

2018

www.equineteurope.org

AN EQUINET
PERSPECTIVE

EXTENDING THE AGENDA. EQUALITY BODIES ADDRESSING HATE SPEECH

E Equinet
European network
of equality bodies

The Equinet Perspective *Extending the Agenda. Equality Bodies addressing Hate Speech* is published by Equinet, European Network of Equality Bodies.

Equinet brings together 49 organisations from 36 European countries which are empowered to counteract discrimination as national equality bodies across the range of grounds including age, disability, gender, race or ethnic origin, religion or belief, and sexual orientation. Equinet works to enable national equality bodies to achieve and exercise their full potential by sustaining and developing a network and a platform at European level.

Equinet members: Commissioner for the Protection from Discrimination, **Albania** | Austrian Disability Ombudsman, **Austria** | Ombud for Equal Treatment, **Austria** | Unia (Interfederal Centre for Equal Opportunities), **Belgium** | Institute for Equality between Women and Men, **Belgium** | Institution of Human Rights Ombudsman, **Bosnia and Herzegovina** | Commission for Protection against Discrimination, **Bulgaria** | Office of the Ombudsman, **Croatia** | Ombudsperson for Gender Equality, **Croatia** | Ombudswoman for Persons with Disabilities, **Croatia** | Office of the Commissioner for Administration and Human Rights (Ombudsman), **Cyprus** | Public Defender of Rights – Ombudsman, **Czech Republic** | Board of Equal Treatment, **Denmark** | Danish Institute for Human Rights, **Denmark** | Gender Equality and Equal Treatment Commissioner, **Estonia** | Ombudsman for Equality, **Finland** | Non-Discrimination Ombudsman, **Finland** | Commission for Protection against Discrimination, **Former Yugoslav Republic of Macedonia (FYROM)** | Defender of Rights, **France** | Public Defender (Ombudsman), **Georgia** | Federal Anti-Discrimination Agency, **Germany** | Greek Ombudsman, **Greece** | Equal Treatment Authority, **Hungary** | Office of the Commissioner for Fundamental Rights, **Hungary** | Irish Human Rights and Equality Commission, **Ireland** | National Office Against Racial Discrimination, **Italy** | National Equality Councillor, **Italy** | Office of the Ombudsman, **Latvia** | Office of the Equal Opportunities Ombudsperson, **Lithuania** | Centre for Equal Treatment, **Luxembourg** | National Commission for the Promotion of Equality, **Malta** | Commission for the Rights of Persons with Disability, **Malta** | Council on Preventing and Eliminating Discrimination and Ensuring Equality, **Moldova** | The Protector of Human Rights and Freedoms (Ombudsman), **Montenegro** | Netherlands Institute for Human Rights, **Netherlands** | Equality and Anti-Discrimination Ombud, **Norway** | Commissioner for Human Rights, **Poland** | Commission for Citizenship and Gender Equality, **Portugal** | Commission for Equality in Labour and Employment, **Portugal** | High Commission for Migration, **Portugal** | National Council for Combating Discrimination, **Romania** | Commissioner for Protection of Equality, **Serbia** | National Centre for Human Rights, **Slovakia** | Advocate of the Principle of Equality, **Slovenia** | Council for the Elimination of Ethnic or Racial Discrimination, **Spain** | Institute of Women and for Equal Opportunities, **Spain** | Equality Ombudsman, **Sweden** | Equality and Human Rights Commission, **UK – Great Britain** | Equality Commission for Northern Ireland, **UK – Northern Ireland**

Equinet Secretariat | Rue Royale 138 | 1000 Brussels | Belgium

info@equineteurope.org | www.equineteurope.org

ISBN 978-92-95112-15-5 (Print) / 978-92-95112-16-2 (Online)

© Equinet 2018 - Reproduction is permitted provided the source is acknowledged.

This is a publication of Equinet's Policy Formation Working Group, prepared based on the information, contributions and comments provided by members of the Working Group. The views expressed in it belong to the author and neither Equinet nor the European Commission are liable for any use that may be made of the information contained therein. This information does not necessarily reflect the position or opinion of the European Commission.

Acknowledgements

Author: Niall Crowley, Independent Expert

Working Group Moderator: Petr Polák, Public Defender of Rights, Czech Republic

Publication Coordination: Tamás Kádár, Equinet Secretariat

Formatting: Sarah Cooke O'Dowd, Equinet Secretariat



Co-funded by the Rights,
Equality and Citizenship
Programme of the European
Union

Contents

Executive Summary	Page 3
1. Policy Context	Page 5
2. Developing a Perspective	Page 8
3. Equality Body Strategies	Page 9
4. Equality Bodies Prioritising Hate Speech	Page 13
4.1 Enabling Factors	Page 13
4.2 Barriers	Page 13
5. Equality Bodies Taking Action	Page 15
5.1 Casework	Page 15
5.2 Research	Page 17
5.3 Policy Advice	Page 20
5.4 Promotion of Good Practice	Page 21
5.5 Communication	Page 23
6. Conclusions and Looking Forward	Page 25
Appendix: Survey Questionnaire	Page 27

Executive Summary

Hate speech and hate crime are growing and damaging phenomena across Europe. This is recognised in the work of the European Commission and of the Council of Europe. European standards for equality bodies recommend that their mandate be extended to include hate speech. Few equality bodies have an explicit mandate on hate speech, many have, however, interpreted their mandate to include hate speech. This situation can leave them lacking the competences and resources required to make an impact.

Twenty five equality bodies in 18 countries reported on their work for this perspective. Many identified a high priority for work on hate speech given its prevalence and given it drives discrimination and harassment. The national policy context is not always conducive to their work, with inadequate legislative provision and enforcement frameworks that lack capacity. Most equality bodies did not report comprehensive strategies underpinning their work on hate speech. This limits their focus on root causes of hate speech and their engagement in alternative narrative work.

However, a wide range of action on hate speech was reported by these equality bodies. This involves casework, research, policy advice, promotion of good practice, and communication. Low levels of casework are the norm, though a few equality bodies reported significant levels. Casework is largely reported by equality bodies with a decision-making function. A concern to deepen the knowledge base on hate speech is evident in the research work of equality bodies. Policy advice has largely focused on improving the legal basis for prosecuting hate speech comprehensively and effectively.

Good practice work by equality bodies has had a particular concern with supporting better enforcement in relation to hate speech by the relevant authorities. Work has also been done to enable educational establishments to address the issue and to engage political parties on the issue. Positive duties on public bodies, employers and service providers are valuable in driving good practice on hate speech. Communication work has largely been limited to making the issue of hate speech visible as a public concern.

In looking forward, it would be useful if the European Commission and the Member States could: enhance legislation on hate speech to ensure uniform definition, the coverage of all grounds, and a mix of criminal and administrative channels to address cases; improve the policy context by developing multi-annual national action plans on hate speech; and ensure equality body have mandates that explicitly enable them to address hate speech and are accorded the competences required for this.

