United Nations Strategy and Plan of Action on Hate Speech

Detailed Guidance on Implementation for United Nations Field Presences

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Foreword by the Secretary-General

UNITED NATIONS STRATEGY AND PLAN OF ACTION ON HATE SPEECH: DETAILED GUIDANCE ON IMPLEMENTATION FOR UNITED NATIONS FIELD PRESENCES

Fighting hate, discrimination, racism and inequality is at the core of United Nations principles and the Organization's work. It is enshrined in our founding Charter, in the international human rights framework and in our collective efforts to achieve the Sustainable Development Goals. Hate speech, including online, has become one of the most frequent methods for spreading divisive and discriminatory messages and ideologies. This is why I launched a United Nations Strategy and Plan of Action to counter this poison.

The Strategy embodies a commitment by the United Nations to step up coordinated action to tackle hate speech both globally and at the national level. It responds to the worrying growth of xenophobia, racism and intolerance, including anti-Semitism and anti-Muslim hatred, around the world. Hate speech undermines social cohesion, erodes shared values and can lay the foundation for violence, undermining peace, stability, sustainable development and the fulfillment of human rights for all.

Implementing the Strategy requires concerted system-wide efforts. My Special Adviser on the Prevention of Genocide is coordinating these efforts in close collaboration with the United Nations Working Group on Hate Speech, comprised of 16 United Nations entities. United Nations Country Teams and our peace operations and political missions are also engaged, since we know that often the most effective action to address and counter hate speech happens at the national and grassroots levels.

This Guidance[1] provides detailed information on how to implement the 13 commitments set out in the Strategy and options for action that United Nations staff can take in field contexts, guided by the broad vision of prevention, and building on good practices from within the United Nations system as well as from Member States, civil society and other stakeholders. The Guidance is a living document that will be reviewed and updated as needed.

I encourage all Resident Coordinators and heads of United Nations missions to use this guidance to develop country-level action plans to tackle

1 Developed by the Office on Genocide Prevention and the Responsibility to Protect, in consultations with the United Nations Working Group and several United Nations field presences

hate speech, drawing on existing plans and programmes, most importantly the Sustainable Development Cooperation Frameworks.

I also hope this Guidance will inspire United Nations senior leaders in the field to strengthen their collaborative work on this crucial challenge. We need a collective effort as each entity has something to contribute to addressing and countering hate speech and no single entity can address and counter hate speech on its own. While States have the primary responsibility, the United Nations is well-placed to support such efforts through technical assistance and capacity building and by ensuring that national measures are in line with international human rights norms and standards.

The United Nations also has an important role in convening and partnering with others, including civil society, media and the private sector, in particular tech and social media companies.

I trust that this Guidance will facilitate implementation of the Strategy on the ground and bring us closer to upholding the values of the Charter of the United Nations that reaffirms the dignity and worth of every person, a commitment to live in tolerance and respect and the shared promise of the 2030 Agenda for Sustainable Development to leave no one behind.

António Guterres
United Nations Secretary-General

Summary

This Guidance is a resource tool for United Nations field presences on implementing the United Nations Strategy and Plan of Action on Hate Speech.

The Strategy covers three categories or levels of unlawful and lawful expression.

1. **AT THE TOP LEVEL, "direct and public incitement to genocide" and "advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence" are prohibited under international law.**
2. **AT THE INTERMEDIATE LEVEL, certain forms of hate speech may be prohibited, but only if restrictions are provided by law, pursue a legitimate aim (e.g. respect of the rights of others, or the protection of public order) and are necessary and proportionate.**
3. **AT THE BOTTOM LEVEL, legal restrictions should not be imposed on the dissemination of lawful expressions that are, for example, offensive, shocking or disturbing.**

The primary duty bearers under international human rights law are State actors, including Governments, legislatures, State authorities, and courts. States remain at the centre of the implementation of the Strategy.

The United Nations should support State actors in discharging their responsibilities under international human rights law and towards implementing the Strategy. In doing so, the United Nations should place victims at the centre of its approach. Civil society organizations are an indispensable partner to the United Nations.

United Nations field presences' responses to hate speech should be calibrated according to the level of severity, assessed on the basis of (a) the social and political context; (b) the status of the speaker; (c) the intention of the speaker; (d) the content and form of the speech; (e) the extent of its dissemination; and (f) the likelihood of harm, including imminence (the "six-part test" or the "Rabat threshold test").

In implementing the Strategy, United Nations field presences should note that:

- Only incitement to discrimination, hostility or violence that meets ***all*** six criteria should be criminalized;
- Less severe forms of incitement or hate speech (i.e. which do not meet all six criteria) should attract civil or administrative law-based restrictions, or public policy responses;
- Public condemnation of hate speech, accountability for attacks on those exercising their right to freedom of expression, and the expediting of public policy measures on

the promotion of diversity may be especially important in the immediate aftermath of an incident of hate speech or incitement, and when tensions are escalating in a society.

All United Nations field presences have a common responsibility to implement the Strategy.

United Nations resident coordinators, country teams (UNCT), peacekeeping operations and special political missions have responsibilities to protect and promote freedom of opinion and expression and the right to equality and non-discrimination, in addressing and countering hate speech.

United Nations peacekeeping missions with an explicit mandate on hate speech have a heightened responsibility to implement the Strategy.

The United Nations Working Group on Hate Speech,[2] and the United Nations Office on Genocide Prevention and the Responsibility to Protect, as the designated focal point on the Strategy, stand ready to provide support, technical assistance and further direction to the United Nations field presences for the implementation of this Guidance.

2 The United Nations Working Group on Hate Speech at Headquarters includes the following entities: Department of Global Communications, Department of Peace Operations, Department of Political and Peacebuilding Affairs, Envoy of the Secretary-General on Youth, Executive Office of the Secretary-General of the United Nations, Global Pulse, International Organization for Migration, Office of Counter-Terrorism, the United Nations Office on Genocide Prevention and the Responsibility to Protect, Office of the United Nations High Commissioner for Human Rights (OHCHR), Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Alliance of Civilizations, United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Educational, Scientific and Cultural Organization (UNESCO) and United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

I. Introduction: A Common Approach

Recent years have witnessed an upsurge in hate speech around the world, often with grave implications. Hate speech has been identified as a common "precursor to atrocity crimes, including genocide" in many situations, "from Rwanda to Bosnia to Cambodia".[3] A campaign of hate speech that included language dehumanizing the Rohingya, combined with the active silencing of critical voices, has been linked to the commission of grave human rights violations in Myanmar, more recently.[4] Moreover, the coronavirus disease (COVID-19) pandemic has given rise to a new wave of hate speech and discrimination across the world.[5] Hate speech has been shown to result in a range of real harms, attacking tolerance, inclusion, social cohesion and shared values.[6] It undermines the essential identity and objectives of the United Nations as expressed in the Organization's Charter — especially respect for human rights without discrimination — laying the foundation for violence, while "setting back the cause of peace, stability, sustainable development and the fulfilment of human rights for all".[7] In today's digital age, hate speech is further "enabled and amplified exponentially through digital technology, often targeting women, minorities, and the most vulnerable".[8] Hate speech is also often linked to disinformation, misinformation and malinformation.[9]

The United Nations Strategy and Plan of Action on Hate Speech, launched by the Secretary-General in June 2019, is the first system-wide initiative designed to tackle hate speech as such.[10]

3 Remarks of the Secretary-General of the United Nations, António Guterres, at the launch of the United Nations Strategy and Plan of Action on Hate Speech, 18 June 2019. On atrocity crimes generally, see United Nations Office on Genocide Prevention and the Responsibility to Protect, Framework of Analysis for Atrocity Crimes (2014) (A/70/741-S/2016/71, annex).

4 A/HRC/39/CRP.2, paras. 1289–1360; and Gert Rosenthal, "A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018" (29 May 2019), p. 7. See also A/HRC/42/CRP.5, available from www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/ReportHRC42thSession.aspx.

5 United Nations, "United Nations guidance note on addressing and countering COVID-19 related hate speech", 11 May 2020.

6 Remarks of the Secretary-General at the launch of the United Nations Strategy and Plan of Action on Hate Speech.

7 Ibid.

8 Ibid.; see also the joint open letter on concerns about the global increase in hate speech, signed by 26 special procedure mandate holders, available at www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25036&LangID=E.

9 Cherilyn Ireton and Julie Posetti, *Journalism, Fake News and Disinformation: Handbook for Journalism Education and Training* (Paris, UNESCO, 2018).

10 Remarks of the Secretary-General at the launch of the United Nations Strategy and Plan of Action on Hate Speech; and Gert Rosenthal, "A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018". Most United Nations texts refer to "incitement to discrimination, hostility or violence" rather than "hate speech" as such, largely because there is no definition in international law of the latter term and there is a lack of consensus about its meaning. Recent exceptions include General Assembly resolution 73/328, A/74/486, and the joint open letter on concerns about the global increase in hate speech, signed by 26 special procedure mandate holders.

The United Nations Strategy defines hate speech as

"any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor".

While the above is not a legal definition and is broader than the notion of "incitement to discrimination, hostility or violence", which is prohibited under international human rights law,[11] the definition in the Strategy **provides a single, unified framework for how the United Nations system should address hate speech globally**. Developed on the basis of a joint effort by 14 United Nations entities, **the Strategy tasks the United Nations with addressing "the root causes and drivers of hate speech", on the one hand, and enabling effective responses to its impact upon societies, on the other.**[12] The commitments set forth in the Strategy are not aimed at "preventing" speech as this could suggest restrictions on freedom of opinion and expression that would be problematic in practical terms and contrary to international human rights law, but are directed at addressing and countering hate speech.[13]

This Guidance has been developed by the United Nations Office on Genocide Prevention and the Responsibility to Protect, the designated United Nations focal point on the Strategy, to provide more detailed **advice and direction on how the Strategy should be effectively implemented by United Nations field presences**. Given the work of the field presences at the frontlines of the United Nations system, their engagement is critical to the effective implementation of the Strategy. The Guidance translates each of the Strategy's 13 commitments into concrete actions to be taken by field presences, and in doing so, elaborates upon the responsibilities of key actors. It applies to all personnel in United Nations field presences, in both mission and non-mission settings, including resident coordinators (RCs), humanitarian coordinators, special representatives, special envoys, personal envoys, and special coordinators in political and peacekeeping missions, as well as country teams and all United Nations staff. It offers examples of existing good practices on measures to address hate speech, which should serve to "level up" existing actions and efforts on the subject.

In fleshing out how to implement the Strategy, this Guidance underlines the **importance of a clear, common and concrete approach to address and counter hate speech, one that is coherent, comprehensive and coordinated system-wide, and one that protects and promotes human rights in accordance**

11 Art. 20 of the International Covenant on Civil and Political Rights; and the 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, annex).

12 The following United Nations entities were involved in the drafting of the Strategy: Department of Global Communications, Department of Political and Peacebuilding Affairs, Envoy of the Secretary-General on Youth, Executive Office of the Secretary-General of the United Nations, Global Pulse, Office of Counter-Terrorism, the United Nations Office on Genocide Prevention and the Responsibility to Protect, OHCHR, United Nations Alliance of Civilizations, UNDP, UNESCO, UNHCR, UNICEF and UN-Women. These entities, together with the Department of Peace Operations, the Special Representative of the Secretary-General on Violence against Children and the International Organization for Migration, form the United Nations Working Group on Hate Speech.

13 The language of "prevention" of hate speech would therefore suggest a "prior restraint". Art. 19 (1) of the International Covenant on Civil and Political Rights protects "the right to hold opinions without interference", a right which to which the Covenant "permits no exception or restriction"; see Human Rights Committee, general comment No. 34 (2011) on the freedoms of opinion and expression, para. 9.

with international law. This international legal framework encompasses both relevant and binding treaties[14] and soft law (or non-binding standards), most notably on the right to freedom of opinion and expression.[15]

States are the primary duty bearers under this international legal framework, and hence the main responsibility to address and counter hate speech lies with State actors. The Strategy provides an essential framework for how the United Nations — working with others, including civil society organizations, media outlets, tech companies and social media platforms — can support and complement States in their efforts to address and counter hate speech.

The Guidance reflects critical lessons drawn from past experiences where hate speech and incitement to discrimination, hostility or violence have fuelled or exacerbated widespread violations and provided an environment conducive to the commission of atrocity crimes.[16]

While the Guidance is mostly designed for action at the national level, much of its content can be used for cross-border responses. This is particularly important in situations where those who disseminate hate speech have foreign links or are based outside the country in diaspora communities, or where the content of hate speech is directed at foreigners, those perceived as foreigners, or others targeted because of their "foreign" identity. The circulation of hate speech online on social media platforms is also borderless. United Nations country teams and peace operations are therefore strongly encouraged to discuss their approaches to the implementation of the Strategy under this Guidance with their counterparts, especially in neighbouring countries or countries with diaspora communities. United Nations regional presences are also encouraged to explore what role they can play together, in the implementation of the Guidance. Furthermore, United Nations field presences should consider opportunities to involve regional multilateral organizations and networks of independent national human rights organizations or non-governmental organizations (NGOs).

