

# Submission on 'Hate Speech, Social Media and Minorities' to the UN Special Rapporteur on Minority Issues

30 November 2020

## Rights for Peace and #defyhatenow

**Rights for Peace** is a UK based non-profit organisation that seeks to prevent mass atrocity crimes in fragile States by supporting and collaborating with local organisations. Rights for Peace seeks to address the drivers of mass atrocities, particularly prejudiced or hate-based ideology, and to strengthen local capacities and resilience for long-term prevention.

**#defyhatenow** works on providing community-based and data-driven solutions to the problem of hate speech, disinformation and misinformation. Their work focuses on creating a framework for increasing trust between stakeholders through mobilizing civic action against all forms of hate speech and incitement to violence.

### *Introduction*

The attention that the Special Rapporteur on Minority Issue is dedicating to the issue of 'hate speech', xenophobic rhetoric and incitement to hatred against minorities is very welcome. As is now well known, hate speech is on the rise across the world and is a cause for concern even in seemingly robust democracies, with minorities very often bearing the brunt of this phenomenon.

As the Black Lives Matter movement has shown us, negative portrayals of minority groups combined with extremist ideologies about identity and superiority are becoming ever more prominent. It is important to recognise that hate speech against minorities on social media is a disturbing amplification of the bias, discrimination and incitement that has become increasingly normalised offline. Focusing attention towards attitude and behaviour change amongst individuals and communities on the ground is essential to rooting out the hateful ideologies which are amplified on social media.

As put by Sheri Rosenberg, "The Holocaust did not start with the gas chambers. It started with hate speech." In the context of preventing mass atrocity crimes, hate speech is an important indicator of bias intent. When harassment, arrests, beatings, torture or sexual violence are accompanied by hate speech, such violations take on a different character. Dehumanising language, often reducing target groups to animals or insects, normalises violence against such groups and makes their persecution and eventual elimination acceptable. When committed with a discriminatory or bias intent, these violations become the pathway of demonisation and dehumanisation that can lead to genocide.

As two NGOs approaching this theme in the context of fragile States and conflict, it is worth noting that many conflict-affected countries that we work in, such as South Sudan, Cameroon, Ethiopia, Kenya, Uganda, and Sudan, do not have one dominant majority population that seeks to oppress

minority groups, as was the case with the Holocaust, Rwanda, Armenia or other genocides. Instead, these are multi-ethnic societies. Cameroon, for example, has over 250 ethnic and tribal groups – with dominant and non-dominant groups shifting depending on location. These conflicts are underpinned by political or military power struggles that manipulate and inflame diversity and pluralism among the various ethnic groups, rather than manage diversity peacefully. In these cases, such as South Sudan, where a ‘dominant’ majority tribe holds the Presidency and the opposition is led by a member of the ‘secondary’ tribe, ethnicity, tribal allegiance and minorities are used as political tools to influence power. In all cases, the work of #defyhatenow has shown that social media is used in an organised manner as a powerful weapon by both or all sides of the conflicts, to enhance power and influence and most often greatly exacerbating violence.

### *Annual disaggregated data on hate speech in social media, in particular targeting minorities*

Since its inception in 2014 and with greater visibility since 2016-17 as the second outbreak of civil conflict raged across South Sudan, #defyhatenow has researched, archived and tracked data on social media’s impact on conflict. Viewed through the work of local organisations (grassroots communities, women’s and youth organisations, refugee / internally displaced communities, social advocacy groups, journalists and a further broad range of civil society actors) resources and trainings have been developed to identify hate speech, incitement to violence, misappropriation of imagery from unrelated conflicts, targeted disinformation, hoaxes and other forms of threat aimed at individuals and communities on social media. Combined with localised data, case studies and increased understanding of the problem by international bodies including the UN, the number of beneficiary groups and organisations that have been able to embrace and incorporate #defyhatenow and related resources into life skills, media literacy and peacebuilding activities grew from just a handful (in and around Juba and major South Sudan towns) to dozens of communities across South Sudan and neighbouring countries where diaspora and refugee communities live.