It would be useful if equality bodies could: explore and devise full and comprehensive strategies to address hate speech; develop their communication work to include sustained and substantial action on promoting alternative narratives; and engage with the European Commission code of conduct and secure funding for this work under European Commission

calls for projects. It would be useful if Equinet could enable peer learning and provide training for equality bodies to build their strategy on hate speech and, in particular, to innovate in responding to this issue.

1. Policy Context

Hate speech and hate crime are growing and damaging phenomena across Europe. Hate speech creates a context of tension, division, and stereotyping that motivates higher levels of discrimination. Hate speech is both a product of and a generator of a culture that prioritises values of security, conformity, and maintenance of tradition. This is a culture that permits discrimination. These values are oppositional to the values of equality, social justice and broadmindedness that would leave no place for discrimination. Hate speech is a product of contexts of deepening alienation and increasing inequality that is economic, social, cultural and political in nature. Hate speech and hate crime are targeted at those groups covered by the equal treatment legislation grounds of gender, sexual orientation, racial or ethnic origin, religion or belief, disability and age. Inevitably these issues are of concern to equality bodies with their statutory mandates to promote equality and combat discrimination on these grounds.

The European Commission Recommendation on standards for equality bodies of 2018 reflects this link. It states that “Member States should consider extending the equality bodies’ mandate so that it covers, for all prohibited grounds of discrimination, the areas of employment and occupation, access to and supply of goods and services, education, social protection and social advantages, including hate speech related to these grounds in these areas”.

ECRI of the Council of Europe has likewise recommended that the mandates of equality bodies should cover “The promotion and achievement of equality, prevention and elimination of discrimination and intolerance, including structural discrimination and hate speech, and promotion of diversity and of good relations between persons belonging to all the different groups in society” in its General Purpose Recommendation No. 2 (revised) on equality bodies of 2017.

The European Union has taken a strong stand against hate speech. The Framework Decision 2008/913/JHA of 28 November 2008 defines illegal hate speech as conduct “publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin”. The decision requires Member States to render such conduct punishable by criminal law with effective, proportionate and dissuasive criminal penalties.

The European Commission agreed a “Code of Conduct on Countering Illegal Hate Speech Online” with Facebook, Microsoft, Twitter and You Tube in 2016. Key elements in the code aim to ensure IT companies have processes in place to review and act on notifications of illegal hate speech and assist users in notifying illegal hate speech, including creating access for civil society organisation as partners and “trusted reporters” to secure high quality notifications. There is an important recognition of the “value of independent counter speech” and a

commitment to work at “identifying and promoting independent counter narratives, new ideas and initiatives, and supporting educational programmes that encourage critical thinking”. Only one equality body reporting for this perspective, Unia in Belgium, was involved in implementing and monitoring this code of conduct.

The European Commission has provided ongoing funding to enable action across the Member States on hate speech under the Rights, Equality and Citizenship Programme. Only one equality body reporting for this perspective, Unia in Belgium, identified as being involved in accessing such funding. The most recent call for projects to monitor, prevent and counter hate speech online, with an application deadline of 11 October 2018, is to include studies and analyses of the sociological landscape and trends on hate speech online, projects developing online alternative and counter-narratives and promoting the development of critical thinking by Internet users; and projects aimed at countering illegal hate speech online on social platforms and enhancing transparency on how such hate speech is addressed.

The Council of Europe has also taken a strong stand against hate speech. The Council of European Youth Department initiated the No Hate Speech Movement in 2013. Its aim was to mobilise young people to combat hate speech and promote human rights online. Only two equality bodies reporting for this perspective, the Ombudsman in Cyprus and the Non-Discrimination Ombudsman in Finland, were involved in this campaign.

ECRI published its General Policy Recommendation No. 15 on Combating Hate Speech in 2015. This identified hate speech as “the advocacy, promotion or incitement, in any form, of the denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatization or threat in respect of such a person or group of persons” on the grounds of race, colour, descent, national or ethnic origin, age, disability, language, religion or belief, sex, gender, gender identity, sexual orientation, or other personal characteristic or status.

ECRI recommends that member states: “support the monitoring of hate speech by civil society, equality bodies and national human rights institutions and promote cooperation in undertaking this task between them and public authorities”; “support non-governmental organisations, equality bodies and national human rights institutions working to combat hate speech”; and “provide standing for those targeted by hate speech, equality bodies, national human rights institutions and interested non-governmental organisations to bring proceedings that seek to delete hate speech”.

There are different legal bases evident across Europe for addressing hate speech at national level. These are: criminal law, misdemeanour law, civil law or administrative law. In some countries, hate speech is tackled in more than one of these legal spheres.

There are differences in the definition of hate speech and in the sensitivity of the Courts to the issue of hate speech across jurisdictions. In some instances, hate speech is not defined. Definitions of hate speech in place tend to focus on the issue of incitement of hatred across a wide range of grounds.

There are differences in the grounds covered in each country. The predominant grounds that are focused on are racial or ethnic origin, sexual orientation and gender identity or gender expression, and religion.

2. Developing a Perspective

This *perspective* was developed in response to the interest among equality bodies to engage further and more effectively on hate speech issues. Peer learning offers a valuable starting point given the diversity of experiences among equality bodies. Work on the *perspective* was initiated with a round table discussion on the work of equality bodies on hate speech at a meeting of the Equinet Policy Formation Working Group. This was resourced with a presentation on the work of Unia in Belgium, considered to be offering exemplar leadership for equality body work on hate speech.

A survey of the 46 Equinet members in 34 European countries was then conducted to establish the context, priority, strategy and action of equality bodies on hate speech. Twenty five equality bodies in 18 countries responded.¹

Drafts of this report were considered, commented on and agreed by members of the Policy Formation Working Group and the Board of Equinet before publication.

¹ Albania (Commission for Protection from Discrimination), Austria (Ombud for Equal Treatment), Belgium (Institute for Equality between Women and Men and Unia), Croatia (Office of the Ombudsperson, Ombudsperson for People with Disabilities and Gender Equality Ombudsperson), Cyprus (Office of the Commissioner for Administration and the Protection of Human Rights (Ombudsman)), Czech Republic (Public Defender of Rights), Denmark (Danish Institute of Human Rights and Board of Equal Treatment), Finland (Non-Discrimination Ombudsman and Ombudsman for Equality), France (Defender of Rights), Great Britain (Equality and Human Rights Commission) and Northern Ireland (Equality Commission for Northern Ireland), Ireland (Irish Human Rights and Equality Commission), Latvia (Ombudsman's Office), Malta (Commission for the Rights of Persons with Disability and National Commission for the Promotion of Equality), Poland (Commissioner for Human Rights), Portugal (Commission for Equality in Labour and Employment), Serbia (Commissioner for the Protection of Equality), Slovakia (Slovak National Centre for Human Rights) and Romania (National Council for Combating Discrimination).

3. Equality Body Strategies

Few equality bodies have an explicit mandate in relation to hate speech. Among respondents, only the Ombudsman in Cyprus, the Commissioner for Protection of Equality in Serbia, and the Institute for Equality between Women and Men in Belgium reported an explicit mandate.