14 Art. 19 of the Universal Declaration of Human Rights, and arts. 19 and 20 of the International Covenant on Civil and Political Rights; and see Human Rights Committee, general comment No. 34.

15 See, especially, the Rabat Plan of Action; A/74/486; and the joint open letter on concerns about the global increase in hate speech, signed by 26 special procedure mandate holders.

16 Gert Rosenthal, "A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018". See also the Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, of November 2012.

II. Understanding hate speech

A. What is "hate speech" under the Strategy?

The Strategy defines hate speech as the following:

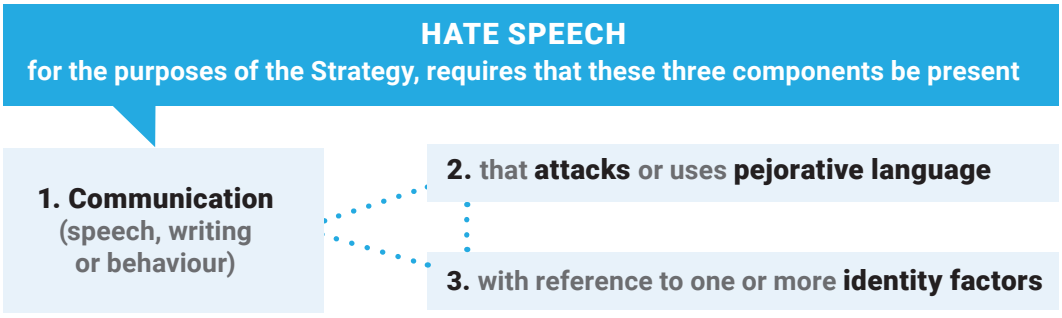
Any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor. This is often rooted in, and generates, intolerance and hatred, and in certain contexts can be demeaning and divisive.

This **definition is for the purposes of supporting a common basis for the implementation of the Strategy by the United Nations, only. It does not give rise to any binding obligations upon States.**[17] There is no universally accepted definition of hate speech under international law.[18] **Under the Strategy, hate speech *requires* that the following three components be present** (see figure 1).

1. IT IS "ANY KIND OF COMMUNICATION", WHETHER IN THE FORM OF "SPEECH, WRITING OR BEHAVIOUR".

- Hate speech can be conveyed through any form of expression, including images, cartoons, memes, art objects, gestures and symbols.
- Hate speech can be disseminated offline or online.
- With regard to behaviour, it is important to distinguish hate speech from hate crimes, as well as from acts of discrimination (i.e. when

FIGURE 1. THE COMPONENTS OF HATE SPEECH UNDER THE STRATEGY



17 United Nations Strategy and Plan of Action on Hate Speech, p. 2.

18 ARTICLE 19, *"Hate Speech" Explained: A Toolkit* (London, 2015), p. 10. For examples of various approaches to hate speech, see p. 12.

an individual is treated less favourably than others in a similar situation, on the basis of an identity factor). Hate speech necessarily involves expression, whereas most hate crimes do not, though they are often preceded by hate speech. Furthermore, all hate crimes are criminal offences, whereas hate speech will not always constitute a criminal offence.

2. IT "ATTACKS, OR USES PEJORATIVE OR DISCRIMINATORY LANGUAGE".

- Under the Strategy, hate speech is communication which is biased, bigoted, intolerant or prejudiced ("discriminatory") or contemptuous or demeaning ("pejorative") of an individual or group based on their identity.

3. IT MAKES REFERENCE TO AN "IDENTITY FACTOR".

- Hate speech is communication that makes reference to a person or group's "religion, ethnicity, nationality, race, colour, descent, gender or other identity factor" — characteristics which are explicitly recognized in the Strategy.

- However, the list of identity factors (often called "protected characteristics") laid down in the Strategy is clearly non-exhaustive, given that "any other identity factor" is included. In interpreting the Strategy, United Nations field presences should embrace an inclusive approach, based on the specific context in which they operate, and encompass such recognized identify factors as: language; political or other opinion; belief; national or social origin; property; birth or other status, including indigenous origin or identity; caste; disability; health status; migrant or refugee status; place of residence; economic and social situation; marital and family status; sexual orientation; gender identity; intersex status; age; albinism; and HIV status.[19] As a general rule, United Nations field presences should focus on those groups in situations of vulnerability due to entrenched or historic stigmatization, discrimination, long-standing conflicts (e.g. over land or other resources), and exclusion and marginalization from the political, economic and social life of the society.

- Communication that makes reference to two or more identity factors is common and can increase the harm suffered by its targets. For instance, women on Twitter face more hateful abuse and harassment if they are of colour and openly lesbian or trans.[20]

- The bullying, including cyberbullying, of children can be a manifestation of hate speech, particularly when it involves one of the above-mentioned identity factors, as it mirrors how hate speech operates in adult society.

- Hate speech is communication that refers to the real, purported or imputed identity factors of an individual or group in a negative way. But it does not include communication that refers to the State, its offices or symbols, the status of public officials, or religious leaders and doctrine as well as tenets of faith. These entities and tenets cannot be the target of hate speech, which can only be directed at individuals or groups of individuals.[21]

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19 ARTICLE 19, *"Hate Speech" Explained: A Toolkit*, p. 14; and Committee on Economic, Social and Cultural Rights, general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, paras. 18–35.

20 Amnesty International, *#ToxicTwitter, Violence and Abuse against Women Online*, ACT 30/8070/2018, pp. 19–21 and 26–29.

21 See Human Rights Committee, general comment No. 34, paras. 38 and 48. See also ARTICLE 19, *"Hate Speech" Explained: A Toolkit*, pp. 30–31.

B. What types of speech are covered by the Strategy?

The Strategy covers a range of unlawful and lawful types of expression

The Strategy's definition of hate speech captures a very broad range of both unlawful and also lawful forms of hateful expression.

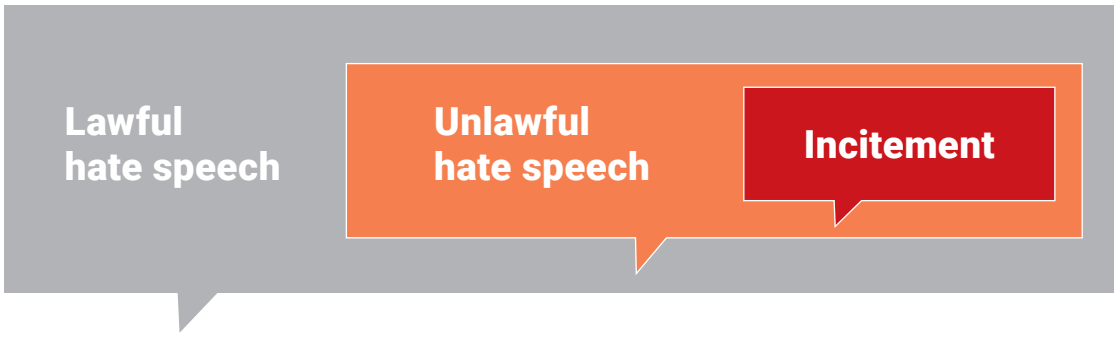
The types of hate speech covered by the Strategy can be divided into three categories, according to the level of severity. Under international law, States have different obligations and/or responsibilities when responding to these three categories of hate speech. **United Nations field presences should be aware of the differences between the three categories and what responses to them (legal and non-legal) are required and/or permissible.** This is important particularly when engaging with Governments seeking to adopt legislation that criminalizes hate speech, which often does not meet the strict conditions of international law. United Nations field presences may also be faced with State actors and political groups weaponizing the idea of or the term hate speech to justify or endorse repressive measures against those exercising their freedom of expression (and other rights, such as the right to peaceful assembly), such as against human rights defenders, women's rights defenders, journalists, dissenters, civil society activists, and persons belonging to minority groups.

THE THREE LEVELS OF HATE SPEECH COVERED BY THE STRATEGY ARE:

1. TOP LEVEL

The severest forms of hate speech *are prohibited* under international law. Such expressions include, most notably: (a) "direct and public incitement to commit genocide", as defined by international criminal law;[22] and (b) "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence", as defined in article 20 (2) of the International Covenant on Civil and Political Rights.[23] In addition, article 4 of the International Convention on the Elimination of

FIGURE 2. THE SCOPE OF THE STRATEGY



22 Art. 3 (c) of the Convention on the Prevention and Punishment of the Crime of Genocide; and arts. 6 and 25 (3) (e) of the Rome Statute of the International Criminal Court.

23 It is stated in art. 20 (2) that "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law".

All Forms of Racial Discrimination imposes a duty upon States to criminalize "all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin".

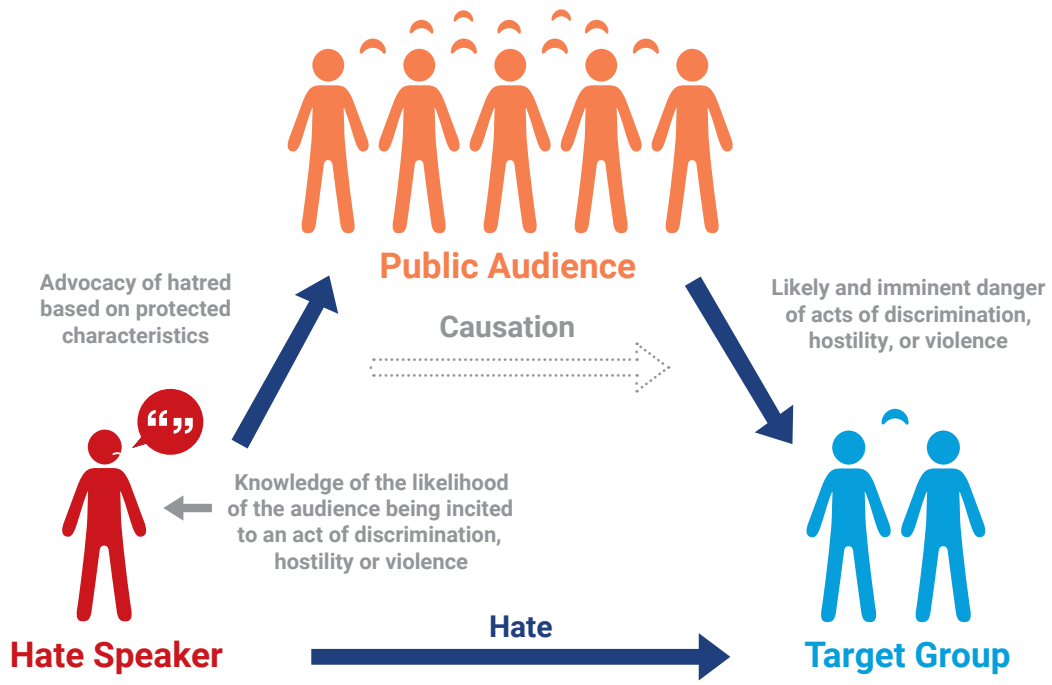
Incitement requires a triangular relationship between the hate speaker, an audience and the target group, as in **figure 3** below.[24]

According to international standards on the meaning of "incitement to hostility, discrimination or violence":

- The terms "hatred" and "hostility" should be understood to refer to intense and irrational emotions of opprobrium, enmity and detestation towards the target group.
- "Advocacy" should be understood as requiring an intention to promote hatred publicly towards the target group.
- "Incitement" refers to statements which create an imminent risk of discrimination, hostility or violence against persons belonging to targeted groups.[25]

United Nations field presences should be aware that **whether an expression of incitement to discrimination, hostility or violence is severe enough to amount to a criminal offence depends on whether it fulfils *all* of the criteria in the six-part threshold test set**

FIGURE 3. THE TRIANGULAR RELATIONSHIP OF INCITEMENT



SOURCE: ARTICLE 19, *"Hate Speech" Explained: A Toolkit, p.73*

24 ARTICLE 19, *"Hate Speech" Explained: A Toolkit*, p. 73.

25 Rabat Plan of Action, para. 21; and ARTICLE 19, *The Camden Principles on Freedom of Expression and Equality* (London, 2009), principle 12.

out in the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, which is a high threshold.[26] The criteria are: (a) the context of the expression; (b) its speaker, (c) their intent; (d) its content and form; (e) its extent and magnitude; and (f) the likelihood, including imminence, of inciting actual action against the target group. The meaning of these criteria is further explained in **table 2** of this Guidance.

