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Forum on Minority Issues

Thirteenth session

19 and 20 November 2020

Item 1 of the provisional agenda

Adoption of the agenda and programme of work

Provisional agenda and annotations

Provisional agenda

1. Adoption of the agenda and programme of work.
2. Causes, scale and impact of hate speech targeting minorities on social media.
3. International legal and institutional frameworks.
4. Regulation of online hate speech: the role and responsibility of intergovernmental organizations, States, Internet companies and social media platforms.
5. Towards a safer space for minorities – positive initiatives to address online hate speech: the role of national human rights institutions, human rights organizations, civil society and other stakeholders.
6. Concluding remarks.

Annotations

1. Adoption of the agenda and programme of work

Venue

Pursuant to Human Rights Council resolutions 6/15 and 19/23, the thirteenth session of the Forum on Minority Issues will be held on 19 and 20 November 2020 in Geneva (Palais des Nations, Assembly Hall).

The Forum on Minority Issues will have before it the provisional agenda contained in the present document to consider for adoption. The programme of work for the session is contained in the annex.

Opening meeting

The President of the Human Rights Council will deliver an opening statement, which will be followed by statements from the United Nations High Commissioner for Human Rights, the Chair of the Forum on Minority Issues and the Special Rapporteur on minority issues.



Documentation

The documents for the session will be made available on the website of the Office of the United Nations High Commissioner for Human Rights (www.ohchr.org/EN/HRBodies/HRC/Minority/Pages/Session13.aspx).

Discussions

During the two-day session, participants will be invited to contribute to four panel discussions under the general topic “Hate Speech, Social Media and Minorities”. Each panel discussion will be introduced briefly by a number of experts and facilitated by a moderator, who will guide the discussion towards the formulation of specific recommendations. Recommendations emanating from two regional forums (Asia and the Pacific and Europe) held in 2020 under the mandate of the Special Rapporteur on minority issues will also be considered, in order to include greater regional input and views on the issues to be discussed at the thirteenth session of the Forum.

Participants will be encouraged to make statements or comments, to answer questions from the moderator and to suggest recommendations to be included in the outcome document that the Special Rapporteur will present to the Human Rights Council at its forty-sixth session, in March 2021.

2. Causes, scale and impact of hate speech targeting minorities on social media

Worldwide on social media, minorities are the target of most of the incitement to discrimination, hostility and violence, and other forms of intolerance and racist expressions that constitute hate speech. Blaming and scapegoating of minorities is at times exploited for political reasons, or it is present owing to longstanding and entrenched stigmatization and marginalization. Hate speech is thus often a manifestation of deep-rooted bias, racism, intolerance and discrimination. Hateful messages may fall on particularly fertile ground where there are wider social, economic or political problems or divisions in society, and they can be an early warning sign of possible aggravation in the form of incitement to violence against minorities and other marginalized groups. Therefore, the advocacy of national, racial or religious hatred may become the principal tools and early warning signs of organized and systematic violence, which may even contribute to conflicts and instability, as well as to enabling and perpetrating atrocity crimes against minorities.

Participants will be invited to describe the extent to which hate speech on social media targets minorities in particular, and the causes for the apparent overwhelming targeting of national or ethnic, religious and linguistic minorities. They should also consider how misinformation and disinformation can serve to create conditions conducive to the spread of racism, intolerance and discrimination.

Participants will offer recommendations on how to address the root causes and prevent the possible escalations of the scourge of hate speech on social media, and on how to better identify and acknowledge the disproportionate extent to which it affects minorities. Recommendations will also be made as to what initiatives could be put forward in order to focus on efforts to protect the main victims of hate speech, namely minorities.

Participants will also discuss the ways to address the consequences of hate speech, bearing in mind a gender perspective, as minority women and girls face multiple and intersecting forms of discrimination, which sometimes makes them more vulnerable to hate speech and its consequences. This is particularly true in situations of conflict, where minority women are at high risk of violence and abuse.

3. International legal and institutional frameworks

Although there is no international legal definition of hate speech, international law prohibits advocacy of national, racial or religious hatred that constitutes an incitement to discrimination, hostility and violence. In the absence of such a definition, the term “hate speech” may risk being abused to impose uniformity of views, curtailing dissent and shrinking civic space. It is thus essential to also ensure the protection of the right to freedom

of expression when addressing hate speech. Freedom of expression is only subject to a very small number of strict permissible restrictions under international law.

Participants will discuss the relevant international human rights obligations, in particular the importance of ensuring the complementarity between articles 19 (freedom of expression) and 20 (prohibition of advocacy of national, racial or religious hatred) of the International Covenant on Civil and Political Rights and articles 4 (prohibition of incitement to racial discrimination and hatred) and 5 (the right of everyone to enjoy, inter alia, the freedom of opinion and expression) of the International Convention on the Elimination of All Forms of Racial Discrimination.

They will discuss how legislative, human rights and institutional frameworks can address impunity and ensure accountability for hate crimes against minorities that are triggered by online hate speech. Participants will offer possible effective solutions, inter alia, within the context of implementation of Sustainable Development Goal 16, which is aimed at promoting peaceful and inclusive societies for sustainable development; providing access to justice for all; and building effective, accountable and inclusive institutions at all levels.