Good Practice: Commissioner for Protection of Equality, Serbia

Under Article 11 of the Law on the Prohibition of Discrimination, “It is forbidden to express ideas, information and opinions inciting discrimination, hatred or violence against an individual or a group of persons on account of his/her or their personal characteristics, in public organs and other publications, in gatherings and places accessible to the public, by writing out and displaying messages or symbols, and in other ways”. The Commissioner for Protection of Equality can act upon complaints of hate speech, initiate criminal and misdemeanour proceedings, initiate strategic litigation, and issue warnings to the public in relation to hate speech.

The strategic starting point for most equality bodies in addressing hate speech is, therefore, to interpret their mandate to include a focus on hate speech. This is clearly enabled where the body is a multi-mandate body with a human rights mandate where hate speech is addressed as a human rights violation. Nonetheless, it is noteworthy that only ten of the twenty five respondents to the survey were multi-mandate bodies.²

The mandates from which equality bodies have found it possible to derive a competence to act on hate speech, and to implement their various competences in relation to hate speech include mandates where:

- ✓ The role of the equality body to promote equal treatment without discrimination provides a basis, as with the Commissioner for Protection from Discrimination in Albania, Danish Institute of Human Rights, the Gender Equality Ombudsperson in Finland, the Equality Commission for Northern Ireland, and the Office of the Ombudsperson in Croatia.
- ✓ The mandate to prevent discrimination provides a basis, as with the Ombudsman’s Office in Latvia.
- ✓ The provisions in relation to harassment and sexual harassment in equal treatment legislation provide a basis, as with the Ombud for Equal Treatment in Austria, Gender Equality Ombudsperson in Croatia, the Board of Equal Treatment in Denmark, the Public Defender of Rights in the Czech Republic, the Non-Discrimination

² Croatia (Office of the Ombudsperson), Cyprus (Office of the Commissioner for Administration and the Protection of Human Rights (Ombudsman)), Czech Republic (Public Defender of Rights), Denmark (Danish Institute of Human Rights), France (Defender of Rights), Great Britain (Equality and Human Rights Commission), Ireland (Irish Human Rights and Equality Commission), Latvia (Ombudsman’s Office), Poland (Commissioner for Human Rights), and Slovakia (Slovak National Centre for Human Rights).

Ombudsperson in Finland, the Defender of Rights in France, and the Commission for Rights of Persons with Disability in Malta.

- ✓ The equality body is to exercise its function with a view to encouraging and supporting the development of a society in which there is respect for the dignity and worth of each individual and there is mutual respect between groups based on understanding and valuing of diversity, as with the Equality and Human Rights Commission in Britain.
- ✓ The equality body has a function to encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity and respect for the freedom and dignity of each person, as with the Irish Human Rights and Equality Commission.
- ✓ The equality body has a broad role to protect and promote the rights of people with disabilities, as with the Ombudsperson for People with Disabilities in Croatia.

Equality bodies highlight that they face something of a conundrum in seeking to have their mandate expanded to explicitly include hate speech, in accordance with the European Commission Recommendation on standards for equality bodies of 2018, where they have already interpreted their mandate to implicitly include hate speech. This approach, while necessary, could be used to undermine their demand for the new mandate. However, any attempt to suggest that current work on hate speech by equality bodies means an explicit mandate is not needed, would be to ignore the effect that the lack of an explicit mandate has on limiting the strategic approaches that can be deployed by the equality body and serving as a further barrier to reporting of complaints to the equality body for limited visibility of the equality body mandate.

Equality bodies can be seen to pursue a strategy in response to hate speech by leading with one of their powers of intervention, in particular casework, knowledge development, and public awareness. Their response can often remain confined within that area of intervention.

The strategy of leading a response to hate speech with casework is exemplified by the Gender Equality Ombudsperson in Croatia. The strategy of leading with work to develop a knowledge base on the extent and nature of hate speech, and to use this knowledge base to put hate speech on the public and policy agenda, is exemplified by the Danish Institute of Human Rights.

In leading their response to hate speech with work to build public awareness of the issue, the Ombudsman in Cyprus identifies its strategy as being focused on educating people and positively influencing the societal attitudes on which hate speech is based. The Ombudsman's Office in Latvia identifies its starting point as being to inform society and promote understanding of tolerance and non-discrimination. The Institute for Equality between Women and Men and the Slovak National Centre for Human Rights set out their strategy as combining action to protect the rights of people exposed to hate speech with educational work to sensitise the public.

The Equality and Human Rights Commission in Britain has pursued a strategy of leading its work on hate speech with action to improve the response of the criminal justice system to

hate crime and hate speech. It has worked to improve the relevant legislation and to address barriers to accessing justice on this issue.

Some equality bodies seek to pursue a more comprehensive strategy by combining action to protect the rights of people exposed to hate speech with action to support good practice in preventing hate speech. This approach is exemplified by the Commissioner for Protection of Equality in Serbia. The Office of the Ombudsman in Croatia goes further in identifying a strategy that includes educating the relevant authorities on hate speech, casework in support of groups targeted by hate speech, and educating young people on recognising and responding to hate speech.

Many equality bodies identified the lack of a strategy to drive and guide their response to hate speech. Their response tends to be reactive or project based. This was identified as limiting the potential of their response by some equality bodies. There is a particular strategic choice for equality bodies to address hate speech directly or to understand it as a systemic problem whose root causes need to be addressed. It is possible that the lack of strategy might explain the limited focus on causal factors for hate speech in the work of equality bodies. Effective responses to hate speech would need to address the cultural phenomena that generate anxiety, fear and a value base that is alien to diversity, and the economic phenomena that create alienation.

While a direct response to the economic phenomena might lie beyond the margins of the mandates of many equality bodies, the cultural phenomena don't. The lack of a focus on causal factors might explain the limited action reported by equality bodies in the field of communicating alternative narratives that would carry a different value base to the ones that feed hate speech. Work on alternative narratives has emerged, particularly in the work of the European Commission, as centrally important in combating hate speech. There are challenges to be able to advance these activities in the sustained manner and to the scale required to make a lasting impact. An equality body contribution would, therefore, be important.

Good Practice: Unia (Interfederal Centre for Equal Opportunities), Belgium

The approach of Unia is seen as offering a touchstone from which to view the work of equality bodies addressing hate speech. Unia interprets its mandate of non-discrimination and equal opportunities to include hate speech and the equality body addresses hate speech within the framework of that mandate. Unia accords a high priority to this work given the harmful consequences of hate speech for individual victims and for society.

Unia's work, based on the ECtHR jurisprudence, starts from the understanding that freedom of expression allows for public statements that can shock, offend and disturb in their content. It is based on a definition of hate speech as involving incitement to discrimination, hatred, violence or segregation, though the incitement does not need to succeed. This hate speech must happen in the public arena and for a specific reason. There needs to be a deliberate intent to harm.

Unia pursues a strategy that combines strengthening protection from and challenge to hate speech with reinforcing and informing good practice for its prevention.