2. INTERMEDIATE LEVEL

Certain forms of hate speech *may be prohibited* under international law, even if they do not reach the above-mentioned threshold of incitement, in specific circumstances. Under article 19 of the International Covenant on Civil and Political Rights, certain types of biased expression may be restricted if such restrictions meet certain strict conditions. Such limitations need to: (a) be provided by law; (b) pursue a legitimate aim, such as the respect of the rights of others, including the right to equality and non-discrimination, or the protection of public order; and (c) be necessary in a democratic society and proportionate (the "three-part test").[27] Restrictions on freedom of expression may therefore be imposed to protect individuals from hate speech based on their protected characteristics (or identity factors) in order to ensure their rights to equality and non-discrimination, but as long as the conditions of the three-part test are met.

For instance, restrictions on freedom of expression may be imposed to protect individuals from threats of violence or harassment based on their identity (e.g. as women, youth or migrants) if the three-part test is met. Such restrictions may be permissible under this test and especially important at certain times, such as in the run-up to elections, or in relation to certain contexts, in the broadcast media or in educational institutions. Restrictions on speech that may threaten national security, such as incitement to terrorism and violent extremism, which is often conflated with hate speech, also need to meet the same three-part test.

It should be noted that certain speech acts may constitute discrimination as such (e.g. an instruction by an employer to an employee to discriminate against someone because of their identity) and should be legally proscribed.

3. BOTTOM LEVEL

The least severe forms of hate speech *must not be subject to legal restrictions* under international law. Legal restrictions should *not* be imposed on the dissemination of the following types of speech (even though they may contribute to spreading hatred):

- Expression that is offensive, shocking or disturbing
- The condoning or denial of historical events, including crimes of genocide or crimes against humanity
- Blasphemous speech, including insult to religious feelings, lack of respect for a religion or other belief system, and defamation of religions[28]

26 See www.ohchr.org/EN/Issues/FreedomOpinion/Articles19-20/Pages/Index.aspx.

27 Art. 19 (3) of the International Covenant on Civil and Political Rights.

28 In general, however, blasphemous expression should not be considered hate speech. Furthermore, under international law, States are obliged to prohibit incitement to terrorist acts. See ARTICLE 19, *"Hate Speech" Explained: A Toolkit*, pp. 29–30.

- Disinformation (and misinformation and malinformation)[29]

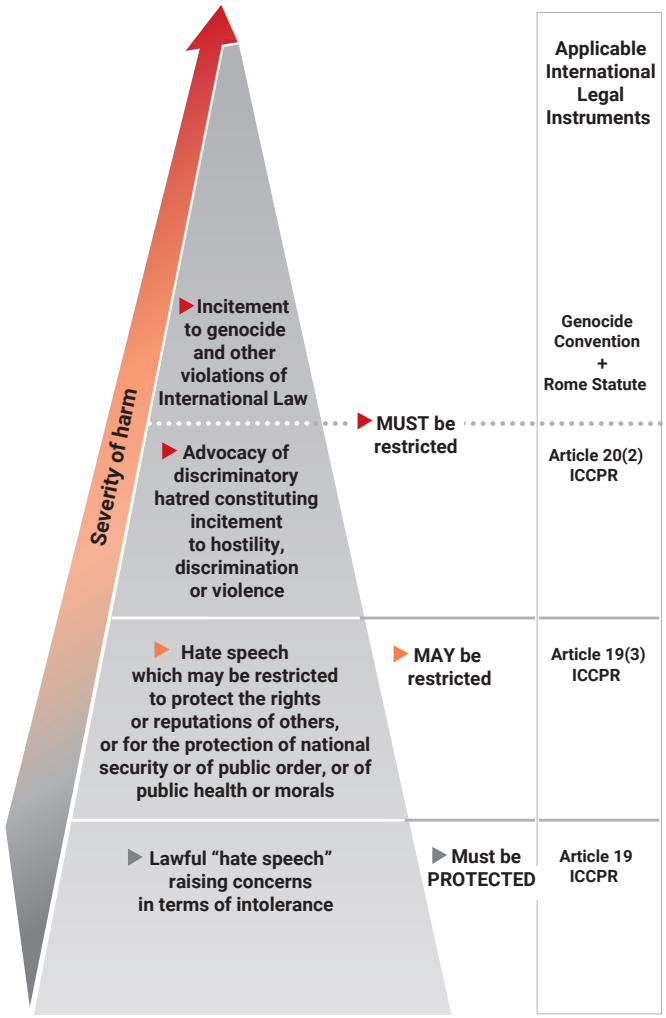
unless such forms of expression also constitute incitement to hostility, discrimination or violence under article 20 (2) of the International Covenant on Civil and Political Rights.[30]

Laws banning such expression are likely to result in the shutting down of public interest debate and civic space, to have a chilling effect on legitimate expression, and to help to shield powerful figures from scrutiny and allow for the targeting of journalists, human rights defenders, the opposition and minorities. Though such types of expression do not warrant legal restrictions, they may nonetheless demand non-legal responses if considered as hate speech under the Strategy (see **table 1**).

United Nations field presences should encourage States and non-State actors to respond to such forms of hate speech through a "plurality of policies, practices and measures nurturing social consciousness, tolerance and understanding change and public discussion".[31] **The commitments in the Strategy require a comprehensive approach, as indicated by the actions and recommendations set out in this Guidance, in order to address the root causes and counter the impacts of hate speech, including such forms at the bottom level.**

The three levels of hate speech are reflected in ARTICLE 19's Hate Speech Pyramid, which is indicated in **figure 4**.[32]

FIGURE 4. ARTICLE 19'S HATE SPEECH PYRAMID



SOURCE: Based on ARTICLE 19, "Hate Speech" Explained: A Toolkit, p.19

29 A recent UNESCO report differentiates three related concepts: misinformation, disinformation and malinformation. Misinformation is "information that is false, but the person who is disseminating it believes that it is true". Disinformation is "information that is false, and the person who is disseminating it knows it is false". It is "a deliberate, intentional lie, and points to people being actively disinformed by malicious actors". Malinformation is information that is based on reality, but that is used to inflict harm on a person, organization or country. See Cherilyn Ireton and Julie Posetti, *Journalism, Fake News and Disinformation: A Handbook for Journalism Education and Training*, pp. 45–46.

30 See Human Rights Committee, general comment No. 34, paras. 48–49; and ARTICLE 19, *The Camden Principles on Freedom of Expression and Equality*, principle 12.

31 Rabat Plan of Action, para. 35.

32 ARTICLE 19, *"Hate Speech" Explained: A Toolkit*, p. 19.

TABLE 1. LEGAL RESTRICTIONS AND NON-LEGAL MEASURES

Table 1 distinguishes the circumstances in which legal prohibitions and restrictions are required, possible or unacceptable under international law. It also provides examples of non-legal measures which may be taken in response to any kind of hate speech.

<table>
<tr><th rowspan="2">Hate speech</th><th colspan="2">Responses possible under international law</th></tr>
<tr><th>Legal restrictions</th><th>Other responses</th></tr>
<tr><td>TOP LEVEL

Direct and public incitement to genocide

Advocacy of hatred that constitutes incitement to discrimination, hostility or violence</td><td>Legal prohibitions are required

Sanctions
• Criminal (if six-part test is fulfilled)
• Civil
• Administrative</td><td rowspan="3">The promotion of an enabling environment for the exercise of freedom of expression, and of the right to equality and non-discrimination, through:
• Anti-discrimination legislation that is in compliance with international human rights norms and standards, and its implementation
• Decriminalization of blasphemy and defamation
• Accountability (i.e. the absence of impunity) for attacks on journalists, human rights defenders, including women's human rights defenders, activists, civil society actors, and others exercising their freedom of expression
• Access to information
• Protection of civic space
• Political and religious leaders, scholars, and other public figures avoiding statements promoting discrimination and promptly speaking out against hate speech, including hate speech targeted at their political opponents, while making it clear that violence cannot be justified by prior provocation and avoiding statements promoting discrimination or intolerance

The adoption of public policy measures to promote diversity, including:
• A public policy framework for media pluralism and diversity
• Curriculum reform to promote the positive value of diversity in order to ensure understanding of a broad plurality of peoples and groups, public education and information campaigns to combat negative stereotypes, and education initiatives to complement anti-bullying policies, promote social cohesion, and celebrate diversity
• Training on freedom of expression and the right to equality and non-discrimination for public officials, politicians, teachers, members of the armed forces, the police and the judiciary, legal and medical professionals, the representatives of minorities, community leaders, and religious and faith leaders and actors
• Training of journalists and media professionals on freedom of expression and the right to equality and non-discrimination
• Official recognition of past atrocities (such as memorials, dedication of public sites, and development of relevant education and research programmes)
• •Foster individuals' critical thinking, social and emotional skills and responsible engagement in order to make them less vulnerable to incitement (including through tools such as global citizenship education and media and information literacy)

The promotion of stakeholders' initiatives, including:
• Civil society initiatives (e.g. human rights education, peer-to-peer learning, monitoring and reporting of hate speech, and storytelling by victims/targets)
• Alliances formed between State and influential actors (such as religious leaders, faith actors and artists)
• Promotion of an independent and pluralistic media (with diversity of content and workforces)
• Internet intermediaries' initiatives on addressing hate speech (as long as they are transparent and in accordance with international human rights standards)
• Initiatives to promote intergroup dialogue and intergroup understanding
• Supporting children, educators and the school system broadly to promote the value of diversity</td></tr>
<tr><td>INTERMEDIATE LEVEL

Threats of violence

Harassment motivated by bias</td><td>Legal restrictions may be imposed if they meet strict criteria of legality, legitimacy, necessity and proportionality</td></tr>
<tr><td>BOTTOM LEVEL

Offensive speech*

Blasphemous speech*

Denial of historical events (e.g. of genocide)*

Disinformation, misinformation and malinforma-tion*</td><td>No legal restrictions</td></tr>
</table>

* Such speech is protected expression and should only be considered as hate speech when used as a vehicle for hatred against individuals or groups based upon protected characteristics.

C. How should the severity of hate speech be assessed?

United Nations field presences' responses to hate speech should be calibrated according to its severity

The seriousness or severity of hate speech may be assessed on the basis of six criteria, originally identified as the "six-part threshold test" in the Rabat Plan of Action.[33] **Though this test was conceived to identify incitement to discrimination, hostility or violence that ought to be criminalized, its six criteria can be drawn upon and applied by United Nations field presences as a framework to consistently analyse the nature and measure the severity of any instance of hate speech that they might encounter, and to calibrate their actions and interventions in response.**[34]

Different degrees of severity call for different legal and policy responses. To determine the severity of any instance of hate speech, United Nations field presences should ask themselves the questions indicated in table 2. It is emphasized that the questions merely provide a framework for gauging the severity of hate speech under the conditions of any particular context. They do not provide a scientific formula for assessing the severity of the hate speech.[35]

TABLE 2. HOW SEVERE IS HATE SPEECH?

A framework for assessing the severity of hate speech, derived from the Rabat Plan of Action: the Rabat threshold test[36]

Criteria of severity	Indicators	Questions to ask
1. Context	**The legal, political, social and economic context**	> Is there an ongoing conflict or are there incidents of violence against the targeted group? > Does the law recognize the targeted individual's or group's identity? > Is there any anti-discrimination legislation and is it aligned with international human rights norms and standards? > How does the media report on the targeted group, if at all? > Is the media independent? > Are there upcoming elections? > What is the role of identity politics in electoral campaigns? > Are there any challengers to the hate speech? If so, who are they?

33 Rabat Plan of Action, para. 29.

34 OHCHR, One-pager on "incitement to hatred", available in several languages from www.ohchr.org/EN/Issues/FreedomOpinion/Articles19-20/Pages/Index.aspx.

35 It is now easier for the six-part threshold test, or "Rabat threshold test", to be used as a tool and be disseminated more widely by United Nations field presences, as it has now been translated into 32 languages; see www.ohchr.org/EN/NewsEvents/Pages/Hate-speech-threshold-test.aspx.

