

7th Meeting of the Istanbul Process, 18-19 November 2019:
Building tolerant, inclusive and resilient societies: preventing intolerance, stigmatisation, discrimination, incitement to violence and violence against persons based on religion or belief

Theme 2 – Incitement to religious hatred and violence: pushing back

Breakout groups 3 and 4 – Backgrounder

In line with the broad focus of the title (i.e. addressing root causes and addressing instances of incitement, intolerance and/or discrimination), the 7th Meeting of the Istanbul Process will cover two main themes:

1. Proactive approach: building tolerant, inclusive and resilient societies; and
2. Incitement to religious hatred and violence: pushing back.

Participants at the 7th Meeting of the Istanbul Process will be divided into four breakout groups (two to consider different aspects of theme 1, and two to consider different aspects of theme 2):

Theme 1 – Proactive approach: building tolerant, inclusive and resilient societies

- **Group 1** – Building tolerant and inclusive societies through inter-religious dialogue, social integration and education (paragraphs 5a, 5h of the 16/18 action plan)
- **Group 2** - Preventing negative stereotyping and discrimination in areas such as health, housing, education and employment, including through training of government officials, promoting dialogue with and within communities, awareness-building and media education (paragraphs 5c, 5d, 5g)

Theme 2 – Incitement to religious hatred and violence: pushing back

- **Group 3** – Implementation of paragraphs 5e and 5f of resolution 16/18, and the Rabat Plan of Action (paragraphs 5e and 5f)
- **Group 4** – Working with the media and social media companies (paragraphs 5a and 5g)

Theme 2 – Incitement to religious hatred and violence: pushing back

The issue of incitement to hatred and violence (often referred to as ‘hate speech’) has long been at the core of UN debates about religious intolerance and discrimination.

In 2011, a breakthrough occurred with the passing of UN Human Rights Council resolution 16/18, drawing on work by the Secretary-General of the OIC and others. The key to the success of resolution 16/18 – and a key part of its enduring appeal and importance – was that it managed to bring together the two sides of the argument (i.e. those who believed that ‘the best antidote to hate speech is more speech,’ and those who wanted the international community to take a much more interventionist approach), and cover both within a single policy framework that also respected the right to freedom of opinion and expression.

However, in order to enable this accommodation relevant parts of the 16/18 action plan were left broadly-defined – including paragraph 5f (i.e. States should ‘adopt measures to criminalise incitement to imminent violence based on religion or belief’). Partly to help bring greater clarity to, and help build greater understanding around, the practical meaning of this paragraph, and also to make sure that State actions in this area would remain consistent with their obligation to respect freedom of expression, in 2013 a group of international experts, led by OHCHR, launched the ‘Rabat Plan of Action’ (UN doc A/HRC/22/17/Add.4 Appendix). This important document aims to provide a framework for understanding the obligation to prohibit incitement, and a blueprint for its implementation in line with international human rights standards.

The question of how to address incitement to hatred or violence based on religion or belief in a manner that is consistent with States’ obligations to protect freedom of expression (and freedom of religion or belief) has

long been at the centre of international debates on how best to combat intolerance based on religion or belief. However, over recent years that centrality has been further confirmed by the growing power of the Internet and social media. Today, hateful expression or incitement to violence can and does spread rapidly around the world. Many attacks against both religious communities and groups of people who do not hold any religious beliefs have involved individuals who became radicalized by hateful online expression. These tragedies have served to place the issue of 'hate speech online' at the very top of the international political agenda.

However, the important, sensitive and complex nature of the questions involved and the principles at stake (e.g. religion or belief, human rights and new technology, and freedom of opinion and expression), mean that no State or expert can claim to have all the answers. What is important when developing policies and actions to effectively prevent and address 'hate speech,' especially online, while avoiding undue restrictions on freedom of expression, is for all relevant stakeholders (governments, social media companies, the representatives of religious communities, journalists, NGOs, UN experts) to work together on the basis of relevant international norms (e.g. the International Covenant on Civil and Political Rights, Council resolution 16/18, and the Rabat Plan of Action), share good practices, and identify workable solutions.

In addition to hate speech online, this second theme of the 7th Meeting of the Istanbul Process will also look at the importance of political and other leaders (e.g. faith-based leaders) 'leading by example' by: a) not themselves using hate speech or incitement, and b) speaking out quickly and in a coordinated manner in response to acts of violence/hate in the name of religion or faith. Linked with this, the theme would also cover the importance of media professionals acting responsibly and not, wittingly or unwittingly, perpetuating stereotypes, repeating/echoing hate speech, profiling those responsible for hate crimes, or fermenting hatred against certain groups. Finally, this theme will also look at progress with the implementation of the Rabat Plan of Action, including the removal of blasphemy laws from national statute books.

The two breakout sessions under this theme will provide a space for government representatives, faith-based and community leaders, social media and other technology companies, NGOs and UN experts to share experiences and good practices in the conception and roll-out of such policies and projects covering the following parts of the 16/18 action plan:

Group 3– Implementation of paragraphs 5e and 5f of resolution 16/18, and the Rabat Plan of Action

Breakout group 3 will provide a space for the exchange of experience and good practice related to laws, policies and projects that take forward the implementation of paragraphs 5e and 5f of the 16/18 action plan:

- 5e. Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence.
- 5f. Adopting measures to criminalize incitement to imminent violence based on religion or belief.

Group 4 – Working with the media and social media companies

Breakout group 4 will provide a space for the exchange of experience and good practice related to laws, policies and projects that take forward the implementation of paragraphs 5a and 5g of the 16/18 action plan:

- 5a. Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education.
- 5g. Understanding the need to combat denigration and negative religious stereotyping of persons, as well as incitement to religious hatred, by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-building.