A complaint will only be individually handled if Unia has been contacted by the victim and the issue pertains to one of the anti-discrimination grounds for which Unia is competent. However, Unia also address hateful content on its own initiative. Unia received 3,338 requests concerning cyberhate issues from citizens in the period 2013-2017. Out of these, 1,518 led to the opening of a file. Unia brings cases of hate speech to court with three to four cases each year. There is an acknowledgement that there are limits to what legal action can achieve.

At an institutional level, Unia has a cooperation agreement with the police and prosecutors on the issue. At an individual level, Unia works to inform, empower, advise and raise awareness of people's rights in relation to hate speech and how to exercise these.

Unia has proposed mediation as a means for prosecution in several cases of online hate speech. Currently, it is participating in a pilot project on mediation for authors of racist hate speech. Unia tries to contact the author of hateful messages directly whenever possible. When doing this, Unia always tries to take the profile of the author into consideration

Unia contributes to the monitoring of the EU Code of Conduct. Unia is a "Trusted Flagger" to the social media companies involved in the code. Unia also engages with the media and with the Belgian Internet Consortium on these issues. The work includes provision of training to the different institutions involved and regular meetings with the industry. Unia has also been involved in the No-Hate Movement campaign of the Council of Europe.

Unia has launched a research tender to examine the online speech of political/public figures in the electoral campaigns over the upcoming local (October 2018) and federal/European elections (May 2019). This is to cover grounds of racial or ethnic origin and religion or belief.

Unia notes general challenges in this work of the quantity of messages being disseminated and the limited resources available to the equality body. Their criterion for engagement is that illegality is evident in the hate speech or there is a request from a person subjected to hate speech. There is a lack of adequate tools to match the speed and frequency of hate speech messages. There is, in the recent experience of Unia, an evident increase in the virulence and scale of these messages with the conditions favouring this hate speech expanding.

4. Equality Bodies Prioritising Hate Speech

Equality bodies, responding to the survey, tended to accord a high priority to their work on hate speech. This is due to the increasing virulence and scale of the issue and the fact that action on discrimination has to take account of hate speech as a causal factor. A particular issue of the absence of a gender perspective in work in this field was also noted by some equality bodies as inspiring priority for their engagement.

Some equality bodies accord a high priority to the issue but remain unhappy with their approach. This can be in situations where it is felt there is limited understanding held of the phenomenon and how to combat it, or where there is limited resources and broad mandates leaving little room for the equality body to engage in the level of activity required. Equality bodies with no mandate in relation to hate speech, or that cannot derive such a focus from their current mandate, inevitably accord a low priority to the issue.³

4.1 Enabling Factors

Equality body action on hate speech is enabled in contexts where the relevant public authorities are acting on the issue. Growing public concern about the issue also enables equality body action. This context builds a demand for, or at least an expectation of, equality body action and provides access to knowledgeable and committed partners in taking such action.

Equality bodies need an explicit mandate if they are to take comprehensive and strategic action on hate speech. The naming of hate speech in the mandate of equality bodies, as recommended by the European Commission creates the most favourable situation for the equality bodies to allocate scarce resources to this issue.

Equality bodies noted a fine line has to be taken with the media. The equality body needs access to the media to communicate its messages, including counter narratives and alternative narratives if it is to effectively combat hate speech. At the same time, the media often need to be challenged in relation to hate speech. Co-produced guidance in relation to hate speech and monitoring of its implementation was identified as assisting in managing this tension.

4.2 Barriers

Political downplaying of or indifference to the issue of hate speech is identified as a barrier to equality body action on the issue. Adequate and appropriate data collection and analysis of

³ Malta (NCPE), Denmark (BET), and Portugal (CITE).

the issue can be lacking. This makes it difficult to make the case for action on the issue and for taking action that adequately reflects the scale and nature of the issue.

It is difficult for equality bodies to take on the issue effectively where their mandate to do so has to be implied. In such instances the equality bodies can lack adequate competences to effectively respond to the issue. There are further barriers of equality body capacity in terms of inadequate funding to taking on the issue.

There is limited case law at national level on hate speech to inform legal action by the equality body on the issue. Further barriers to equality body action are the low levels of reporting in most countries. In some instances, the level of awareness among the authorities relevant for processing a case is low. The lack of recognition for gendered hate speech and misogyny is noted as a specific barrier. Different authorities in the same jurisdiction can also work from different understandings. The criminalisation of some forms of hate speech is seen as necessary by equality bodies, but the high thresholds of proof required can limit results and impact from such legislation.

There are challenges of interpretation in understanding and capturing the tipping point between freedom of expression and hate speech. The guidance produced by the Equality and Human Rights Commission in Britain on freedom of expression is a potential resource in this regard.

Equality bodies can experience a backlash to their work, particularly on hate speech. Equality body staff members can, if care is not exercised, become exposed to personal backlash for taking on hate speech issues.

5. Equality Bodies Taking Action

5.1 Casework

Seventeen out of twenty five respondent equality bodies reported on casework they had worked on.⁴ This is a predictable starting point for equality bodies given the links between hate speech and harassment, which is explicitly prohibited in equal treatment legislation across the Member States. Harassment is defined, on foot of the European equal treatment Directives, in terms of unwelcome behaviour that has the purpose or effect of violating the dignity of the person and of creating an intimidating, hostile, degrading, humiliating offensive environment for the person. It is readily apparent that many incidents of hate speech will manifest as harassment in the environments of employment and service provision covered by the equal treatment legislation.

Casework included referring complaints brought by those subjected to hate speech to relevant entities, supporting complaints in bringing forward cases, hearing and deciding complaints, and making recommendations on incidents of hate speech on an ex-officio basis. Thirteen of these equality bodies have a decision-making function, the exceptions being the Ombud for Equal Treatment in Austria, the Institute for Equality between Women and Men in Belgium and the Danish Institute for Human Rights.

There was, however, limited levels of casework reported on issues of hate speech. The equality bodies identify these cases as rare with low levels of reporting, despite hate speech being a growing phenomenon. In some instances, these cases relate to harassment as defined in the equal treatment Directives. The number of cases where a finding is made against the respondent was also reported as low.

The Institute for Equality between Women and Men in Belgium stands out in reporting significant levels of complaints received on sexism under the Act on Sexism (333 over the past five years) and on incitement to hatred, violence, discrimination and segregation under the Gender Act (74 over the past five years). However, the equality body noted difficulties in achieving positive outcomes in cases of incitement. The Non-Discrimination Ombudsperson in Finland reported several dozen cases over the past five years but indicated that issues of proof meant that few findings were made against the respondent. Most of these cases related to issues of harassment. There were ten cases relating to political expression of racist hate speech.

A number of other equality bodies stand out for the level of casework they are involved in. The Commission for Protection of Equality in Serbia dealt with 37 complaints in relation to

⁴ Albania, Austria, Belgium (IEWM), Croatia (Office of Ombudsman, Ombudsperson for People with Disabilities and Gender Equality Ombudsperson), Cyprus, Czech Republic, Denmark (Danish Institute of Human Rights), Finland (Gender Equality Ombudsman and Non-Discrimination Ombudsman), Latvia, Malta (Commission for the Rights of Persons with Disability), Poland, Romania, Serbia, Slovakia.

media coverage in 2017. The Office of the Ombudsman in Croatia handled 35 cases concerning hate speech complaints in 2017, making up 12,6% of all cases handled, a trend that has grown over the past five years.