In order to further clarify the international norms, participants will consider:

- (a) Human Rights Committee general comment No. 34 (2011) on the freedoms of opinion and expression (CCPR/C/GC/34);
- (b) Human Rights Committee general recommendation No. 35 (2013) on combating racist hate speech (CERD/C/GC/35);
- (c) Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence (A/HRC/22/17/Add.4, appendix);
- (d) Beirut Declaration on Faith for Rights and its 18 commitments (A/HRC/40/58, annexes I and II).

4. Regulation of online hate speech: the role and responsibility of intergovernmental organizations, States, Internet companies and social media platforms

Some progress has been made by States and by Internet companies and social media platforms in addressing hate speech on social media, although more is needed in light of the scale and specific targeting, and therefore vulnerability, of minorities. Addressing hate speech implies keeping the scourge of hate speech from escalating into something more dangerous, particularly incitement to discrimination, hostility and violence against minorities.

Participants will convey examples of best practices by States to address online hate speech against minorities through both prevention and redress strategies, and to balance it with their obligation to protect the right to freedom of opinion and expression.

The role of States, Internet companies and social media platforms is also important in the current circumstances of hate speech on social media against minorities in the context of the coronavirus disease (COVID-19) pandemic, as pointed out by the Special Rapporteur on minority issues in a press release in March 2020. A United Nations guidance note on addressing and countering COVID-19-related hate speech, issued on 11 May 2020, included recommendations that social media and tech companies should ensure that their hate speech policies involved an evaluation of the social and political context, the status and intent of the speaker, the content and extent of dissemination and the likelihood of harm to users and the public, reflecting the six-part threshold test contained in the Rabat Plan of Action.

Participants will discuss the role played by intergovernmental organizations, States, Internet companies and social media platforms, and will also discuss the responsibilities of those actors in addressing online hate speech and ensuring that their business operations are in full conformity with international human rights norms and standards, including the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. Participants will also bring examples of effective solutions put in place by Internet companies and social media platforms.

5. Towards a safer space for minorities – positive initiatives to address online hate speech: the role of national human rights institutions, human rights organizations, civil society and other stakeholders

Hate speech against minorities on social media often occurs within a larger context, including the propagation of fake news, misinformation and disinformation, and it may be used to serve certain political and/or ideological goals and interests. This can contribute to a climate of fear among minority communities, as it may create or contribute to growing racism, intolerance and discrimination, undermining the respect of human dignity and the protection of the human rights of minorities. Therefore, it is often necessary to focus on the role of influencers and leaders, including at international, regional and national levels, in order to find possible pathways to engage them in the fight against hate speech targeting minorities on social media.

International and regional organizations, national human rights institutions and civil society can also play an important role in supporting minorities affected by hate speech, including a preventive role, through gathering knowledge and information and ensuring effective action, including through facilitating or fulfilling the critical need of data collection on the degree to which minorities are targeted on social media by hate speech, including through research and advocacy for combating impunity and calling for accountability.

Participants will further discuss the role of international cooperation and the sharing of best practices in the effective implementation of international and regional instruments on the promotion and protection of the rights of persons belonging to minorities. In addition, participants will address the important role of a new generation of young digital citizens and of new tools and platforms, as well as the need to empower minorities to stand up to hate speech.

Participants will also discuss the role of other stakeholders, including religious leaders and faith actors. In this context, participants will consider the Beirut Declaration on Faith for Rights and its 18 commitments as well as the #Faith4Rights toolkit.

6. Concluding remarks

Participants will draw on the outcomes of the two days of discussion to reflect on the best ways of addressing the issue of hate speech and the protection of the human rights of persons belonging to national or ethnic, religious and linguistic minorities.

Participants will be encouraged to identify and define, in relation to each item of the present agenda, a number of recommendations to States, intergovernmental organizations, national human rights institutions, Internet companies and social media platforms, non-governmental organizations and other civil society actors for the promotion and fulfilment of the rights of persons belonging to minorities in relation to hate speech on social media against them.

The Chair of the Forum on Minority Issues and the Special Rapporteur on minority issues will make concluding remarks, including proposals for follow-up steps to be taken together with Forum participants.

Annex

Programme of work

<i>Date/time</i>	<i>Agenda item</i>	<i>Programme</i>
Thursday, 19 November 2020		
10 a.m.–1 p.m.	1. Adoption of the agenda and programme of work	<p>Opening of the Forum on Minority Issues</p> <ul style="list-style-type: none"> • Welcome and opening remarks by the President of the Human Rights Council • Remarks by the United Nations High Commissioner for Human Rights • Remarks by the Chair of the Forum on Minority Issues • Remarks by the Special Rapporteur on minority issues
	2. Causes, scale and impact of hate speech targeting minorities on social media	
3–6 p.m.	3. International legal and institutional frameworks	
Friday, 20 November 2020		
10 a.m.–1 p.m.	4. Regulation of online hate speech: the role and responsibility of intergovernmental organizations, States, Internet companies and social media platforms	
3–6 p.m.	5. Towards a safer space for minorities – positive initiatives to address online hate speech: the role of national human rights institutions, human rights organizations, civil society and other stakeholders	
	6. Concluding remarks	