By 2017, few if any conferences or trainings related to or dealing with IT skills, media development or peacebuilding did not incorporate social media and its role in conflict in the curriculum - whereas at the outbreak of war in 2013 in South Sudan this relationship was all but known or understood by the authorities and UN agencies charged with protecting civilians. Most significantly, many refugee communities have relied on #defyhatenow published hate speech mitigation OERs (Open Educational Materials) such as the comprehensive ‘[Social Media Hate Speech Mitigation Field Guide](#)’ developed in 2017 and implemented broadly in 2018, to counter the impact of social media influenced incitement to violence. As a way of developing mechanisms of peace, trust and mutual understanding amongst refugee and exile communities, local implementing organisations such YSAT (Youth Social Advocacy Team) located in Uganda’s Rhino Camp refugee settlement [have been able to defuse explosive conflicts](#) pitching ethnic and minority groups against each within the settlements. This form of refugee peacebuilding may be noted as essential for laying the groundwork of peaceful coexistence for returnees in their home regions, strengthening the understanding of and cooperation with minorities who before the conflict were being persecuted. Please see [here](#) for some examples of #defyhatenow data and information.

### *Mechanisms and processes in place to remove, penalise or address hate speech in social media targeting minorities*

Online platforms and the growth of social media brings a challenging dimension to the regulation of hate speech and the protection of freedom of expression. Under the guise of preventing hate speech, governments have curtailed basic freedoms particularly in the run-up to and during election periods.

Rights for Peace's report "Hate Speech and Incitement of Violence: a Comparative Study of International Standards in the United Kingdom, Colombia, India, Kenya and Rwanda" provides an outline of relevant international, regional and national frameworks and mechanisms, including those related to the use of social media. In the UK, for example, the Metropolitan Police Service [created](#) a new unit to investigate hate speech online, responsible for the "filtering and identification" of hate crimes online, before informing regional police forces who would take action. In Kenya, in July 2017 (ahead of the August 2017 election) the Communications Authority and the National Cohesion and Integration Commission implemented [online guidelines](#) to reduce ethnic hate speech and online abuse, requiring that the administrators of social media pages moderate and control the content and discussions on their platform and give mobile service providers the power to block the transmission of political messages at their discretion. Please find more information [here](#).

*Legal, institutional and policy challenges to address online 'hate speech', particularly incitement to discrimination, hostility or violence, on social media against minorities, as well as how specifically is it being addressed so as not to infringe freedom of expression*

Various international human rights provisions aim to counter hate speech and incitement to violence based on prejudice or discrimination. However, the notion of bias-motivated violations has not translated into international human rights or international criminal law. Whilst many provisions exist, these are fragmented across different treaties, resulting in:

- Diverse definitions of protected groups;
- Diverse mechanisms requiring different notions of legal standing, admissibility, and other procedures;
- Isolated incidents tending to be reported without being connecting with biased intent, or wider patterns of discrimination or dehumanisation.

The international human rights system has a key role to play in supporting the work of civil society organisations on the ground tackling hate speech, both online and offline. We recommend the following:

- Human rights reporting to and by treaty bodies and special mandates should seek to link hateful intent with other violations in order to provide a clearer picture of identity-based violence;
- That reporting of human rights violations and international crimes by treaty bodies and mandate holders should seek to incorporate a 'hate' or 'mass atrocity prevention' in their outlook;
- The importance of front-line organisations working to counter hate-speech should be further recognised, including with dedicated investment.

It is also necessary that States develop (or strengthen) clear and independent mechanisms for monitoring, investigating, sanctioning/prosecuting incidence of hate speech and incitement, both online and offline. Furthermore, alternative means of addressing the issue of hate speech and incitement to violence should be considered, whether through capacity building and the adoption of reconciliatory and/or restorative processes. There is also a need to put in place measures that can ensure the protection of victims from minority groups from reprisals. As these victims are often the least privileged in a society, when speaking out or sharing their experiences they face possible persecution from those responsible for the hate speech and atrocities inflicted on them.

Online platforms and the growth of social media brings a challenging dimension to the regulation of hate speech and the protection of freedom of expression. Under the guise of preventing hate speech, governments have curtailed basic freedoms - particularly in the run-up to and during election periods.

In Cameroon, for example, a [new law](#) relating to the fight against hate speech and tribalism was enacted on 24 December 2019. The amendment [included](#) the offence of 'Contempt of tribe or ethnicity', with imprisonment ranging for 1-2 years and fines from 300 thousand francs to 3 million francs. If the author of the hate speech is a public servant, leader of a political party, of the media, of a Non-Governmental Organisation or a religious institution, the punishment is doubled and the benefit of mitigating circumstances [shall not be given](#). However, despite this seemingly positive enactment, the new law has been criticised for its lack of precision and definition of "tribalism acts" and "hate speech", as it could be used to [suppress freedom of expression](#). Although this law exists, there has been [no follow-up](#) for its implementation nationally, and perpetrators of hate speech are not being held to account.