A number of equality bodies reported referrals of hate speech and hate crime complaints to the relevant authorities for criminal prosecution. The Commissioner for Human Rights in Poland holds three meetings a year with minority representatives on hate speech to inform them of their rights, and over the past five years has been involved in one cassation appeal concerning hate speech targeting Roma people, joined two civil procedures concerning homophobic hate speech, and referred ten misdemeanors to the police concerning homophobic symbols presented in a public place. The Ombudsman's Office in Latvia refers complaints to the Security Police or State Police. The equality body explains the issues involved to the complainant, and, in some instances intervenes with the institution against whom the complaint is made to seek information and action on the issue raised. The equality body can be actively involved in the course of the investigation of the criminal offence to ensure speedier proceedings and to educate the public about the damage caused by hate crime or hate speech.

The Commission for Protection from Discrimination in Albania stands out for a high level of findings against respondents in such cases. The equality body dealt with eleven cases over the period 2010 to 2017, both ex-officio and on the basis of complaints, with findings against the respondent in seven of these.

Good Practice: Commissioner for Protection of Equality, Serbia

The Commissioner for Protection of Equality initiated a criminal case to the High Prosecution in Kraljevo, based on the article 317 of Criminal Code, related to the crime of causing national, racial and religion-related hate and intolerance. The head of a local community was processed and legally convicted to a prison sentence of 6 months on foot of this case. The reason for initiating this procedure was the hate and intolerance articulated towards a Roma family. The result sent a clear message that such hate speech is prohibited and promoted compliance by demonstrating that such incidents will be prosecuted and punished under the Criminal Code.

Good Practice: Commissioner for Protection from Discrimination, Albania

Two associations filed a complaint with the Commissioner for Protection from Discrimination about the online posts on a political party Facebook page. It was claimed that the content of the posts published on the Facebook page, on April 2014, aimed to incite hatred through the use of threats and hate speech against the LGBT community. The comments after each of the posts were of a similar nature. The Commissioner for Protection from Discrimination made a finding against the political party. It recommended that the political party make a public apology within 15 days from receiving notification of

this decision, and, in the future, avoid the use of such language. The Commissioner for Protection from Discrimination ordered the imposition of a fine on the political party for failing to provide information requested. The political party appealed the decision to the Administrative Court of First Instance, which upheld the decision.

Elections were noted by equality bodies in Belgium, Denmark, Finland and Romania as moments with potential for greater levels of hate speech. A spike in complaints of hate speech to equality bodies can coincide with elections.

Good Practice: The National Council for Combating Discrimination, Romania

The NCCD investigated and fined a Facebook user for “nationalist propaganda, to the detriment of human dignity and creating a degrading, humiliating and offensive atmosphere” in 2012. This decision was subsequently upheld by the County Court of Târgu Mureş in 2013.

Media monitoring was noted as an important tool for casework. The Gender Equality Ombudsperson in Croatia reported monitoring and analysing some 3,000 media articles annually.

Good Practice: Gender Equality Ombudsperson, Croatia

The Gender Equality Ombudsperson received a complaint in 2017 that a radio station transmitting a supposedly funny advertisement for a fictitious store that de facto was urging violence against sexual and gender minorities before the forthcoming Split Pride. The advertisement suggested that a different sexual orientation could be a reason for a physical attack with “multipurpose” rainbow coloured sticks. The Ombudsperson investigated and confirmed the allegations. She warned the responsible persons in the radio station that this advertisement crossed the border of freedom of thought and expression and that it enters the field of a criminal offence under Public Incitement to Violence and Hatred. She asked the radio station to cease broadcasting the advertisement and to remove it from all publicly available places. The radio station complied.

5.2 Research

Research work related to hate speech has been part of the approach of a number of equality bodies. This has included baseline survey work related to the issue by some equality bodies. The Irish Human Rights and Equality Commission and the Commissioner for the Protection of Equality in Serbia have commissioned public surveys on diversity and attitudes to diversity. The Institute for Equality between Women and Men in Belgium is developing research on sexism among the population with a view to measuring this phenomenon. While not directly addressing hate speech, the Slovak National Centre for Human Rights has published research on racism and xenophobia among young people.

Good Practice: The Equality and Human Rights Commission, Britain

The Equality and Human Rights Commission includes progress on tackling hate crime (including hate speech as part of this) under its competence to measure progress on equality and human rights. This monitoring framework includes as one indicator the percentage of adults who have experience of one or more self-reporting hate incidents in the previous twelve months.⁵

The Equality and Human Rights Commission conducted research in 2016 on the causes and motivations for hate crime.⁶ This explores patterns and processes of hate crime and includes a focus on the grounds of race, religion, sexual orientation, transgender, and disability. It identifies the explanations for hate crime as lying in two broad fields: Social psychological, focused on intergroup emotions and perceived threats such as socio-economic wellbeing; and Structural, focused on the context created by the marginalisation of groups through social processes, such as societal norms and values, and practices of statutory agencies.

A few equality bodies have used research to explore the different forms of hate speech, the quality of the responses to them, and the causal factors and motivations. The Equality and Human Rights Commission (above), the Danish Institute for Human Rights, the Irish Human Rights and Equality Commission, the Ombudsman's Office in Latvia, and the Commissioner for Human Rights in Poland offer good practice examples in this regard. The Slovak National Centre for Human Rights conducted a survey of bullying and cyber bullying in schools.

Good Practice: Danish Institute for Human Rights, Denmark

The Danish Institute for Human Rights published a study, 'Hate Speech in the Public Online Debate'⁷ in 2017. This identified the extent and character of hate speech and the consequences of it. It examined: the scope of hate speech in 3000 comments and 1700 posts on the Facebook pages of two major news media, DR Nyheder and TV 2 Nyhederne; the topics that spur hate speech; who is responsible for hate speech; who or what is the target of hate speech; the nature of hate speech; and the consequences of a harsh tone in public debate on Facebook. It addressed the grounds of gender, ethnicity, religion, disabilities, sexual orientation, age, political beliefs and social status. It made a recommendation for a National Action Plan on hate speech which is to be advocated for by the equality body.

⁵ Measurement Framework for Equality and Human Rights, Equality and Human Rights Commission, London, 2017.

⁶ Walters M. A., Brown R., Wiedlitzka S., Causes and Motivations of Hate Crime, Equality and Human Rights Commission, London, 2016.