36 See www.ohchr.org/EN/Issues/FreedomOpinion/Articles19-20/Pages/Index.aspx.

Table 2 (continued)

2. Speaker	**The position or status of the speaker in society and their authority or influence over their audience**	> Does the speaker have power or influence in society? > Are they a national leader, politician, public official, religious or faith leader, or social media influencer? > What is their reputation and standing in society? > What is their relationship with targeted groups?
3. Intent	**The state of mind of the speaker**	> Did the speaker intend to engage in advocacy of hatred against an individual or group on the basis of a protected characteristic? > Was there a triangular relationship, that is, did the speaker intend to incite the audience against the target group? (in the case of incitement only) > Was the speaker merely negligent or reckless in their expression? > Was the speaker's communication in poor taste or showing a lack of judgment?
4. Content and form	**Nature and style of the expression**	> To what extent was the speech provocative and direct? > What was the form, style and nature of arguments deployed in the speech? > Was there any balance of arguments deployed in the expression? > Was the expression in the public interest? > Was it artistic or academic expression?
5. Extent and magnitude of the expression	**Reach of the expression**	> How public was the expression when it was made? > How widely was the expression disseminated? > How large was the audience that was exposed to the expression? > Was the expression disseminated offline and/or online?
6. Likelihood, including imminence	**Degree of risk of harm**	> Was there a reasonable probability that the speaker's communication would succeed in inciting actual action by the audience against the target group? (in the case of incitement only) > Was there a reasonable probability that harm would result from the expression? (e.g. physical and/or psychological harm to an individual or group, or harm to social cohesion) > Would the harm have affected particular individuals within the targeted group (e.g. women, children or youth) more than others? > Would the harm have a different impact upon women and men?

D. How is the Strategy relevant to United Nations field presences?

All field presences have a common responsibility to implement the Strategy

The Strategy should be considered as part of the United Nations system's responsibilities on human rights. In his call to action for human rights, the Secretary-General emphasizes that "human rights are the responsibility of each and every United Nations actor" and that "a culture of human rights must permeate everything we do, in the field, at regional level and at Headquarters". In the document, he calls on United Nations leaders in the field, including heads of mission and resident coordinators, to play their part.[37] The Secretary-General's call to action reflects and builds upon Human Rights Up Front, the follow-up to the Rosenthal report,[38] and the Secretary-General's broader priorities "which emphasize prevention, protection and human rights in our awareness, decision-making and programming at field, regional and Headquarters levels".[39]

The responsibility for the implementation of the Strategy in the field lies with both the leadership and staff within United Nations country teams, including humanitarian country teams, and United Nations peacekeeping and special political missions. The following actors are especially relevant: (a) resident coordinators and heads of agencies in United Nations country teams (including in their role as humanitarian coordinators when there is a humanitarian country team); and (b) special representatives, special envoys, personal envoys, representatives and special coordinators in political and peacekeeping missions. While all these actors have responsibilities to implement the Strategy, the basis of these responsibilities varies according to their respective duties or the various components of the mandates establishing their presence (e.g. Security Council resolutions for peacekeeping operations or special political missions). In addition, the regional offices of entities of the United Nations system — such as the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) — can play an important role in supporting field presences.

RESIDENT COORDINATORS AND COUNTRY TEAMS

Resident coordinators and country teams have responsibilities to uphold and promote freedom of expression and the right to equality and non-discrimination

The United Nations resident coordinators, their offices (RCOs) and the United Nations country teams have a clear responsibility to implement the Strategy, for several reasons.

First, as the highest-ranking representatives of the United Nations at the country level, resident coordinators are the designated representatives of, and hence directly accountable to, the Secretary-General for the implementation of the

37 Secretary-General of the United Nations, "The highest aspiration: a call to action for human rights" (2020), p. 4.

38 The report by Gert Rosenthal entitled "A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018".

39 Secretary-General of the United Nations, "The highest aspiration: a call to action for human rights", p. 6.

Strategy. The resident coordinators are also at the heart of the 2030 Agenda for Sustainable Development, since they coordinate the United Nations Sustainable Development Group agencies, funds and programmes working on development (i.e. the United Nations country teams).[40] Second, the resident coordinators and country teams cover the broadest geographical scope of the United Nations field presences. (As of February 2020, there were 129 resident coordinators and 131 country teams). Failing to respond effectively to incidents of hate speech can undermine the work of the United Nations in upholding and promoting human rights, including freedom of expression and the right to equality and non-discrimination, in both non-mission and mission settings.[41]

The Management and Accountability Framework of the United Nations Development and Resident Coordinator System, which outlines United Nations country teams' roles and responsibilities, indicates that:

- **The resident coordinator works with country team members to align agency programmes for development and pooled funding with national development needs and priorities as well as with the United Nations Sustainable Development Cooperation Framework and international norms and standards;**
- **The resident coordinator, together with the country team, builds strategic partnerships around United Nations collective support for the 2030 Agenda, enables active, meaningful participation of local communities, particularly those left behind or at risk of being left behind, and recognizes the United Nations system's accountability to the public;**
- **The resident coordinator and country team promote fundamental values, standards and principles of the Charter of the United Nations, including respect for and protection of human rights and gender equality, and advocacy on the commitment to "leave no one behind" and reaching the furthest behind first, ensuring a strategic and coherent approach;**
- **Country team members promote normative and advocacy work in the areas of their mandate, in line with agreed specific working arrangements and in consultation with the resident coordinator in exceptional and sensitive cases;**
- **The resident coordinator leads the country team in fostering a coherent and strategic engagement on, and pursuance of, the normative agenda of the United Nations, as per international and regional treaties and conventions, and in support of national capacity development, in accordance with relevant mandates and responsibilities;**
- **The performance assessment systems that apply to the resident coordinator and country team members include performance indicators relating to promoting norms and gender equality.[42]**

Consequently, the Strategy should be fully integrated into the work of the resident coordinators and country teams, including with the support of peace and development advisers, by forming a consistent part of the common country analysis that they undertake under the United Nations Sustainable Development Cooperation Framework.

40 See https://unsdg.un.org/2030-agenda.

41 United Nations Development Group, *Guidance Note on Human Rights for Resident Coordinators and UN Country Teams* (January 2017), p. 10.

42 United Nations Sustainable Development Group, "Management and accountability framework of the UN development and resident coordinator system" (18 March 2019, with editorial revision carried out from 1 to 26 April 2019), pp. 9–11.

PEACEKEEPING MISSIONS

Peacekeeping missions with an explicit mandate on hate speech have a heightened responsibility to implement the Strategy

Some Security Council resolutions establishing or extending the mandates of peacekeeping missions include explicit language on "hate speech",[43] or reference "incitement to ethnic and religious hatred and violence" and "incitement to violence"[44] or "hate speech" and "incitement to violence".[45] Such direct language indicates that these peacekeeping missions have an obligation vis-à-vis hate speech in the implementation of their mandate and in reporting back to the Security Council. The mandate of the United Nations Mission in South Sudan, for instance, authorizes it to "use all necessary means to", among other things, "monitor, investigate and report on incidents of hate speech and incitement to violence".[46] The United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic is authorized "to support the Panel of Experts established pursuant to resolution 2127 (2013) in collecting information about acts of incitement to violence, in particular on an ethnic or religious basis, that undermine the peace, stability or security".[47] Peacekeeping missions with such explicit mandates on hate speech may therefore be reasonably considered to have a heightened level of responsibility in implementing the commitments contained in the Strategy.

Yet peacekeeping missions whose mandates do not contain such explicit language concerning hate speech or incitement still have an important role in implementing the Strategy, one that is reinforced by their mandate on the protection of civilians.[48] The increase in hate speech within a peacekeeping context may itself be an early warning indicator of a growing threat to the protection of civilians and the onset of serious human rights violations. The November 2019 policy on the implementation of mandates on the protection of civilians further states that, as part of the strategy of protection through dialogue and engagement, "public information activities and strategic communications will be used to influence behaviour, prevent or stop attacks on civilians and respond to issues such as hate speech which may lead to threats to civilians".[49] It specifically indicates that it is one of the core responsibilities of heads of strategic communications "to gather and share relevant information with mission protection-of-civilians coordination forums… on the use of hate speech".[50]

SPECIAL POLITICAL MISSIONS

Fostering peaceful, inclusive and just societies is key to addressing the root causes and drivers of hate speech.

43 Security Council resolution 2502 (2019), concerning the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.

44 Security Council resolution 2499 (2019), concerning the mandate of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic.

45 Security Council resolution 2459 (2019), concerning the mandate of the United Nations Mission in South Sudan.

46 Ibid., para. 7 (c) (iii).

47 Security Council resolution 2499 (2019), para. 34 (c).

48 Department of Peace Operations, "Policy: the protection of civilians in United Nations peacekeeping" (effective date: 1 November 2019).

49 Ibid., para. 53.

50 Ibid., annex.

Special political missions, therefore, play an important role in identifying, leveraging and supporting preventive approaches and responsive mechanisms, which can curb hate speech at the regional and national levels.

In keeping with the context in which special political missions operate, hate speech and its implications can be integrated across many of the political and diplomatic tools used in the implementation of mission mandates: action-oriented analysis, preventive diplomacy, mediation, electoral assistance, human rights, peacebuilding support, capacity-building, and partnerships.

The next and major part of this Guidance breaks down each of the Strategy's 13 commitments into concrete actions to be taken by United Nations field presences. United Nations field presences are encouraged to develop and operationalize their own action plans for the implementation of the United Nations Strategy and Action Plan on Hate Speech in line with their particular mandates and this Guidance. The United Nations Office on Genocide Prevention and the Responsibility to Protect, as the designated focal point on the Strategy, and the United Nations Working Group on Hate Speech, stand ready to provide United Nations field presences with expertise and further direction to aid them in implementing this Guidance.

III. Implementation of the Strategy's thirteen Commitments

The Strategy should shape the priorities of all non-mission and mission field presences and provide a basis for the design, development and delivery of programmatic activities, in particular in contexts where hate speech has been identified as a threat to United Nations norms, principles and values. In countries where hate speech has not been identified as a pressing issue, the Strategy should have a preventive function.

In prioritizing their implementation of the Strategy's 13 commitments, individual United Nations field presences should be informed by factors such as: the type of field presence (non-mission or mission, and the mandate); the context and hate speech trends in the country, and the opportunities for strategic engagement with government and stakeholders.[51]

THE STRATEGY'S 13 COMMITMENTS	
COMMITMENT 1	Monitoring and analysing hate speech
COMMITMENT 2	Addressing root causes, drivers and actors of hate speech
COMMITMENT 3	Engaging and supporting the victims of hate speech
COMMITMENT 4	Convening relevant actors
COMMITMENT 5	Engaging with new and traditional media
COMMITMENT 6	Using technology
COMMITMENT 7	Using education as a tool for addressing and countering hate speech
COMMITMENT 8	Fostering peaceful, inclusive and just societies to address the root causes and drivers of hate speech
COMMITMENT 9	Engaging in advocacy
COMMITMENT 10	Developing guidance for external communications
COMMITMENT 11	Leveraging partnerships
COMMITMENT 12	Building the skills of United Nations staff
COMMITMENT 13	Supporting Member States

[51] This guidance is accompanies by an internal annex containing examples of good practices. These examples are intended to be usefulto United Nations field presences when considering how to implement the Strategy in their particular contexts. The examples may be replicated, adapted and applied in other field settings.

In order to ensure that this Guidance is as useful as possible and that the actions to implement the Strategy are cohesive, the document will be updated on a regular basis so as to reflect new practices and emerging trends, as they appear from the United Nations system's growing body of practice on the issue.

The field-level implementation of the Strategy's 13 commitments critically relies upon key United Nations personnel, and more specifically:

- Those occupying **leadership functions** in the field, who have a primary responsibility — in non-mission settings, this means the resident coordinator, while in mission settings, this means special representatives of the Secretary-General, and special or personal envoys (heads of mission), who should direct and coordinate the implementation of the Strategy at the field level;
- **Key staff** in United Nations country teams or peacekeeping operations or special political missions, who have operational responsibilities to implement the Strategy — especially human rights advisers/heads of components, peace and development advisers, protection of civilians officers, human rights officers, civil affairs officers, and public information officers/strategic communications officers, as well as others with functions relevant to the implementation of the Strategy at the country level (e.g. staff in the United Nations information centres (UNICs) and the United Nations communication groups).

The United Nations Office on Genocide Prevention and the Responsibility to Protect, as the designated focal point for the Strategy, and the United Nations Working Group on Hate Speech, will continue to provide direct technical assistance and support for the design and the delivery of the implementation of this Guidance at the field level.

This Guidance signposts which United Nations actors and entities are considered to be the most relevant to the implementation of each of the action points, in parentheses after each numbered action point. It is recognized, however, that other United Nations actors and entities may also be valuable for the effective implementation of each action point and should be identified in the specific context.

IV. Action points and specific recommendations

for implementing the thirteen commitments of the Strategy

The action points and specific recommendations below are intended to present United Nations field presences with a "menu" of options to consider in the implementation of the Strategy, including through their own national plans. United Nations field presences are free to determine which among this choice of options to emphasize and the specific work activities that they carry out under them.

