



**What is HATE SPEECH
and how to prevent it?**



Human Rights Voice Lithuania



This publication provides a list of simple questions and answers to help you understand what hate speech is, why it is harmful and dangerous, how to recognize and avoid it. This publication can be applied in formal and non-formal education, as well as in-depth study of human rights education. This information is intended for Lithuanian pupils. This publication has versions in Lithuanian, Russian, Polish and English.

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1 WHAT IS HATE SPEECH?

WHAT IS HATE SPEECH?

Hate speech is any form of incitement, spreading or justification of hate or violence against individuals or groups based on certain attributes. These attributes might be gender, sexual orientation, race, ethnicity, nationality, language, social situation, age, religion or other beliefs.

CAN HATE SPEECH BE EXPRESSED ONLY ORALLY?

No, hate speech may be expressed in other ways. That includes public verbal speech and other forms of expression, for example, pictures, movies, animation, memes, cartoons, comments, songs etc.

CAN HATE SPEECH BE DIRECTED TOWARDS ONLY ONE PERSON?

Hate speech can be directed at both - against one person and against a group of people.

CAN HATE SPEECH BE RECOGNIZED IN VIRTUAL SPACE?

Hate speech is recognized in various forms. That means that hate on the Internet (e.g., comments under articles) is also generally recognized as hate speech.

WHAT IS THE DIFFERENCE BETWEEN OPINION AND HATE SPEECH? DOES IT MEAN THAT I MUST ENJOY EVERYTHING AND CANNOT HAVE A NEGATIVE OPINION?

There is an extremely fine line between what can and cannot be considered hate speech. It is important to understand that any negative opinion should not be considered hate speech. Sometimes it is difficult to make a precise distinction between hate speech and other similar concepts, e.g., offensive statements, unpopular or extreme attitudes. It is important to establish whether this action is indeed spreading and inciting hatred against a certain person or a group of people.

COULD JOKES BE CONSIDERED HATE SPEECH?

Sometimes it is difficult to identify what hate speech is. It is often complicated to determine if someone's joke is actually inciting hatred. In distinguishing hate speech from ordinary jokes or expressions, some points must be taken into account:

- content of the joke;
- the context, in which the joke was told;
- the aim of the joke;
- how those who heard/read/saw the joke have perceived it.



1 WHAT IS HATE SPEECH?

CAN PUBLIC PERSONS (POLITICIANS, ARTISTS, ATHLETES, INFLUENCERS) SPREAD HATE SPEECH?

Hate speech can be spread by both public and private individuals. Nevertheless, it is important that a public figure has a larger audience, therefore the hate speech that they spread can be more harmful.

CAN HATE SPEECH BE CONSIDERED A CRIMINAL OFFENCE? CAN IT BE PUNISHED?

Yes, hate speech is a criminal offence that the State may legitimately prevent and punish. Lithuanian criminal law allows for the sanctioning of hate speech by fine, arrest or imprisonment if the speech was public and delivered with intent to degrade, incite discrimination, hatred or violence.

It is important that in criminal cases involving hate speech, it is not only the authors who can be found guilty. You may also be liable for the mere dissemination of hate speech if you endorse the message.

HOW TO REPORT HATE SPEECH?

If you think that you suffered from hate speech, you can report it to the police. In the same way, if you have noticed hate speech and the target is another person, you also should inform the police.



2 HOW TO RECOGNIZE HATE SPEECH? EXAMPLES

Sometimes it is quite difficult to recognize hate speech. The following criteria can be assessed to determine whether it is hate speech or not:

- **Purpose** of the expression or action. In other words, does it aim to incite hatred;
 - **Content**, what kind of message is spreading, form and tone of the expression used;
 - **Target audience** for which the speech or action is shown;
 - **The context** where the speech or action was spread (e.g., in the context of the country, city);
 - **Effect** of what could happen for a person or a group of people because of the speech or action.
5. A message to a friend containing a joke, trying to ridicule muslims: "<...> they all have bombs."
 6. A famous song, which has 250 000 views on YouTube, refrain: "Let's get rid of homosexuals!"
 7. A classmate's offensive comment left below his friend's Instagram photo. They both have 400 followers.
 8. A news portal heading, criticizing a recent judgment of the European Court of Human Rights: "Sick society is the one where homosexuality is considered a normal thing."
 9. A group chat message where someone sends a meme that is mocking gays and portrays them stereotypically to their friends.

SOME REAL LIFE SITUATIONS ARE PROVIDED BELOW, TRY TO ASSESS THEM ACCORDING TO THE MENTIONED CRITERIA:

1. Post on Facebook by a politician (has 35 000 followers): "none of the homosexuals from my school have achieved anything good in life."
2. A phrase said by a politician during an interview: "We should join together to treat homosexuals, not tolerate them."
3. A comment in an neonacist group on Facebook: "Hitler was right by sending them to the gas chamber."
4. A comment and a request to sign a petition, posted below an article of a journalist that is homosexual: "Sign here, if you share my opinion, that the articles of homosexuals should not be published."

QUESTIONS FOR DELIBERATION AND DISCUSSION:

1. Do you think that all of these situations can be considered hate speech?
2. Which of the following situations are the most dangerous? Why?
3. Have you encountered/faced at least one of these situations? How did you react?



3 HOW TO REACT? WHERE TO REPORT? HOW TO COMPLAIN?

Hate speech promotes hatred or violence against individuals or groups based on certain attributes. It is not protected by freedom of expression and can be lawfully prevented and punished.

BUT WHAT CAN YOU DO WHEN YOU NOTICE HATE SPEECH?

- If you believe that you become the target of hate speech, you can inform the police and ask them to start pre trial investigations;
- If you notice hate speech on social media (e.g., Instagram, Facebook), you should report hate speech using social media functionality because most social media websites have rules against hate speech. Social media websites will usually remove such content. Also in Lithuania it is possible to inform the Inspector of Journalist Ethics about instances of hate speech.



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