⁷ Zuleta L., Burkal R., Birkelund Thomsen T., Hate Speech in the Public Online Debate, Copenhagen, 2017
<https://www.humanrights.dk/publications/hate-speech-public-online-debate>

Good Practice: Irish Human Rights and Equality Commission, Ireland

The Irish Human Rights and Equality Commission and the Irish Research Council funded research by Dublin City University which uses computational methods to understand online racist speech in the Irish context- “Hate Track – Tracking and Monitoring Hate Speech Online. The research developed a tool for identification and tracking of 'racially loaded toxic discourse' on certain social media channels. It takes a preliminary look at material collected over period of 3 months; identifies the types of discourse engaged in, and the types of posters initiating and reproducing it. The tool is intended to determine the current state of the digital public sphere, as opposed to being a censorship or removal tool. The study also explores reporting barriers and cultures that feed into decisions to report or not report online hate speech.

Good Practice: Ombudsman’s Office, Latvia

The Ombudsman’s Office developed an extensive study on “Issues of Investigating Hate Crimes and Hate Speech in the Republic of Latvia” in 2016. This was inspired by the low level of public reporting of hate speech. The report drew attention to several crucial aspects of how the investigation of hate speech and hate crime should be improved. The Ombudsman’s Office Annual Report to the Parliament of the Republic of Latvia includes a focus on hate speech and hate crime.

Good Practice: Commissioner for Human Rights, Poland

The Commissioner for Human Rights ordered preparation of a report in 2016 with the aim of establishing and analysing the language used in the press and online publications in relation to representatives of the Muslim community. This was in response to data from the National Prosecutor’s Office showing the number of cases in which Muslims were the target of hate speech had increased threefold. After the publication, the Commissioner for Human Rights organised two meetings, one with journalists and one with party political representatives in the national and the European Parliament. After the meetings: some journalists started to include representatives of the Muslim community in their columns, and the Chairman of the Department for Counteracting Hate Speech in the Polish parliament started a collaboration with representatives of the Muslim community.

5.3 Policy Advice

The policy advice developed by equality bodies in relation to hate speech predominantly relates to legislation for its prohibition and to processes of prosecution. The Equality and Human Rights Commission in Britain has made recommendations to improve legislation governing hate speech. The equality body was concerned to secure a parity of protection across all discriminated grounds, more up-to-date and appropriate protections against online hate speech, and improvements in the process of prosecuting hate speech, in particular police recording and enhanced sentencing. The Commissioner for Human Rights in Poland is similarly seeking a more comprehensive coverage of grounds in the legislation governing hate speech.

The Ombudsman in Cyprus has contributed to amendments to the penal code prohibiting homophobic and transphobic hate speech. The Irish Human Rights and Equality Commission has sought improvements on the Incitement to Hatred legislation given the difficulties in securing convictions under this. A number of equality bodies highlight the problems with such legislation in having to prove intent.

The Ombudsman's Office in Latvia submitted an assessment of "Guidelines for the identification and investigation of hate crime and hate speech" that were elaborated by the Criminal Investigation Management Board of the Main Criminal Police of the State Police in co-operation with the State Police College and the Security Police. The Gender Equality Ombudsperson in Croatia has made recommendations to improve the prosecution of hate speech.

The Slovak National Centre for Human Rights has made recommendations for action by Government, the police and the media. The Commission for the Protection of Equality in Serbia has also focused on the media with recommendations to secure responsible reporting and training of journalists. The Equality Commission has highlighted the need for long-term government action on hate crime and hate speech and the prejudicial attitudes that underpin these.

Good Practice: Gender Equality Ombudsman, Finland

The Gender Equality Ombudsman is presenting its first report on the state of gender equality to the Parliament this year. This report will focus on gendered/sexist hate speech in relation to women and gender minorities. It will address hate speech as a significant societal problem, raise the need for legislative amendment to include gender as a motive in hate crimes, advocate for a national action plan against hate speech and hate crimes, and identify the need for study on misogyny and sexist hate speech and hate crimes.

Equality bodies have communicated and argued in support of their policy advice in a range of different ways. This has included the use of annual reports and the recommendations carried in these. It has involved participation in policy groups convened by the political and the public authorities to examine these issues. A number of equality bodies have brought a focus related

to hate speech into national strategies for equality and non-discrimination, specifically the Institute for Equality between Women and Men in Belgium, the Ombudsperson for People with Disabilities in Croatia, the National Council for Combating Discrimination in Romania.

5.4 Promotion of Good Practice

Equality bodies have developed a range of guidance materials on hate speech and on freedom of expression issues. The Commissioner for Protection of Equality in Serbia has published guidance for the media on hate speech. This is accompanied by the organisation of media awards for good practice and by training events for media professionals. The Equality and Human Rights Commission in Britain has published guidance on freedom of expression.

Training provision on hate speech has been conducted by equality bodies for a range of groups, in particular those concerned with its prosecution, such as the police, prosecutors, and judges. This work was reported by the Ombudsperson for People with Disabilities in Croatia, the Non-Discrimination Ombudsman in Finland, the Commissioner for Human Rights in Poland, the National Council for Combating Discrimination in Romania, and the Slovak National Centre for Human Rights. The Belgian Institute for Equality between Women and Men and the Commission for the Rights of Persons with Disability in Malta reported such training with employers and trade unions and the Ombud for Equal Treatment in Austria also engages with employers in a range of ways on the issue, specifically in relation to harassment and sexual harassment.

Good Practice: Slovak National Centre for Human Rights, Slovakia

In cooperation with the Office of the Agent of the Slovak Republic before the European Court of Human Rights, the Slovak National Centre for Human Rights prepared a training programme for investigators working on issues of hate speech crime of the Praesidium of the Police Force of the Slovak Republic and of the National Crime Agency, a body responsible for investigating and prosecuting crimes of extremism including certain hate speech crimes, and for prosecutors from the Special Prosecutors Office working on relevant cases. This training addressed issues of freedom of expression and its interaction with other human rights and freedoms, particularly how to balance protection of the human rights and freedoms of others with the freedom of expression of perpetrators of hate speech. This was implemented in 2017 and several meetings were held with senior officials to establish ongoing cooperation on this issue.

Some equality bodies reported activities with schools and other education settings on the issue. This involved a focus on curriculum development and on institutional culture. The Commissioner for the Protection of Equality in Serbia has worked with Youth Panels to include a focus on hate speech issues in educational materials and to shape school values in this regard. The Slovak National Centre for Human Rights has had a particular focus on sexism in its work in schools on cyber bullying issues. The Gender Equality Ombudsman in Finland has

been involved in preparing materials on sexist hate speech for young people and schools as a member of a network of human rights NGOs and equality bodies against hate speech. The Equality Commission for Northern Ireland has made recommendations in relation to school curricula addressing and internal school leadership on issues of prejudice. The Office of the Ombudsman in Croatia and the Commissioner for Human Rights in Poland have made presentations in educational establishments that included a focus on hate speech.

Good Practice: Institute for Equality between Women and Men, Belgium

The Institute for Equality between Women and Men wrote to the Dean about the issue of sexism on a university campus. A meeting was hosted by the university authorities to enable the equality body to share its expertise. A presentation was made to the students. Ongoing contact has been maintained with the university. The plan is to aid and assist the university, and subsequently other universities, to prepare and implement an action plan against sexism and incitement to hate.

