

Article 19

Thank you Chair,

Article 19 welcomes the critical discussion about the role of regulation of online hate speech. Concerns about the relationship between online manifestations of hate speech and offline acts of violence and crimes against minorities are legitimate and should be investigated. However, Article 19 is concerned about the restrictive approaches adopted by many states to regulate and prohibit hate speech on their overly broad concept that fails to comply with Article 19 and Article 20 of ICCPR. It is therefore crucial to recall that obligations of states is limited to the prohibition of incitement of violent discrimination as interpreted in the relevant actions, which establishes criminal responses of [?]. Those instances of online hate speech, that impact on specific rights of minorities, including the right of privacy, the right to life, or right to engage in issues of their concern may be subject to freedom of expression limitations, provided that states limit legality, necessity and proportionality. Article 19 recognizes that the [?] and discriminatory speech perpetuates stigma and prejudices. However, legal prohibitions of offensive language or obligations imposed in companies to detect and remove that digital speech will not make hatred and stigma related problems disappear.

States should concentrate their efforts on comprehensive public policy responses that address the root causes of discrimination that cannot be relegated by legal sanctions. Content based regulations can mandatory move impositions on social media platforms. Automatically detected tools and take down hate speech content online has proven to be contra product to the right to freedom of expression, particularly problematic for the rights of those targeted online. Some removals can also have contra productive effects for the purposes on investigations.

For social media, Article 19 is deeply concerned about the impact of dominant position of few Internet platforms that have huge power on individuals what can say online.

Due attention should be put on the problematic business models of these companies driven by maximization of engagement as their main tool to maximize profits, having others using rights to freedom of expression, nondiscrimination and other rights, and understand that user does not have available alternatives to switch different platforms.

Thank you Chair!