COMMITMENT 1:
MONITORING AND ANALYSING HATE SPEECH

Relevant United Nations entities should be able to recognize, monitor, collect data on and analyse hate speech trends

ACTION 1: Recognition of hate speech, and of trends and impacts

Action 1: Specific Recommendations

1. Ensure that relevant staff have a good understanding of the Strategy and the appropriate responses to hate speech under international human rights law, as reflected in section II of this Guidance (and indicated in the Rabat Plan of Action and the Camden Principles on Freedom of Expression and Equality) and specifically (RC/head of mission) with regard to:
   - *1.1* The meaning and scope of the Strategy's definition of hate speech;
   - *1.2* The three levels of hate speech;
   - *1.3* The range of legal and other actions that must and may be taken by States in response to hate speech under international human rights law;
   - *1.4* The criteria to assess the severity of hate speech.
2. Ensure that a clear organizational and communications framework underpins the implementation of the Strategy, including through (RC/UNCT/head of mission/peacekeeping operation or special political mission/UNIC/United Nations communication group):
   - *2.1* Initial and subsequent regular communications stressing the importance of the implementation of the Strategy;
   - *2.2* Setting priorities and SMART (i.e. specific, measurable, achievable, relevant and time-bound) goals for the implementation of the Strategy at the country level;

Action 1 (continued)

ACTION 1: Specific Recommendations

2.3 Establishing an internal inter-agency task force (in larger field presences) or a focal point (in smaller field presences) on the implementation of the Strategy at the country level, which should ideally encompass staff with monitoring, protection and public information functions, and meet regularly as needed in order to report progress on actions taken to implement the Strategy;

2.4 Designating, within the task force or the focal point, a particular position ("contact point") to serve as the key interlocutor between the United Nations field presence and Internet companies, particularly social media platforms (this role should be occupied by an individual with a high level of training and expertise on international human rights norms, standards and policies concerning hate speech or who is advised by an international human rights expert on hate speech);

2.5 Ensuring training for communications officers on international human rights norms and standards on hate speech;

2.6 Ensuring regular presentations by key staff of data, information and analysis on hate speech to effectively inform the programmatic activities, non-programmatic activities and advocacy of the United Nations country team, or the activities of the peace operation, on an ongoing basis at country level as part of the common country analysis;

2.7 Ensuring the dissemination of updated material on the Strategy and its implementation through relevant tools;

2.8 Consistently including updates on the state of hate speech in regular communications with the Secretary-General and as needed;

2.9 Reporting (through the task force or the focal point) to key United Nations entities, including the United Nations Working Group on Hate Speech at Headquarters, and the Office on Genocide Prevention and the Responsibility to Protect as the designated focal point for the Strategy, on the implementation of the Strategy at the country level in order to establish the United Nations as a convenor, as regards monitoring and data collection and analysis of hate speech, at the country and global levels (RC/head of mission/the Office on Genocide Prevention and the Responsibility to Protect /United Nations Working Group on Hate Speech).

ACTION 2: Monitoring and collection of data

ACTION 2: Specific Recommendations

3. Conduct a review of existing activities at the country level on the monitoring of hate speech online and offline (RCO/UNCT/peacekeeping operation or special political mission).
4. Drawing on the assessment and risk analysis in the common country analysis, undertake a baseline study of the context of hate speech at the country level, which includes historical, political and socio-economic grievances, and intergroup tensions and violence (RCO/UNCT/peacekeeping operation or special political mission).
5. Adopt a clear, specific and systematic methodology based on the six criteria and indicators derived from the Rabat Plan of Action (as reflected in table 2) in order to track trends in and impacts of hate speech, in official and local languages, on mainstream, public service, State and local media, and also on the most relevant online platforms, and in doing so, use big data and artificial intelligence tools, including data analytics tools (including off-the-shelf commercial tools), as appropriate (RCO/UNCT/peacekeeping operation or special political mission/UNIC/OHCHR).
6. Monitor hate speech in a way that is context-specific, including by monitoring in local languages, and in doing so, draw on existing in-house expertise, the guidance provided by United Nations human rights mechanisms, and the contributions of independent national human rights institutions, civil society organizations, experts and stakeholders (RCO/UNCT/peacekeeping operation or special political mission/UNIC/OHCHR).

ACTION 3: Analysis

ACTION 3: Specific Recommendations

7. Undertake quantitative and qualitative analysis of hate speech trends in order to identify patterns in the country, regional and local contexts (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/Global Pulse).
8. Consistently integrate analysis of hate speech trends in regional monthly and quarterly reviews and as part of early warning and conflict prevention mechanisms, including on conflict-related sexual violence (RCO/UNCT/peacekeeping operation or special political mission/relevant United Nations entities).
9. Conduct a gender analysis of hate speech trends, in terms of the identity of instigators, targets/victims, audiences and challengers, and of the impact of the hate speech (RCO/UNCT/peacekeeping operation or special political mission/UN-Women/United Nations Population Fund/relevant United Nations entities).
10. Share good practices regarding effective strategies to combat hate speech, including in relation to the efforts undertaken by social media platforms (RCO/UNCT/peacekeeping operation or special political mission/relevant United Nations entities).

COMMITMENT 2:
ADDRESSING ROOT CAUSES, DRIVERS AND ACTORS OF HATE SPEECH

The United Nations system should adopt a common understanding of the root causes and drivers of hate speech in order to take relevant action to best address and/or mitigate its impact. Relevant United Nations entities should also identify and support actors who challenge hate speech.

ACTION 4: Identification of causes, drivers and actors

Action 4: Specific Recommendations

11. Ensure that the Strategy is integrated into existing United Nations political and human rights analysis and reporting (RC/head of mission/relevant United Nations entities).
12. Identify leading instigators/speakers/disseminators of hate speech based on results of monitoring, whether State or non-State actors, and determine their motivations or the underlying drivers behind their hateful expressions in the particular country context (e.g. political objectives, inequality based on identity factors or protected characteristics, impunity, historical or current grievances, economic inequality within the country, absence of free and secure civic space, and online disinhibition), which may be symptoms of deeper structural issues that should be addressed by the State (RCO/United Nations country team/peacekeeping operation or special political mission).
13. Identify causes, drivers and actors furthering gender-related hate speech (RCO/UNCT/peacekeeping operation or special political mission).
14. Identify patterns of intersectional hate speech (i.e. hate speech that targets individuals or groups on the basis of more than one identity factor).
15. Identify leading actual and potential challengers to hate speech, both State and non-State actors, their position in society and their ability to influence change (RCO/UNCT/peacekeeping operation or special political mission).

ACTION 5: Addressing causes, drivers and actors

Action 5: Specific Recommendations

16. Identify and support existing State and non-State initiatives to address and counter hate speech, including those organized by women's and youth civil society organizations, and school clubs (RCO/UNCT/peacekeeping operation or special political mission).
17. Support projects, programmes and activities that aim to (RCO/UNCT/peacekeeping operation or special political mission):
    - *17.1* Address the underlying drivers of hate speech (as set out above);
    - *17.2* Promote mutual respect, social cohesion, inclusion, and diversity;
    - *17.3* Provide a forum for the discussion on controversial opinions;
    - *17.4* Promote the communication of counter and alternative narratives (i.e. speech that discredits and deconstructs the narratives on which hate speech is based, by proposing narratives based on human rights and democratic values), and in doing so, assess and mitigate the risks for individuals addressing and countering hate speech.

Action 5 (continued)

Action 5: Specific Recommendations

18. Address hate speech in engagements across the peace and security pillars, when and as appropriate, through good offices work, conflict prevention, dialogue, confidence-building, electoral assistance and peacebuilding, including women's and youth empowerment, to help address the root causes of hate speech (RCO/UNCT/peacekeeping operation or special political mission/relevant United Nations entities).
19. Encourage individuals who have credibility and influence over an audience or population (e.g. religious leaders and actors, community leaders, political leaders, State authorities, social media influencers, and thought leaders) to call out hate speech (i.e. to serve as challengers), while being mindful of the possibility of any negative repercussions for speaking out against hate speech (RCO/UNCT/peacekeeping operation or special political mission/relevant United Nations entities).
20. Encourage political parties to adopt and enforce ethical guidelines in relation to the conduct of their representatives, particularly with respect to public speech, and encourage independent bodies monitoring elections to impose penalties for hate speech during public campaigns (RCO/UNCT/peacekeeping operation or special political mission/relevant United Nations entities).
21. Where relevant, support projects and programmes on the promotion of transitional justice and social cohesion, including by drawing on the Peacebuilding Fund and on the UNDP and Department of Political and Peacebuilding Affairs programme on supporting national capacities (RCO/UNCT/peacekeeping operation or special political mission/relevant United Nations entities).
22. Support the capacity of civil society groups at the national level on countering hate speech, including by providing technical expertise and seed funding (RCO/UNCT/peacekeeping operation or special political mission/relevant United Nations entities).
23. Explore synergies, as appropriate and possible, with national efforts to prevent and counter violent extremism conducive to terrorism, including the development of national strategies and actions plans, especially where the United Nations country team is involved in providing support (RCO/UNCT/peacekeeping operation or special political mission/relevant United Nations entities).

COMMITMENT 3:
ENGAGING AND SUPPORTING THE VICTIMS OF HATE SPEECH

United Nations entities should show solidarity with the victims of hate speech and implement human rights-centred measures aimed at countering retaliatory hate speech and escalation of violence and at empowering the targeted people or communities. They should also promote measures to ensure that the rights of victims are upheld, and that their needs are addressed, including through advocacy for remedies, access to justice and psychological counselling.

ACTION 6: Solidarity with victims

Action 6: Specific Recommendations

24. Promptly express solidarity with victims (or targets) of hate speech and, especially in cases of incitement to discrimination, hostility or violence, by (RC/head of mission):
    - *24.1* Meeting with victims' representatives and hearing their testimonies or views;
    - *24.2* If deemed appropriate in the context, issuing public statements through traditional and online media which recognize the harms of hate speech to individual victims (including psychological harms), to targeted and vulnerable communities and to society as a whole.
25. Promote the meaningful voice of victims, including by inviting them to participate in and develop the agendas of public forums, intergroup dialogues and consultations on tackling hate speech, especially incitement to discrimination, hostility or violence (RCO/UNCT/peacekeeping operation or special political mission).

ACTION 7: Countering retaliatory hate speech and escalation of violence

Action 7: Specific Recommendations

26. In the aftermath of a major incident of hate speech, especially incitement to discrimination, hostility or violence, terrorism or another crime, conduct a risk assessment as to the possibility of retaliatory hate speech and the escalation of violence (RCO/UNCT/peacekeeping operation or special political mission).
27. Seek to reduce any threat of violence and calm societal tensions by prioritizing initiatives that recognize the contextual drivers for hate speech, promote intergroup dialogue and understanding, and acknowledge the internal diversity of groups (intragroup diversity) (RCO/United Nations country team/peacekeeping operation or special political mission).

ACTION 8: Ensuring that victims' rights and needs are upheld

Action 8: Specific Recommendations

28. Analyse existing national laws or legislative proposals on hate speech from the perspective of international human rights law on freedom of expression (drawing on the expertise of OHCHR and UNESCO) and, if necessary, advocate for reform of legislation to ensure compliance (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/UNESCO).

29. Encourage the strengthening of the framework of anti-discrimination law to ensure that it complies with international human rights law and standards (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/ the Office on Genocide Prevention and the Responsibility to Protect).

30. Encourage independent and impartial investigation into any reported instance of incitement to discrimination, hostility or violence, especially when it may amount to a criminal offence, and the criminal prosecution of alleged perpetrators (RCO/UNCT/peacekeeping operation or special political mission).

31. Promote standards of due process and on the protection of victims and witnesses from victimization for giving evidence in relation to any criminal trials of individuals for incitement to discrimination, hostility or violence (RCO/UNCT/peacekeeping operation or special political mission).

32. Promote the protection of victims and witnesses of hate speech and avoid exposing them to additional harm for speaking out (RCO/UNCT/peacekeeping operation or special political mission).

33. Where appropriate, support strategic litigation:

    33.1 In cases concerning incitement to discrimination, hostility or violence which is deemed to meet the high threshold of the six-part test in the Rabat Plan of Action (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/);

    33.2 Concerning laws which do not meet international human rights standards on freedom of expression (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/UNESCO).

34. Promote, in compliance with international human rights law, the application of civil and administrative sanctions, including by media regulators, which may result in the awarding of pecuniary or non-pecuniary damages and public apologies, in cases in which incitement to hostility, discrimination or violence has been identified, but is not severe enough to constitute a criminal offence (RCO/UNCT/peacekeeping operation or special political mission).

