



Expert Meeting

“Incitement to Hatred vs. Freedom of Expression: Challenges of combating hate crimes motivated by hate on the Internet”

22 March 2010, Sheraton Hotel, Ul. B. Prusa 2, Warsaw, Poland

Recognizing the Internet’s potential to instigate violence and hate crimes, OSCE participating States have repeatedly acknowledged that hate crimes can be fuelled by racist, xenophobic and anti-Semitic propaganda on the Internet and committed themselves to a number of practical measures aimed at creating effective responses to hate on the Web while respecting the right to the freedom of opinion and expression.¹

In continuation of these efforts, the last OSCE Ministerial Council tasked ODIHR ‘to explore, in consultations with the participating States and in co-operation with relevant international organizations and civil society partners, the potential link between the use of the Internet and bias-motivated violence and the harm it causes as well as eventual practical steps to be taken’.² In order to implement this tasking, ODIHR is convening a meeting to explore the inherent challenges in combating hate crimes allegedly motivated by hate on the Internet.

The meeting will build on the discussions conducted at the OSCE Meeting on the *Relationship between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes*, held in Paris on 16 and 17 June 2004, but will have a narrower focus. It aims to provide a critical assessment of the current situation, as well as to identify current challenges and examples of successful approaches in addressing hate on the Internet from the view of practitioners. This meeting also provides an opportunity to analyse the impact of hate on the Internet on the behaviour of alleged perpetrators, as well as to explore legislative and other measures taken to address incitement to violent hate crimes.

The meeting will be held in Warsaw on Monday, 22 March 2010, on the occasion of the International Day for the Elimination of Racial Discrimination observed on 21 March.

Participants will be drawn from government (including practitioners with law enforcement and prosecution backgrounds), civil society and the Internet industry.

¹ “While fully respecting freedom of expression, the OSCE will strive to combat hate crime which can be fuelled by racist, xenophobic and anti-Semitic propaganda on the Internet” (MC.DEC/1/03); “Participating States should investigate and, where applicable, fully prosecute violence and criminal threats of violence, motivated by racist, xenophobic, anti-Semitic or other related bias on the Internet” (MC.DEC/12/04);

“The OSCE will foster exchanges directed toward identifying effective approaches for addressing the issue of racist, xenophobic and anti-Semitic propaganda on the Internet that do not endanger the freedom of information and expression” (MC.DEC/12/04);

Participating States should “Combat hate crimes, which can be fuelled by racist, xenophobic and anti-Semitic propaganda in the media and on the Internet” (PC. DEC No.607).

² MC.DEC/9/09, ‘Combating Hate Crimes’ (2 December 2009), §12.

Agenda

9:30-10:00	Registration of participants, coffee
10:00-10:15	Welcome and Opening Remarks
10:15 - 12:30	<p>Session 1: Legal framework and practical challenges in investigating and prosecuting Internet inspired hate crimes</p> <p>The first session will focus on the existing legal framework in OSCE States and the challenges inherent in investigating and prosecuting hate crimes and incidents inspired by expressions of hate on the Internet. A recapitulation of basic concepts as well as conflicts intrinsic to the issue will be presented and explored and shall help to contextualize the meeting and shape further discussion and contributions in the event. This session will include two keynote speakers, who will outline the characteristics of the phenomenon and illustrate theoretical and practical challenges of combating hate crimes motivated by hate on the internet.</p>
12:30 - 13:30	Buffet lunch
13:30 - 15:00	<p>Session 2: Successful examples of investigating and prosecuting hate crime cases related to hate on the Internet.</p> <p>The aim of the second session will be to analyse examples of successful prosecutions of cases of hate crime motivated by hate on the Internet, with the view to identifying challenges involved and ways of overcoming them. Issues addressed may include:</p> <ul style="list-style-type: none"> • Identification of authors and administrators of illegal Internet content inciting hate crimes – problems related to jurisdiction; • Securing and extracting electronic evidence; • International co-operation in hate crime cases involving the Internet; • Good practices of inter-agency co-operation;
15:00-15:30	Coffee break
15:30 - 17:00	<p>Session 3: Sharing of best practices, approaches and methods in addressing the phenomenon of hate on the Internet.</p> <p>The third session will focus on good practices based upon the experiences of those who have developed and implemented successful approaches and methods to addressing the phenomenon of hate on the Internet. Such practices include awareness-raising campaigns, monitoring and complaint mechanisms, hotlines, voluntary regulation mechanisms. Perspectives of civil society and Internet industry representatives will be presented in this session.</p>
17:00 - 17:30	Closing Session: Recommendations and conclusions.