive language in member states? What are the different types of national regulation strategies?*
- 11.15 – 12.30** **Panel discussion 1:**
Hate speech and offensive language – the role of the National regulatory Authorities (NRAs) in a digital environment
- Dilemmas, challenges and opportunities for NRAs in relation to hate speech in a digital environment*
- 14.30 – 16.00** **Panel discussion 2:**
Hate speech and offensive language – the role of the national judiciary
- Recognising hate speech, striking the right balance between freedom of expression and the prohibition of hate speech; implementing the case-law of the European Court of Human Rights; procedure against decisions of the NRAs; issues brought by technological developments.*
- 16.15 – 17.30** **Panel discussion 3:**
The role of the media self-regulatory mechanisms
- Improvement of media professional standards, dealing with complaints, cooperation with NRA's and other relevant stakeholders*

7th November 2018

- 09.30 – 10.45** **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 users to fight against hate speech? What can we learn from national experiences?*
- 11.15 – 12.15** **How to work towards an effective framework for preventing hate speech and offensive language?**
- Continued cooperation with all relevant institutional bodies, improved transfrontier collaboration regarding cross border cases, transparency and inclusiveness in relation to the work of NRAs, the judiciary and self-regulatory bodies*
- 12.15 – 12.30** **Final remarks**