35. Promote non-legal remedies in support of victims of hate speech, which should not be subject to any legal restrictions, as indicated in table 1 of this Guidance (e.g. events symbolically recognizing historical violations, public apology, or civil society initiatives promoting victims' storytelling or intergroup dialogue) (RCO/UNCT).

36. Support the ongoing review of existing and proposed laws and government policies on tackling hate speech, by legislative committees, independent national human rights institutions and civil society organizations, from the perspective of the State's obligations under international human rights law on freedom of expression and equality (RCO/UNCT/peacekeeping operation or special political mission/UNESCO).

37. Support public discussion of the impact of hate speech upon victims and of the range of remedies possible under international human rights law (RCO/UNCT/peacekeeping operation or special political mission).

38. Encourage the national Government to provide adequate resources for services for victims of hate speech (especially those belonging to at-risk populations and those who have faced incidents of hate speech and especially incitement to discrimination, hostility or violence over a long period), including psychological counselling, and medical, housing and social services (RCO/UNCT/peacekeeping operation or special political mission).

COMMITMENT 4:
CONVENING RELEVANT ACTORS

When relevant to the context, the United Nations should support the convening of key actors, reframe problems in ways that make solutions more attainable, introduce independent mediation and expertise, and build coalitions.

ACTION 9: Convening and reframing

Action 9: Specific Recommendations

39. Establish the United Nations as a convenor for addressing and countering hate speech at the country level through its role in bringing together and empowering key State and non-State actors — including government ministries, parliamentarians, independent national human rights institutions, media regulators, and civil society organizations — for the effective implementation of the Strategy (RC/head of mission).

40. Identify which key actors (e.g. the media, representatives of political parties, religious leaders, civil society representatives, representatives of the private sector, influencers, and grass-roots organizations), in which configurations, could be effective in addressing and countering hate speech, and create opportunities for those actors to discuss the challenges and opportunities of addressing hate speech in accordance with the Strategy and international human rights law (RCO/UNCT/peacekeeping operation or special political mission).

41. Encourage the reframing of hate speech concerns and appropriate responses in a way that (RCO/UNCT/peacekeeping operation or special political mission):

    41.1 Is in accordance with international human rights law;

    41.2 Acknowledges the challenges of addressing hate speech in accordance with international human rights law;

    41.3 Recognizes the rights of victims, and particularly their rights to freedom of opinion and expression;

    41.4 Acknowledges the underlying societal and structural factors which make people susceptible to hate speech in the particular context;

    41.5 Uses local vernacular and language that is appropriate in the particular country context.

ACTION 10: Introducing mediation and expertise, and building coalitions

Action 10: Specific Recommendations

42. Identify and promote the role of independent mediators and experts at the national level to facilitate the resolving of intergroup disputes and conflicts that may heighten tensions and increase the likelihood of hate speech and incitement to discrimination, hostility or violence (RCO/UNCT).

43. Encourage the building of coalitions and networks between key actors, by drawing on United Nations convening power in the field (RCO/UNCT/peacekeeping operation or special political mission).

COMMITMENT 5:
ENGAGING WITH NEW AND TRADITIONAL MEDIA

The United Nations system should establish and strengthen partnerships with new and traditional media to address hate speech narratives and promote the values of tolerance, non-discrimination, pluralism, and freedom of opinion and expression.

ACTION 11: Building partnerships with media

Action 11: Specific Recommendations

44. Build partnerships at the country level, both with traditional media outlets (also known as "legacy" or "mass" media outlets, such as the print media, and radio and television) and "new" media, particularly online platforms, and with journalists' associations and unions, and civil society organizations working in the fields of media freedom and Internet freedom, in order to address hate speech offline and online, while respecting freedom of opinion and expression and the right to equality and non-discrimination (RCO/UNCT/UNIC/peacekeeping operation or special political mission/UNESCO).
45. Draw on the global Media Compact to leverage partnerships at the local level through the provision of information, participation in global events, and media opportunities (RCO/UNCT/UNIC/peacekeeping operation or special political mission/UNESCO).
46. Forge connections with national media regulators, particularly independent media regulators (RCO/UNCT/UNIC/peacekeeping operation or special political mission/UNESCO).

ACTION 12: Promoting media independence and pluralism

Action 12: Specific Recommendations

47. Support and raise public awareness of the importance of an independent, plural, diverse and inclusive media, online as well as offline, at the national level (RCO/UNCT/UNIC/UNESCO).
48. Support the national authorities in providing an enabling environment for freedom of expression, including by supporting (RCO/UNCT/peacekeeping operation or special political mission/UNIC/UNESCO):
    - *48.1* The adoption and implementation of legislation on the right of access to information;
    - *48.2* The provision of universal access to the Internet, irrespective of any identity factors or group characteristics, especially gender;
    - *48.3* The protection of privacy and personal data online, while opposing any restrictions on encryption and anonymity tools and any unlawful or arbitrary surveillance techniques, including hacking;
    - *48.4* Laws and practices protecting the confidentiality of journalists' sources, including whistle-blowers;
    - *48.5* The repeal of criminal defamation laws and measures to ensure that civil defamation laws do not provide for or result in disproportionate damages awards.

Action 12 (continued)

Action 12: Specific Recommendations

49. Encourage the national Government to protect media freedom, including by delegating regulation to an independent body and/or to courts, and to ensure an enabling environment for media freedom, including by (RCO/UNCT/peacekeeping operation or special political mission/UNIC/UNESCO):

    49.1 Encouraging respect for journalistic freedom and editorial independence;

    49.2 Opposing the imposition of any direct or indirect restrictions on the media, including controls and pressure on the press, broadcasters and online platforms;

    49.3 Encouraging the protection of the media's right to report freely during election periods and periods of national or global crisis (e.g. the COVID-19 pandemic).

50. Encourage the adoption and implementation by the national Government of a public policy and a regulatory framework that promotes independence, pluralism and diversity of the media, including by promoting or supporting (RCO/UNCT/peacekeeping operation or special political mission/UNIC/UNESCO):

    50.1 The independence, public accountability and transparency of bodies that exercise regulatory control over the media — mechanisms that should be fully in compliance with international human rights standards on freedom of expression;

    50.2 Universal and affordable access to the media and media resources, especially by disadvantaged and excluded groups;

    50.3 The principle of non-discrimination in relation to the right to establish media outlets or online platforms;

    50.4 Media ownership by minority, indigenous and other groups;

    50.5 The allocation of financial and other resources (such as broadcasting frequencies) to public service, local and community media which is representative of the plurality of different groups within the community;

    50.6 The plurality of media ownership and the absence of any undue concentration of media ownership;

    50.7 The production of diverse content which promotes intergroup dialogue;

    50.8 The repeal of any restrictions on the use of minority languages;

    50.9 The recognition of diversity, including in terms of media reflecting the perspectives of different groups, as one of the criteria for assessing broadcasting licence applications.

ACTION 13: Promoting self-regulation and ethical journalism

Action 13: Specific Recommendations

51. Avoid and actively discourage the use of the term "responsible journalism", since it can serve as the pretext for arbitrary and unlawful restrictions on journalism (RC/RCO/UNCT/head of mission/peacekeeping operation or special political mission/UNESCO).

52. Promote self-regulation of the media where it is effective, and the development and effective implementation of voluntary professional codes of conduct for the media and journalists[52] (RCO/UNCT/peacekeeping operation or special political mission/UNESCO).

53. Encourage all public and private media, as a moral and social responsibility and through self-regulation, to take steps to (RCO/UNCT/peacekeeping operation or special political mission):

    53.1 Ensure that their workforces are diverse, inclusive, and representative of society as a whole;

    53.2 Seek a multiplicity of sources and voices from within different communities;

    53.3 Take care to report in context and in a factually sensitive manner, while ensuring that acts of discrimination are brought to the attention of the public;

    53.4 Be alert to the dangers of furthering discrimination against or negative stereotypes of individuals and groups in the media, avoiding unnecessary references to identity factors or group characteristics that may promote discrimination and intolerance;

    53.5 Report on diverse groups and communities in society, giving their members an opportunity to speak and to be heard in a way that promotes a better understanding of them, while reflecting their perspectives;

    53.6 Raise awareness of the harm caused by discrimination and negative stereotyping;

    53.7 Consider including critical coverage of disinformation and propaganda, especially during elections, in relation to matters of public interest and regarding intergroup relations.

54. Encourage public service broadcasters to avoid negative stereotypes of individuals and groups, and to promote intergroup understanding, including through the airing of programmes which portray different communities as equal members of society (RCO/UNCT/peacekeeping operation or special political mission/UNIC/UNESCO).

55. Encourage private media organizations and tech companies, particularly online social media platforms, to put in place and implement policies that are in keeping with international human rights law and the Guiding Principles on Business and Human Rights, including the principle of due diligence (RCO/UNCT/peacekeeping operation or special political mission/UNESCO).[53]

56. Encourage media outlets and online platforms to cooperate with initiatives that offer fact-checking services to users, and to review their advertising models to ensure that they do not adversely impact on diversity of opinions and ideas (RCO/UNCT/peacekeeping operation or special political mission/UNESCO).

52 See International Federation of Journalists, Global Charter of Ethics for Journalists, adopted at the thirtieth International Federation of Journalists World Congress held in Tunis on 12 June 2019, available from www.ifj.org/what/press-freedom/ethics.html.

53 Report of the Secretary-General, "Roadmap for digital cooperation" (June 2020).

ACTION 14: Promoting the protection of journalists and media workers

Action 14: Specific Recommendations

57. Promote the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity at the national level by State authorities, media outlets, professional associations and civil society organizations (RCO/UNCT/peacekeeping operation or special political mission/UNESCO).

58. Condemn unequivocally through public statements and private diplomacy (RC/RCO/head of mission/UNCT/peacekeeping operation or special political mission/UNESCO):

    58.1 All attacks and violence against journalists and media workers, including torture, killings, enforced disappearances, arbitrary arrests and arbitrary detentions, expulsions, intimidation, threats and harassment, online and offline, as well as attacks on, or the forced closure of, their offices, and media outlets, in both conflict and non-conflict situations;

    58.2 The misuse of defamation and libel laws, in particular through excessive criminal sanctions, to illegitimately or arbitrarily censor journalists and interfere with their mission of informing the public;

    58.3 Specific attacks on women journalists and media workers in relation to their work, such as gender-based discrimination, including sexual and gender-based violence, threats, intimidation and harassment, online and offline;

    58.4 Any intimidation of or threats against the media, including against individual journalists, by political leaders, public officials, the authorities or public figures.

59. Support national Governments and State authorities in fulfilling their international human rights obligations on the safety of journalists and media workers (and others exercising their freedom of expression in the public interest, such as bloggers, human rights defenders, including women human rights defenders, and political activists), including by (RCO/UNCT/peacekeeping operation or special political mission/UNESCO):

    59.1 Ensuring accountability through the conducting of impartial, prompt, thorough, independent and effective investigations into all alleged violence, threats and attacks against journalists and media workers falling within their jurisdiction, in order to bring perpetrators, including those who command, conspire to commit, aid and abet or cover up such crimes to justice, and to ensure that victims and their families have access to appropriate remedies;

    59.2 Releasing immediately and unconditionally journalists and media workers who have been arbitrarily arrested or arbitrarily detained, or have been taken hostage, or have become victims of enforced disappearance;

    59.3 Ceasing, and refraining from adopting, any measures that prevent or disrupt access to or dissemination of information online and offline and hence undermine the work of journalists in informing the public, including measures to unlawfully or arbitrarily block or take down media websites, such as denial of service attacks;

    59.4 Ensuring that measures to prevent and combat terrorism, or to preserve national security, public order or public health, such as in the COVID-19 emergency, are in compliance with their obligations under international law and do not arbitrarily or unduly hinder the work and safety of journalists, including through arbitrary arrest or detention, or the threat thereof.

60. Support the freedom of movement of national, local and foreign journalists (RCO/UNCT/peacekeeping operation or special political mission/UNESCO).

ACTION 15: Building media capacity

Action 15: Specific Recommendations

61. Encourage and support relevant media capacity-building strategies, such as professional development programmes, for media professionals to raise their awareness about how to respond to hate speech and promote intergroup understanding, including and especially during electoral processes (RCO/UNCT/peacekeeping operation or special political mission/UNIC/UNESCO).

62. Encourage and support media capacity-building strategies on conflict- and gender-sensitive reporting — especially reporting that encourages collaboration and role modelling within political spaces, facilitates a constructive dialogue between conflicting parties, conveys information in such a way as to de-escalate tensions, and challenges negative stereotypes about groups in society (RCO/UNCT/peacekeeping operation or special political mission/UNIC/UNESCO).