Elections are seen as moments for increased hate speech. Equality bodies have taken action in those periods to set standards for, or provide toolkits to guide, political discourse and get political parties to sign up to these. During the 2017 municipal elections, the Non-Discrimination Ombudsman in Finland cooperated with two NGOs, academics and a company providing digital services to detect on-line hate speech in the campaign with the help of an algorithm developed for this purpose and to prevent hate speech by encouraging political parties to intervene when hate speech was detected. The police were invited to investigate in serious cases. The Danish Institute for Human Rights hosted two events on hate speech at the annual political festival “Folkemødet”, a four day gathering where politicians meet the public.

Positive duties under equal treatment legislation on public bodies, employers and educational establishments to have due regard to the promotion of equality and the prevention of discrimination in carrying out their functions, and the role of equality bodies in securing their implementation, offer particular opportunities to advance good practice in preventing hate speech. This is reinforced where the positive duty includes a concern with fostering good relations between different communities in Great Britain and to a lesser extent in Northern Ireland (on the grounds of racial or ethnic origin, political opinion and religion).

Good Practice: Equality and Human Rights Commission, Britain

The Equality Act 2010 imposes a duty on public authorities to have due regard to the need to eliminate discrimination, harassment, and victimisation, to advance equality of opportunity, and to foster good relations. Fostering good relations requires action to tackle prejudice and promote understanding between people with protected characteristics and others. The Equality and Human Rights Commission has been able to use its role to provide guidance, monitor and enforce the positive duty to advance action on preventing hate speech.

Good Practice: Non-Discrimination Ombudsman, Finland

Since 2015, the Non-Discrimination Act 2004 requires certain employers and education providers to evaluate the achievement of equality in their activities and to take necessary measures to promote the achievement of equality. This includes the preparation and implementation of an action plan. A key part of the Non-Discrimination Ombudsman's response to hate speech is to ensure there are initiatives to prevent hate speech in these action plans as part of their role in supervising the positive duty.

5.5 Communication

There was a limited field of communication work reported by equality bodies on hate speech. This work is largely focused on informing people of their rights or on raising the issue as one of public concern. Equality bodies reported producing information leaflets for those subjected to hate speech, hosting events to stimulate discussion on hate speech, and media work on the issue. The Equality and Human Rights Commission in Britain produced a short film on the issue with a spoken word artist and rapper.

Good Practice: The Ombudsman, Cyprus

The Ombudsman took part in the Council of Europe No Hate Speech Movement youth campaign and produced a manual for young people with the Youth Board of Cyprus in 2015. This was called "Defining and Banishing Hatred". It sought to inform young people about hate speech and build their awareness to recognise and combat hate speech. The manual was accompanied with school visits and talks on discrimination which included a focus on hate speech.

Some equality bodies reported making public challenges to incidents of hate speech. Public statements have been issued by the Commissioner for Protection of Equality in Serbia, the Ombudsperson for People with Disabilities in Croatia, and the Commissioner for Protection from Discrimination in Albania.

Good Practice: The Commissioner for Protection from Discrimination, Albania

The Commissioner for Protection from Discrimination published a declaration on social media about the public debate in relation to LGBT awareness-raising in schools. This stated that: "Particularly disturbing in the ongoing debate on LGBT awareness rising in schools is the language used by people with a public profile, politicians, lawmakers, public institution leaders. The language used by them, when it is in excess of freedom of speech, has a much greater impact due to the public functions they exercise".

The most significant gap evident in the field of communication relates to work by equality bodies on alternative narratives. Hate speech can be challenged head-on and this is being done by some equality bodies. However, it must also be subverted with narratives that carry and engage values that would motivate a different relationship with diversity. This is a resource-intensive activity to sustain and to conduct to a necessary scale. It requires building and sustaining networks and alliances. However, it is not yet reported by equality bodies as part of their repertoire for combating hate speech.

Good Practice: Office of the Ombudsman, Croatia

The Office of the Ombudsman conducted a media campaign in 2017 on ethnic diversity. This was used to promote alternative narratives on ethnic diversity. In part this was to counter stereotypes and in part to create a sense of belonging across this ethnic diversity. These were communicated through billboard, radio jingles, social media, and public TV, alongside work with the media about the campaign.

The alternative narratives offered a glimpse into everyday lives of several people including: a Roma student of business in tourism, studying and having fun with her friends; a Roma man practising with his musical band and serving a customer in a hair salon, as a stylist; a young boy of African descent, dancing traditional Croatian dance with his friends; and a Choir mostly made of refugees, warming up their voices at rehearsal.

Key messages were:

- Our differences are not obstacles;
- We are building a society without discrimination;
- Everyone should be equal in rights and participation in society;
- We want to build a society in which a Roma business student will not be an exception; and
- We want to build the world that will look just as the young people dancing with Gabriel see it.

The campaign was part of an anti-discrimination project, 'Mind the Gap, implemented with the Government's Office for Human Rights and National Minorities and an NGO called Centre for Peace Studies. It was created at the end of the project so follow-up was not possible.

6. Conclusions and Looking Forward

Equality bodies accord a high priority to addressing hate speech given its prevalence and expansion and its propensity to lead to discrimination and harassment. Equality bodies are prevented from giving full expression to this commitment by limitations in their mandate and inadequacies in their resources. They confront national contexts that evidence limitations in legislation on hate speech and in capacity to implement and prosecute such legislation.

While comprehensive strategies are not much in evidence for their work on hate speech, equality bodies reported a significant breadth and quality of interventions on the issue. This encompassed casework, research, policy advice, promotion of good practice and communication. A number of equality bodies identified a willingness to go further but identified a need for support to their capacity in order to do so.

Most of the equality bodies reporting casework have a decision-making function. The levels of casework are generally low, but there are exceptions to this. Much of the support to good practice provided by equality bodies is focused on improving the functioning of systems for processing hate speech cases. Good practice work with the media, educational establishments and political parties was also evidenced. No equality bodies have been able to muster the resources to engage in sustained and substantial communication initiatives advancing alternative narratives, which are increasingly viewed as key in responding effectively to hate speech. There is limited engagement evident by equality bodies with the work of the European Commission in supporting action on hate speech through the code of conduct with the social media companies and the calls for funding for projects on hate speech.

In looking forward:

The European Commission and the Member States could usefully take action to:

- ✓ Enhance legislation on hate speech to ensure uniform definition, the coverage of all grounds and a mix of criminal and administrative channels to address cases.
- ✓ Improve the policy context by developing multi-annual national action plans on hate speech.
- ✓ Ensure equality bodies have mandates that explicitly enable them to address hate speech and are accorded the competences required for this.

Equality bodies could usefully take action to:

- ✓ Explore and develop full and comprehensive strategies to address hate speech.
- ✓ Develop their communication work to include sustained and substantial work on promoting alternative narratives and build the alliances and networks required to drive and implement this work to full effect.

- ✓ Engage with the European Commission code of conduct and secure funding for this work under European Commission calls for projects.