The parameters for regulating and prohibiting freedom of expression online should be developed and implemented with due regard to international and regional frameworks. National legislation, policy and practice should not unduly interfere with protections guaranteed in human rights law.

### *Good practices to strengthen the participation of persons belonging to minorities and their representatives in the development of laws and policies dealing with hate speech and social media*

The participation of minorities in the development of laws and policies dealing with hate speech and social media is essential for several reasons. Firstly, as has already been stated, minorities bear the brunt of hate speech, both on social media and on the ground. Their lived experience of hate speech means that it is ethically, morally and strategically right that they should be the ones shaping, designing and delivering policies, laws and practices to combat it.

#### **Good practices as identified by #defyhatenow:**

- The importance of front-line organisations working to counter hate-speech should be further recognised, including with dedicated investment.
- Collaborate with local organisations that have direct contact with the minority communities;
- Directly involve local facilitators as they understand the nuances and have lived experiences dealing with conflict mitigation;
- Involve the national and local media in activities as the media shapes narratives;
- Create continued collaborations and not one-off meet-ups, to ensure there is an ongoing conversation long after you leave;
- Whenever possible engage the target audience at their place of convenience. If not possible, always cater for travel costs related to activities you intend to hold;
- Including art in your activities as music, poetry and films has been shown to help express the emotions and struggles of the society it exists within, and inspires it to cope and overcome;
- Develop and create learning / training materials together with communities to ensure or support community ownership and use beyond initial frameworks of implementations (including providing easily shareable, license-free materials).

*Trainings and other initiatives to strengthen partnerships among various stakeholders and to build their capacity to address 'hate speech' against minorities specifically, especially incitement to discrimination, hostility or violence on social media platforms*

Strengthening local capacities and resilience for long term prevention is key in tackling hate speech. Despite this essential fact, there is underinvestment in prevention work generally (even though Secretary General Antonio Guterres has [emphasised](#) that prevention is a priority), and underinvestment in grassroots human rights activism more specifically. The work of front-line civil society and human rights organisations in training, monitoring and undertaking advocacy to combat hate speech against minorities should be further recognised, including with dedicated investment.

### **Rights for Peace trainings**

Rights for Peace's mission is to prevent and address the drivers of mass atrocity crimes, particularly prejudiced or hate-based ideology, and to strengthen local capacities and resilience for long term prevention. We do this through a two-pronged approach:

1. Legal Advocacy:
  - Monitoring violations and atrocities – starting with hate speech;
  - Research, analysis and advice on law reform;
  - Early intervention case work;
  - Advocacy on justice and mass atrocity prevention at national or international level.
2. Countering divisions by supporting the capacity development of human rights and peace building actors with:
  - Human rights education focused on hate-based violations and counter narratives based on universal rights;
  - Capacity development on countering hate speech and incitement with youth organisations and other actors such as community based organisations;
  - Supporting the development of local and national resilience strategies.

Rights for Peace has delivered a variety of trainings in Cameroon, Sudan and South Sudan, all with a focus on monitoring and reporting incitement to violence using international human rights frameworks. In October 2019, Rights for Peace co-facilitated a [week-long training](#) for youth leaders on countering violence in their communities with the youth organisation [SSYPADO](#). The project, funded by DFID's Jo Cox Memorial Fund, is strengthening leadership for youth leaders from opposing ethnic groups, as well as funding selected initiatives designed by the youth to counter hatred and divisions in their localities across South Sudan. In June 2020, Rights for Peace held [online workshops](#) for South Sudanese youth, exploring identity-based biases and stereotyping alongside creative writing and storytelling. This was followed by a national youth [story writing competition](#): ["Write for Peace"](#) aiming to create new narratives of unity amongst youth. A book of the winning stories will be published in 2021.

Rights for Peace has also delivered training, with partners in Cameroon and Sudan, on Human Rights Standards & Hate Speech. These provide an understanding of the legal frameworks surrounding international human rights law and international criminal law relating to hate-based speech and incitement to violence, thereby equipping stakeholders in human rights and peace building on the ground to spot hate speech and address it using the right tools.