COMMITMENT 6:
USING TECHNOLOGY

United Nations entities should keep up with technological innovation and encourage more research on the relationship between the misuse of the Internet and social media for spreading hate speech and the factors that drive individuals towards violence. United Nations entities should also engage private actors, including social media companies, on steps that they can take to support United Nations principles and action to address and counter hate speech, encouraging partnership between government, industry and civil society.

ACTION 16: Technological skills and research on hate speech in the country context

Action 16: Specific Recommendations

63. Enhance skills, expertise and resilience of key staff — particularly those involved in monitoring and data collection and analysis of hate speech trends — in technological innovations and communication security tools (e.g. encryption and anonymizing tools), including through training, reciprocal staff exchanges and the recruitment of staff with requisite technological and digital skills (RC/head of mission).

64. Enhance the security and confidentiality for stakeholders interacting with United Nations entities through digital communications by supporting the use of communication security tools (resident coordinator/ head of mission).

65. Encourage research on the online dissemination of hate speech and the factors that drive individuals towards violence in the national context through collaborations with news media organizations, academic institutions and NGOs (RCO/UNCT/peacekeeping operation or special political mission/UNESCO).

66. Regularly assess the risks of the dissemination of hate speech through digital media at the country level through engagement with relevant United Nations agencies and social media platforms (RCO/UNCT/ peacekeeping operation or special political mission/OHCHR/ the Office on Genocide Prevention and the Responsibility to Protect).

ACTION 17: Engaging private actors

Action 17: Specific Recommendations

67. Identify which tech and social media companies are most relevant in the particular country context and prioritize building partnerships on the implementation of the Strategy accordingly, especially in relation to the monitoring and collection of data on hate speech (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/UNESCO/ the Office on Genocide Prevention and the Responsibility to Protect).

68. Through their interactions with representatives of social media platforms, and bearing in mind the impartiality of the United Nations, encourage these companies to (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/UNESCO/ the Office on Genocide Prevention and the Responsibility to Protect):

    68.1 Respect human rights as required under the Guiding Principles on Business and Human Rights and, in doing so, evaluate how their products and services affect the human rights of their users and the public, through periodic and publicly available human rights impact assessments;

    68.2 Align their content policies on hate speech with international human rights norms and standards, including the Rabat Plan of Action;

Action 17 (continued)

Action 17: Specific Recommendations

68.3 Ensure the greatest possible transparency in their policies, standards and actions relating to freedom of expression and other fundamental rights;[54]

68.4 Ensure that any enforcement of their own rules (including terms of service and standards) involves an evaluation of such factors as context and the harm of the content, including by ensuring that any use of automation or artificial intelligence tools involves a human in the loop;

68.5 Ensure that contextual analysis involves groups most affected by content identified as hate speech and that such groups are involved in identifying the most effective tools to address harms caused on the platforms;

68.6 Develop tools that promote individual autonomy, security and free expression, and involve de-amplification, de-monetization, education, counter-speech, reporting and training as alternatives, when appropriate, to the banning of accounts and the removal of content.[55]

69. Support the capacity of civil society groups at the national level on countering hate speech, including by supporting data analytics tools to inform their advocacy in relation to social media platforms (RCO/UNCT/peacekeeping operation or special political mission).

ACTION 18: Flagging content that constitutes incitement

Action 18: Specific Recommendations

70. Through the designated contact point, and in conjunction with OHCHR and the Office on Genocide Prevention and the Responsibility to Protect, establish direct communications with the most relevant tech and social media companies in the country context, and, in particular, apply or continue to be part of social media platforms' urgent reporting channels (e.g. Facebook's Trusted Partner Channel) (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/ the Office on Genocide Prevention and the Responsibility to Protect).

71. In a situation where the contact point deems that an incident of online hate speech may constitute incitement to genocide or incitement to discrimination, hostility or violence under international human rights law (i.e. "top level" hate speech under the present Guidance), including if that expression is deemed to meet the Rabat Plan of Action threshold test, the contact point should (RCO/UNCT/peacekeeping operation or special political mission/OHCHR/ the Office on Genocide Prevention and the Responsibility to Protect):

71.1 Promptly alert the relevant social media platform of the case, highlighting the factors informing the severity of the hate speech and, when and as appropriate, recommend action, while simultaneously alerting OHCHR and the Office on Genocide Prevention and the Responsibility to Protect that they have flagged the problematic content;

71.2 Promptly follow up with the relevant social media platform as to the outcome of the case and the justification for its decision;

71.3 Report to the task force or focal point on the Strategy, OHCHR, and the Office on Genocide Prevention and Responsibility to Protect, on the outcome and decision in the case and online hate speech trends.

54 A/HRC/32/38, p. 22.

55 A/74/486, p. 23.

COMMITMENT 7:
USING EDUCATION AS A TOOL FOR ADDRESSING AND COUNTERING HATE SPEECH

United Nations entities should take action in formal and informal education to implement Sustainable Development Goal 4, promote the values and skills of Global Citizenship Education, and enhance media and information literacy.

ACTION 19: Promoting Global Citizenship Education

Action 19: Specific Recommendations

72. Support the national Government in providing teacher training and student briefings on human rights values and principles, to promote tolerance, and in strengthening intergroup dialogue and understanding as part of the school curriculum for pupils of all ages (RCO/UNCT/peacekeeping operation or special political mission/UNIC/UNICEF/UNESCO).

73. Support civil society initiatives that engage and empower people, especially young people, to recognize and reject hate speech while safely and responsibly navigating online content (RCO/UNCT/peacekeeping operation or special political mission/UNICEF/UNESCO).

74. Promote a leading role for women, girls and youth who are members of targeted and vulnerable groups in the development and delivery of educational campaigns and curricula to address and counter hate speech (RCO/UNCT/peacekeeping operation or special political mission/UN-Women/UNESCO).

75. Initiate and support programmes and projects, particularly those involving school clubs and youth groups, which facilitate or include intergroup dialogue in order to build social cohesion and social resilience to hate speech (RCO/UNCT/peacekeeping operation or special political mission/UNESCO).

76. Support educational programmes, projects and activities that address hate speech indirectly, including those that seek to (RCO/UNCT/UNESCO):

    76.1 Eliminate bias in educational materials, including those used in the teaching of history;

    76.2 Prevent violent extremism, strengthen the rule of law, teach about violent pasts, including past instances of atrocity crimes, and safeguard religious sites;

    76.3 Advance respect for human rights, democratic values and the rule of law, as well as to foster peaceful co-existence and social cohesion, and diverse and inclusive societies;

    76.4 Promote critical thinking, social and emotional skills, and responsible engagement through Global Citizenship Education, in accordance with target 4.7 of Sustainable Development Goal 4 on "inclusive and equitable quality education and promoting lifelong learning opportunities for all", including through the mainstreaming of gender equality and human rights in national education policies, curricula, teacher education and student assessment, and the use of digital technologies for distance and remote education.

ACTION 20: Promoting media and information literacy

Action 20: Specific Recommendations

77. Support programmes, projects and activities on media and information literacy, including digital or technological literacy, that encourage people's critical thinking and critical competencies and promote, among other things (RCO/UNCT/peacekeeping operation or special political mission/UNESCO/UNIC):

- 77.1 Competencies to search for, critically evaluate, use and contribute information and media content wisely;
- 77.2 Awareness that the same human rights that people have offline must also be protected online;
- 77.3 Understanding of how to address and counter online hate speech;
- 77.4 Understanding of how to combat cyberbullying;
- 77.5 Understanding of the ethical issues surrounding access to and use of information.

COMMITMENT 8:
FOSTERING PEACEFUL, INCLUSIVE AND JUST SOCIETIES TO ADDRESS THE ROOT CAUSES AND DRIVERS OF HATE SPEECH

The United Nations system should raise awareness about respect for human rights, non-discrimination, and understanding of other cultures and religions, as well as about gender equality, including in the digital world. It should promote intercultural, interfaith and intrareligious dialogue and mutual understanding.

ACTION 21: Raising awareness about respect for human rights

Action 21: Specific Recommendations

78. Initiate and support initiatives that raise awareness more generally about how to address and counter hate speech offline and online in keeping with international human rights standards (especially on freedom of expression and on the right to equality and non-discrimination), such as (RCO/UNCT/peacekeeping operation or special political mission/UNIC/UNESCO):
    - *78.1* Poster campaigns at the local or national level
    - *78.2* Messaging and programming on mission radio and/or television
    - *78.3* Media interviews
    - *78.4* Social media posts
    - *78.5* Public campaigns
    - *78.6* Community-level dialogues
    - *78.7* Peer-to-peer exchanges and training seminars
    - *78.8* Student outreach and briefings
    - *78.9* Leveraging opinion leaders, influencers, experts and community leaders
79. Ensure that awareness-raising activities and communications consistently identify the importance of addressing and countering hate speech for the achievement of the Sustainable Development Goals — particularly those on ending poverty (Goal 1), ensuring quality education (Goal 4), gender equality (Goal 5), reducing inequality (Goal 10), promoting peaceful and inclusive societies (Goal 16) and enhancing global partnerships for sustainable development (Goal 17) (RCO/UNCT/peacekeeping operation or special political mission).

ACTION 22: Promoting intergroup dialogue and understanding

Action 22: Specific Recommendations

80. Promote intergroup (i.e. intercultural, interfaith and intrareligious) dialogue and understanding by supporting or facilitating initiatives that are consistent with the Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes and with the Faith for Rights framework, including (RCO/UNCT/peacekeeping operation or special political mission/UNIC/the Office on Genocide Prevention and the Responsibility to Protect /OHCHR):

80.1 Exchange programmes between different groups, especially during key events (e.g. religious and cultural festivals)

80.2 The building of coalitions between groups (e.g. between leaders of different religious groups, or between religious leaders and non-religious/humanist groups)

80.3 Joint activities to strengthen community cohesion and convey powerful messages of inter-group collaboration and solidarity (e.g. joint retreats or celebrations)

80.4 Activities to identify and develop shared alternative and positive narratives

80.5 The release of intergroup press statements in response to hate speech incidents (e.g. interreligious press statements)

COMMITMENT 9:
ENGAGING IN ADVOCACY

The United Nations should use advocacy, both private and public, to highlight hate speech trends of concern, as well as to express sympathy and support to targeted individuals or groups.

ACTION 23: Using private and public advocacy

Action 23: Specific Recommendations

81. Establish and expand the space to address future incidents of hate speech, especially incitement to discrimination, hostility or violence, by engaging with political leaders, State authorities, affected communities, the media, religious and faith leaders, civil society organizations, the private sector and diaspora communities, well before having to take a position on specific hate speech issues or trends (RCO/UNCT/head of mission/peacekeeping operation or special political mission).

82. Through private and public advocacy responses, establish the United Nations as a strong and credible voice against hate speech, especially against incitement to discrimination, hostility or violence, as a part of its commitment to standing up for and promoting human rights (RC/head of mission).

83. Calibrate advocacy responses in accordance with the severity of the hate speech (to be assessed applying the criteria indicated in table 2), and in doing so, draw on a range of private and public advocacy options, including (RC/head of mission):

    83.1 Acknowledging, rejecting and condemning the instance of hate speech itself, and the prejudice of which it is a symptom

    83.2 Expressing sympathy and support to the targeted individuals or groups

    83.3 Framing such incidents as harmful to the interests of the whole of society, including its fundamental values and its economic and political strategic interests

84. Be willing to apply private and public advocacy tools sequentially, and if necessary, be willing to move to a stronger response at short notice (RC/head of mission).

85. Make a decision about whether to publicly comment on an instance of hate speech on the basis of the following (RC/head of mission):

    85.1 An assessment of the background facts surrounding the hate speech, based on credible information and reports

    85.2 An assessment of the severity of the hate speech, and whether it constitutes incitement to hostility, discrimination or violence, in which case a public statement should be forthcoming

    85.3 United Nations efforts to calm tensions and carry out its work in the country

    85.4 Consideration of the principles of consent and "do no harm" in relation to victims

86. Ensure that the choice of how, when and who should advocate is made judiciously, and in keeping with the context and specific mandate of United Nations entities (RC/head of mission/UNCT).

87. Ensure that the choice of delivery of the statement — whether a fully fledged written or oral statement, a response to a public or media inquiry, or a post on a United Nations social media account — is considered carefully and is specifically tailored to the situation.

Action 23 (continued)

Action 23: Specific Recommendations

88. Ensure, once a decision has been taken to go public, that public statements (RC/head of mission):

    88.1 Convey system-wide consistency, coordination and coherence in responding to the situation;

    88.2 Respect international human rights norms and standards, and are consistent with the statements of United Nations human rights experts (i.e. special procedure mandate holders, treaty bodies and commissions of inquiry/fact-finding missions);

89. Adhere to the values and principles enshrined in the Charter of the United Nations.

90. Ensure that all United Nations country team members align their messages to the public statements (RC/head of mission).

