

Building an Effective, More Inclusive Europe-wide Hate Speech Framework

The Congress of the Alliance of Liberals and Democrats for Europe (ALDE) Party convening in Stockholm, Sweden on 26-28 May 2023:

Recognises:

- Hate speech is understood as all types of expression, including social media, that incite, promote, spread or justify violence, hatred or discrimination against a person or group of persons, or that denigrates them, by reason of their real or attributed personal characteristics or status such as race, colour, language, religion, nationality, national or ethnic origin, age, disability, sex, gender identity and sexual orientation;
- Hate speech negatively affects individuals, groups and societies in a variety of ways and with different degrees of severity, including by instilling fear in and causing humiliation to those it targets and by having a chilling effect on participation in public debate, which is detrimental to democracy;
- The relationship between hateful rhetoric and violent action, as exemplified by the following
 - The hate-driven firebombing of a migrant centre in Dover, UK, by an extremist right-wing individual, happening in the midst of anti-migrant rhetoric and followed by dehumanising, inflammatory language from the UK Home Secretary (Minister of the Interior);
 - The dangerous rhetoric surrounding abortion rights for women, characterised internationally by the overturning of Roe vs Wade, and within Europe by a Polish court sentencing pro-choice activist Justyna Wydrzynska to eight months of community service
 - The correlation between hate speech and violent hate crime against LGBTI+ communities, as reported by the Parliamentary Assembly of the Council of Europe's Committee on Equality and Non-Discrimination;
 - The development of anti-gender equality, anti-LGBTI+ and anti-reproductive rights movements, found to be funded by extremist and Russian-linked organisations, which spread extremist language, often via social media platforms, often masked in calls to protect freedom of speech, in order to roll back human rights;
 - Islamophobic rhetoric, which divides communities and can lead to violence against Muslim communities;
 - Anti-semitic remarks are worryingly persistent in Europe, with a European Union Agency for Fundamental Rights survey

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noting that 89% of respondents believed that anti-semitism had increased over the last five years in the country they live in.

- No state, no dictator, no religious leader and not even a democratic majority decision can strip a human being of their dignity and rights”, as per the Religions and LGBTI Rights: A Liberal Perspective motion, passed by ALDE in July 2021;
- Many within the ALDE Party and organisations we work with in the European Parliament and beyond challenge hateful and discriminatory rhetoric wherever possible, and that we should be proud to continue this tradition;
- There is a need to challenge this rhetoric at a Europe-wide level, and hold those who engage in hate speech to account for their potentially criminal actions;
- The 2008 “Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law” was limited in its definition, only mentioning race, colour, descent, religion or belief, or national or ethnic origin. It did not mention gender-based, sexuality-based or disability-based hate crime, for instance;
- In 2014, a report stated that even this limited 2008 Framework had not been properly implemented in certain Member States;
- The European External Action Service has developed a welcome set of guidelines on Human Rights, but this must be expanded on, and continue to be further developed;
- The European Commission has advocated for an enlargement of the EU Crimes list to include hate speech and hate crime, which would then allow for secondary legislation to criminalise other forms of hate speech and hate crime in addition to that motivated by racism or xenophobia;
- The Parliamentary Assembly of the Council of Europe passed a resolution in 2022 on the topic of Combating rising hate against LGBTI people in Europe.

Calls for:

- The ALDE Party to support the Commission in its proposal to enlarge the EU Crimes list to include hate speech and hate crime;
- An expansion of the hate speech and hate crime 2008 framework decision to include gender, sex, gender identity and sexual orientation and disabilities, alongside racism and xenophobia, as areas in which hate crime can manifest itself;
- European sister parties to push their governments to adopt ambitious policy on tackling hate speech;
- Implementation of the Council of Europe Committee of Ministers' recommendations to Member States on combating hate speech;
- The ALDE Party to continue challenging and opposing discrimination, hate speech and hate crimes whenever and wherever they appear.

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