In our recent work, we have found two important challenges:

1. There is a widespread need to increase understanding of prejudice and identity to build local resilience to bias, and reinforce the capacities of those who are able to speak out;
2. There is a need to hold publicly to account those who incite discrimination, hostility and violence, such as State officials and politicians.

There is growing momentum for strengthening reporting mechanisms on hate speech and hate crimes. The Office for Democratic Institutions and Human Rights (ODIHR), part of the OSCE, has been publishing hate crime data from the OSCE's 57 participating States annually since 2006. Their information contains official hate crime data from government authorities, and hate incidents reported by civil society and international organisations. ODIHR then analyses and publishes the data by bias motivation and by country.

There is a clear need for similar initiatives, for example at the UN level, whereby a centralised entity could receive, collate and report hate speech and related hate crime data. This would allow such data to feed into early warning mechanisms for the prevention of mass human rights violations and genocide. In the case of the UN, such a function might be created as an evidenced based early warning component within the United Nations Office on Genocide Prevention and the Responsibility to Protect with a close reporting connection to the Security Council.

### **#defyhatenow trainings**

#defyhatenow has focused its activities towards mobilising civic action to counter violent extremism online and offline. This has been enacted through the empowering of grassroots organisations through capacity building and activism towards the mitigation of hate speech both online and offline. From a methodological standpoint, our activities are focused on media, youth-led activities and trauma and healing activities.

Relating to the media, #defyhatenow has delivered a series of activities centered around what they refer to as #Media4Peace, through which the capacity of journalists for both national and community media is built and strengthened.

For national media, #defyhatenow (in collaboration with Africa Knowledge and Policy Centre (AKPC) and Data Cameroon) has built the capacity of journalists, bloggers and other media practitioners on conflict-sensitive reporting, content creation and agenda-setting that permits them play an important role in shaping views and behaviours aimed at counteracting hate speech content, especially towards minorities. These actors are trained to target online trends of hate speech, with a view to building a ripple mitigation effect offline. This has also been seen through campaigns such as the ThinkB4UClick campaign, aimed at reducing the spread of hate speech content.

With regards to community media, #defyhatenow worked with the Association of Broadcasters in Pidgin English using workshops to build the capacity of community journalists, as they have a better mastery of the prejudices and hate speech content of their different communities, their implications and the degree at which hate speech on minorities can incite violence.

As concerns youth-led activities, through #Act4Peace and #Teens4Peace initiatives, #defyhatenow has engaged youth leaders and youth-led civil society organisations across Cameroon and the countries it has been active in especially where there are with high concentrations of minorities.

On trauma and healing, #defyhatenow (in partnership with grassroots organisations like Hope Advocates and GIDICOM) has engaged victims of hate speech and violent extremism in a trauma and healing sessions to overcome the challenges related to the psychological ramifications of hate speech.

### Examples of workshops/training:

- The inclusion of a counter hate-speech module in school curricula at primary/high school and university. Working directly with teachers, lecturers and experts already involved with schools/universities in some capacity to deliver certain workshops on how harmful hate speech is in communities and conflict mitigation;
- Trauma and healing workshops for those who have gone through traumatic experiences due to the conflict;
- Media for Peace workshops/training targeted at media practitioners on ethical journalism among other media practices;
- Fact-Checking fellowships/training targeting anyone interested in community journalism or media in general on how to verify misinformation, disinformation, malinformation and other elements that comprise fake news.

### Lessons learned / key messages:

- With regards to journalism and media:
  - Conflict modifies journalism as journalism modifies conflict, serving as a risk multiplier for each other. For example, as a way of avoiding the threat to safety that the conflict situation poses, journalists are using self-censorship, withholding stories or re-angling to ensure security.
- Access to information is limited both by a hostile environment (absence of Freedom of Information legislation) and a lack of protection for journalists and all media professionals.
- With regards to Trauma & Healing workshops:
  - Vicarious trauma is experienced by everyone who works in the area of trauma and healing with regards to the conflict. There is a need to ensure the people who work with the victims of trauma are adequately supported.
  - There is a need to always ensure the workshops and vigils regarding trauma and healing continue until such a point the victims are able to cope, which means they do not suffer from repeat trauma from reopening their wounds and leaving abruptly.
- With regards to the implementation of projects:
  - The best and easiest way to get work done is to collaborate with local organisations in their areas of expertise as they are very familiar with what works and how.