91. Ensure that all public statements are made following prior consultation with United Nations Headquarters, except for statements by OHCHR, the Office on Genocide Prevention and the Responsibility to Protect, United Nations specialized agencies, and other United Nations protection mandates, which do not need approval due to these entities' mandate but should nonetheless involve consultation and coordination with the resident coordinator/head of mission (RC/head of mission/RCO/UNCT/peacekeeping operation or special political mission/Executive Office of the Secretary-General/DCO/Department of Political and Peacebuilding Affairs and Department of Peace Operations/OHCHR).

92. Establish procedures to support staff being designated as persona non grata as a result of the rightful discharge of their duties, through a comprehensive consideration of existing protection measures offered to staff in the field, in order to provide staff in the field with information, effective support and incentives, so that they can undertake their work effectively (RC/head of mission/Executive Office of the Secretary-General).

    92.1 In preparing public statements on hate speech, while agreeing the specific language with United Nations Headquarters, use the language of "addressing and countering" hate speech (and refrain from using the language of "preventing" hate speech), and emphasize the following when appropriate (RC/head of mission):

    92.2 Calling on Member States to respect their obligations under international human rights treaties guaranteeing freedom of expression and the right to equality, particularly articles 19 and 20 of the International Covenant on Civil and Political Rights

    92.3 Calling on all relevant actors to refrain from disseminating hate speech and to stop inciting discrimination, hostility or violence

    92.4 Condemning all instances of incitement to discrimination, hostility or violence, whether offline or online, and calling for accountability in such instances, including through criminal investigations and trials, if such instances reach the high threshold of criminal incitement under the Rabat Plan of Action

    92.5 Expressing solidarity with the victims of hate speech, to empower them and restore their dignity

    92.6 Emphasizing the need to address hate speech for the promotion of peaceful and inclusive societies, as set out in Sustainable Development Goal 16

    92.7 Encouraging the pursuit of educational initiatives to promote human rights, the rule of law, peaceful coexistence and diversity

    92.8 Encouraging intergroup dialogue and understanding

OVERARCHING MESSAGES FOR PUBLIC ADVOCACY

- Hate speech, especially incitement to hostility, discrimination or violence, is harmful to realizing human rights, peace, development and security, to social cohesion and harmony, and to fostering peaceful and inclusive societies.
- The dissemination of hate speech and incitement to discrimination, hostility or violence can exacerbate tensions and lead to violence, can divide and devastate communities, and can create an atmosphere for widespread human rights abuses and even atrocity crimes.
- Political leaders should urgently and unambiguously condemn acts of incitement to discrimination, hostility or violence, and take rapid measures to reduce tensions.
- State authorities should hold accountable those who have incited discrimination, hostility or violence, including, in the severest cases, through criminal prosecution.
- Freedom of expression should only be restricted when there are incidents of incitement to discrimination, hostility or violence, or if necessary and proportionate to secure other rights.
- The Government should focus on ensuring that the laws on anti-discrimination and incitement to discrimination, hostility or violence meet international standards, and are implemented effectively. It should ensure that public watchdogs — especially journalists and civil society activists — can work safely and independently. It should adopt positive measures (e.g. on education in schools, and the training of public officials) and promote civil society initiatives that encourage intergroup dialogue to address the root causes of hate speech.
- For their part, tech and social media companies should exercise due diligence by ensuring that they do not provide platforms for hate speech and for incitement to discrimination, hostility or violence.

COMMITMENT 10:
DEVELOPING GUIDANCE FOR EXTERNAL COMMUNICATIONS

Communications should be strategically used to address, counter and mitigate the impact of hate speech, as well as to counteract its influence, without restricting the right to freedom of expression.

ACTION 24: Communications strategy

Action 24: Specific Recommendations

93. Mainstream key elements of the Guidance into an overall communications strategy.

94. In the aftermath of a grave or high-profile hate speech episode or following the identification of an emerging trend of hate speech, and based on strong internal communications, develop a targeted communications plan to address, counter and mitigate the impact of the hate speech, as well as to counteract its influence (RCO/UNCT/peacekeeping operation or special political mission/UNIC).

95. Include consideration of the following features as part of the targeted communications plan (RC/RCO/UNCT/head of mission/peacekeeping operation or special political mission/UNIC):

    95.1 The communications challenges and opportunities of the specific context

    95.2 Communications objectives (e.g. to make the audience less susceptible to hate speech, to confront and correct disinformation about a group, to raise awareness about the harm caused by hate speech and the dangers caused by incitement, and to defuse specific sources of tension)

    95.3 The composition of audiences and the contextual factors influencing their receptiveness to hate speech and to counter-messages

    95.4 The most appropriate medium for the message (e.g. public statement, social media post)

    95.5 The core messaging framework and the content of the tailoring of the message

    95.6 The most appropriate language for the message

    95.7 The most appropriate speaker in context (usually the resident coordinator/head of mission but not always)

    95.8 Any local actors who may publicly support and reinforce the message

    95.9 Communications tools and appropriate tactics

    95.10 Key performance indicators and the timeline

    95.11 The budget allocated for the communications strategy

96. Identify how high-level United Nations visits (e.g. from the United Nations High Commissioner for Human Rights, the Office on Genocide Prevention and the Responsibility to Protect, the Under-Secretary-General for Political and Peacebuilding Affairs, or the relevant human rights mechanism, in particular relevant special rapporteurs), or major events (e.g. a change of government, sporting events, or natural disasters), can inform the communications strategy.

97. Ensure that the Secretary-General's statements and remarks, including noon briefings, consistently raise issues of hate speech while emphasizing the importance of protecting freedom of expression (RC/head of mission/Executive Office of the Secretary-General/DCO).

COMMITMENT 11:
LEVERAGING PARTNERSHIPS

The United Nations should establish and/or strengthen partnerships with relevant stakeholders, including those working in the tech industry. Most of the meaningful action against hate speech will not be taken by the United Nations alone, but by governments, regional and multilateral organizations, private companies, media, and religious and other civil society actors.

ACTION 25: Strengthening partnerships

Action 25: Specific Recommendations

98. Identify gaps in the existing range and diversity of partners for tackling human rights challenges, particularly hate speech and incitement to discrimination, hostility or violence, at the country level (RC/RCO/UNCT/head of mission/peacekeeping operation or special political mission).

99. Prioritize forging new and strengthening existing linkages and partnerships with the following stakeholders at the country level (RC/RCO/UNCT/head of mission/peacekeeping operation or special political mission):

    99.1 State actors, including individual ministries, judicial bodies, national human rights institutions and equality bodies, legislative committees, and media regulators

    99.2 Tech and social media companies, especially social media platforms

    99.3 Media outlets, including commercial, local and minority media organizations

    99.4 Private sector organizations

    99.5 Religious leaders and faith actors

    99.6 Civil society actors, including NGOs working in the fields of media freedom, freedom of expression, and women's rights, as well as child- and youth-led organizations

    99.7 Professional associations (e.g. law societies, police federations and sporting associations)

    99.8 Regional and subregional multilateral organizations

100. Promote the specific actions recommended in the Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes, in the Beirut Declaration and its 18 Commitments on Faith for Rights, and in the United Nations Plan of Action to Safeguard of Religious Sites (RCO/UNCT/peacekeeping operation or special political mission/ the Office on Genocide Prevention and the Responsibility to Protect /OHCHR/United Nations Alliance of Civilizations).

COMMITMENT 12:
BUILDING THE SKILLS OF UNITED NATIONS STAFF

United Nations staff skills at both the leadership and the working levels to understand and address hate speech should be enhanced across relevant United Nations entities, including through existing programmes.

ACTION 26: Enhancing staff skills

Action 26: Specific Recommendations

101. Ensure regular briefings, training sessions and peer-to-peer exchanges on the subject matter of the Strategy and this Guidance — particularly the international human rights law framework concerning hate speech and incitement to hostility, discrimination or violence, including the standards contained in the Rabat Plan of Action — for existing staff and for incoming staff as part of their induction (RC/head of mission).

102. Ensure compulsory capacity-building training for key staff — especially the contact point, and members of the task force or the focal point on the Strategy — on the root causes and drivers of hate speech, hate speech monitoring and analysis, gender analysis of hate speech, and initiatives to counter and respond to hate speech, as well as on mainstreaming a hate speech perspective in wider United Nations strategies and programmes (RC/head of mission).

COMMITMENT 13:
SUPPORTING MEMBER STATES

Upon request, the United Nations should provide support to Member States in the field of capacity-building and policy development to address hate speech. In this context, the United Nations will convene an international conference on education for prevention, with a focus on addressing and countering hate speech, which would involve ministers of education.

ACTION 27: Support for Member States

Action 27: Specific Recommendations

103. Upon request, provide technical assistance and support, including on reviewing existing or proposed legislation, on policies, on case law, and on mechanisms for addressing and countering hate speech and incitement to discrimination, hostility or violence, in accordance with international human rights law and standards (RCO/peacekeeping operation or special political mission/ OHCHR/ the Office on Genocide Prevention and the Responsibility to Protect /UNESCO).

104. Promote the establishment and implementation of a national legal framework that supports victims of hate speech, which includes laws on the prohibition of incitement to discrimination, hostility or violence, and anti-discrimination legislation, in accordance with international human rights law, while warning against the adoption of any proposed hate speech legislation that risks undermining freedom of expression (RCO/UNCT/peacekeeping operation or special political mission).

105. Determine what kinds of other support State actors, including national Governments and other actors (such as independent national human rights institutions, representatives of the judiciary, and law enforcement authorities), need in order to address hate speech effectively at the country level (RCO/UNCT/peacekeeping operation or special political mission).

106. Support capacity-building of key State actors — notably judges, judicial personnel (such as prosecutors and court officials), law enforcement agents and members of the security forces — on international human rights norms and standards relating to hate speech, especially the standard for incitement to discrimination, hostility or violence that amounts to a criminal offence (as indicated in the Rabat Plan of Action and **table 2** of this Guidance) (RCO/UNCT/peacekeeping operation or special political mission).

107. Support the training of teachers, especially those occupying leadership or senior positions, on effectively addressing and countering hate speech at schools, and, through these initiatives, promote the participation of affected communities and vulnerable groups.

Key Resources on hate speech

The following list of key UN and civil society sources elaborate on international human rights law and standards on hate speech. Please note that, while this list highlights the key texts, it is non-exhaustive.

UN ACTION PLANS

- Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, 11 January 2013, A/HRC/22/17/Add.4
- UN Plan of Action on Safety of Journalists and the Issues of Impunity (2016)
- Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes (July 2017)
- Beirut Declaration and its 18 commitments on 'Faith for Rights' (March 2017, 8th edition 2020)
- UN Plan of Action to Safeguard Religious Sites (September 2019)
- Report of the Secretary-General, Roadmap on Digital Cooperation (June 2020)

UN CHARTER-BASED BODIES: Human Rights Council

- Report of the Special Rapporteur on freedom of opinion and expression (on the regulation of online hate speech) 9 October 2019, A/74/486
- Report of the Special Rapporteur on freedom of religion (on combatting Anti-Semitism to eliminate discrimination and intolerance based on religion or belief) 20 September 2019, A/74/358
- Report of the Special Rapporteur on freedom of religion (on freedom of religion or belief and freedom of expression) 5 March 2019, A/HRC/40/58

UN TREATY-BASED BODIES

- Human Rights Committee, General Comment No 34, Article 19: Freedoms of opinion and expression, 12 September 2011, CCPR/C/GC/34
- Committee on the Elimination of Racial Discrimination, General Recommendation No 35, Combatting racist hate speech, 26 September 2013, CERD/C/GC/35

UNESCO

- Media Development Indicators — A Framework For Assessing Media Development (UNESCO, 2008)
- Internet Universality Indicators: A Framework for Assessing Internet Development (UNESCO, 2019)
- Cherilyn Ireton and Julie Posetti, Journalism, fake news & disinformation: handbook for journalism education and training (UNESCO, 2018)
- Jagtar Singh, Paulette Kerr, Esther Hamburger, Media and Information Literacy: Reinforcing Human Rights, Countering Radicalization and Extremism (UNESCO, 2016)
- Igino Gagliardone, Danit Gal, Thiago Alves, Gabriela Martinez, Countering online hate speech (UNESCO, 2015)
- Legal standards on freedom of expression: toolkit for the judiciary in Africa (UNESCO, 2018)

CIVIL SOCIETY ORGANIZATIONS

- ARTICLE 19, Camden Principles on Freedom of Expression and Equality (2009)
- ARTICLE 19, 'Hate Speech' Explained: A Toolkit (2015 edition)