Equinet could usefully take action to:

- ✓ Enable peer learning and provide training for equality bodies to build their strategy on hate speech and, in particular, to innovate in responding to this issue.

Appendix: Survey Questionnaire

1. Respondent Details

1.1 Name of respondent:

1.2 Contact details for respondent:

1.3 Name and location of equality body:

2. Mandate and Strategy

2.1 Does your equality body have a mandate to address hate speech?

If explicit, how is this mandate defined?

If implicit, how and in what terms have you derived this mandate?

2.2 What is your strategy in relation to addressing hate speech – what are you seeking to change and how are you pursuing this change?

2.3 How is hate speech defined in the legislation that you are working under? Do you have any issues with this definition? In what sphere of law is this provision made (criminal – misdemeanour – civil - administrative)? Do you have any issues with this sphere?

2.3 In your work, what importance do you give to action to address hate speech? Why is this so?

- High? Because... Medium? Because... Low? Because... Not important? Because...

3. Action on Hate Speech

3.1 Could you complete the table below to briefly identify actions you have taken on and intersectional basis or in response to issues of intersectionality:

Area of work	Please describe the type of work done	What specific grounds or combination of grounds are addressed in this work?	Please provide data that captures the scale of the work done over the past five years
Casework (e.g. hearing cases, support complainants, refer cases)			
Research (e.g. research into the causes, nature and extent of hate speech, monitoring and reporting)			
Policy work (e.g. policy recommendations to government, contribution to preparation of national action plans/programmes)			
Promoting good practice (e.g. work with media, work with social media platforms, training relevant actors,			

preparing guidance materials, work with schools, standards for political discourse)			
Communication initiatives (e.g. counter narratives, awareness of rights, public statements, events)			

4. Good Practice in Addressing Hate Speech

4.1 Could you describe one or two examples of good practice actions you have taken that you consider to be effective in addressing hate speech:

5. Issues in Addressing Hate Speech

5.1 What are the factors that encourage and support you to address hate speech as part of the work of your equality body?

5.2 What are the difficulties you face in trying to address hate speech as part of the work of your equality body?

5.3 Have you experienced issues in establishing boundaries in relation to hate speech and other related issues, specifically, freedom of expression vs hate speech and/or hate speech vs harassment? If so, could you give details and on how you addressed these.

6. Issues in Looking Forward

6.1 What changes in public policy, plans or programmes, at EU or national level, would assist you to be more effective in the work of addressing hate speech.

7. Final Comment

7.1 Would you like to add any further comment or information?

EQUINET MEMBER EQUALITY BODIES

ALBANIA

Commissioner for the Protection from Discrimination
www.kmd.al

AUSTRIA

Austrian Disability Ombudsman
www.behindertenanwalt.gv.at

AUSTRIA

Ombud for Equal Treatment
www.gleichbehandlungsanwaltschaft.at

BELGIUM

Institute for the Equality of Women and Men
www.igvm-iefh.belgium.be

BELGIUM

Unia (Interfederal Centre for Equal Opportunities)
www.unia.be

BOSNIA AND HERZEGOVINA

Institution of Human Rights Ombudsman of Bosnia and Herzegovina
www.ombudsmen.gov.ba

BULGARIA

Commission for Protection against Discrimination
www.kzd-nondiscrimination.com

CROATIA

Office of the Ombudsman
www.ombudsman.hr

CROATIA

Ombudsperson for Gender Equality
www.prs.hr

CROATIA

Ombudswoman for Persons with Disabilities
www.posi.hr

CYPRUS

Commissioner for Administration and Human Rights (Ombudsman)
www.ombudsman.gov.cy

CZECH REPUBLIC

Public Defender of Rights
www.ochrance.cz

DENMARK

Board of Equal Treatment
www.ast.dk

DENMARK

Danish Institute for Human Rights
www.humanrights.dk

ESTONIA

Gender Equality and Equal Treatment Commissioner
www.volnik.ee

FINLAND

Non-Discrimination Ombudsman
www.syrjinta.fi

FINLAND

Ombudsman for Equality
www.tasa-arvo.fi

FRANCE

Defender of Rights
www.defenseurdesdroits.fr

GEORGIA

Public Defender of Georgia (Ombudsman)
www.ombudsman.ge

GERMANY

Federal Anti-Discrimination Agency
www.antidiskriminierungsstelle.de

GREECE

Greek Ombudsman
www.synigoros.gr

HUNGARY

Equal Treatment Authority
www.egyenlobanasmod.hu

HUNGARY

Office of the Commissioner for Fundamental Rights
www.ajbh.hu

IRELAND

Irish Human Rights and Equality Commission
www.ihrec.ie

ITALY

National Equality Councillor
www.lavoro.gov.it/ConsiglieraNazionale

ITALY

National Office against Racial Discrimination - UNAR
www.unar.it

LATVIA

Office of the Ombudsman
www.tiesibsargs.lv

LITHUANIA

Office of the Equal Opportunities Ombudsperson
www.lygybe.lt

LUXEMBURG

Centre for Equal Treatment
www.cet.lu

(FYRO) MACEDONIA

Commission for the Protection against Discrimination
www.kzd.mk

MALTA

Commission for the Rights of Persons with Disability
www.crpdp.org.mt

MALTA

National Commission for the Promotion of Equality
www.equality.gov.mt

MOLDOVA

Council on Preventing and Eliminating Discrimination and Ensuring Equality
www.egalitate.md

MONTENEGRO

Protector of Human Rights and Freedoms (Ombudsman)
www.ombudsman.co.me

NETHERLANDS

Netherlands Institute for Human Rights
www.mensenrechten.nl

NORWAY

Equality and Anti-Discrimination Ombud
www.ldo.no

POLAND

Commissioner for Human Rights
www.rpo.gov.pl

PORTUGAL

Commission for Citizenship and Gender Equality
www.cig.gov.pt

PORTUGAL

Commission for Equality in Labour and Employment
www.cite.gov.pt

PORTUGAL

High Commission for Migration
www.acm.gov.pt

ROMANIA

National Council for Combating Discrimination
www.cncd.org.ro

SERBIA

Commissioner for Protection of Equality
www.ravnopravnost.gov.rs

SLOVAKIA

National Centre for Human Rights
www.snslp.sk

SLOVENIA

Advocate of the Principle of Equality
www.zagovornik.gov.si

SPAIN

Council for the Elimination of Ethnic or Racial Discrimination
www.igualdadynodiscriminacion.msssi.es

SPAIN

Institute of Women and for Equal Opportunities
www.inmujer.es

SWEDEN

Equality Ombudsman
www.do.se

UNITED KINGDOM - GREAT BRITAIN

Equality and Human Rights Commission
www.equalityhumanrights.com

UNITED KINGDOM - NORTHERN IRELAND

Equality Commission for Northern Ireland
www.equalityni.org

Co-funded by the Rights, Equality and
Citizenship Programme of the European Union



ISBN 978-92-95112-16-2 | © Equinet 2018

www.equineteurope.org

E Equinet
European network
of equality bodies

facebook.com/EquinetEurope



@equineteurope

