



Study Guide General Assembly

*“The Precursor to Atrocity Crimes: Adopting the United Nations Strategy and Plan of Action on Hate Speech at the National Level.”*

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## Introduction

Hate speech is a complicated and multidimensional phenomenon with far-reaching and harmful consequences for human rights and the rule of law in democratic societies. While the term "hate speech" might have various meanings, it is usually defined as the type of intolerant and harmful communication, that propagates violence and hatred against an individual or a group based on inherent attributes such as race, nationality, religion or gender. Hate speech can be expressed in multiple ways (images, cartoons, gestures, symbols, etc.) and can be distributed both online and offline. As human history demonstrates, hate speech has emerged as a predecessor to the serious crimes against humanity, including genocide and holocaust. In order to offer a unified structure for the United Nations to resolve the issue globally, the UN Strategy and Plan of Action on Hate Speech defines Hate Speech as ... “any kind of communication in speech, writing or behavior, 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, color, descent, gender or other identity factor.”<sup>1</sup>

## History

The World history is replete with various instances, when hate speech led to terrible consequences, including discrimination, world wars and genocides (Holocaust, Cambodian genocide, genocide in Rwanda, Srebrenica genocide in Bosnia and Herzegovina, etc.).

One of the most well-known instances of atrocity, fueled by hate speech was the tragedy of Holocaust, which was a continuous process of persecution and extermination of almost 6 million Jews by the Nazi regimes in Germany in the period from 1933 to 1945. The Nazi regime adopted laws and regulations to destroy Germany’s independent media, replacing them with state-controlled

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<sup>1</sup> <https://www.un.org/en/hate-speech/understanding-hate-speech/what-is-hate-speech>

media, which distributed antisemitic and racist propaganda, inciting hatred among the population. The role of hate speech in this heinous crime should not be overlooked, since the Nazi media campaign significantly contributed to the persecution of Jews by normalizing atrocity crimes. Another hate crime happened in the 1970s, when the Khmer Rouge movement of Pol Pot led an intense propaganda campaign to mobilize rural parts of the population and seize power. Hateful discourse labeled intellectuals, opponents and city dwellers, but also Cambodia's ethnic and religious minorities as the "enemies" of the Cambodian people. It is estimated that 1.5 to 2 million Cambodians died under the Khmer Rouge regime, from 1975 to 1979. A more recent instance of war crime, which was considerably influenced by the distribution of hatred and violence, is the Srebrenica genocide in Bosnia and Herzegovina during the Bosnian War (1992-1995), when Serbian state-controlled media spread nationalist propaganda, targeting Bosnian Muslims, which fueled religious and ethnic tensions and resulted in mass killing of 8,000 Bosnian Muslim men and boys in July 1995. <sup>2</sup>

The history of addressing the issue of hate speech at the legislative level is complex and lengthy process, which approximately commenced after World War II, when different civil rights groups in the USA started implementing restrictions on hateful speech and combating its harmful consequences.<sup>3</sup> During the same period, Germany, realizing the importance of preventing the resurgence of Nazism, criminalized *Volksverhetzung* ("incitement of hatred")<sup>4</sup>. In France in 1972 French Parliament passed the Pleven Law to combat racism and racial discrimination, making it

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<sup>2</sup> <https://www.un.org/en/hate-speech/understanding-hate-speech/hate-speech-and-real-harm>

<sup>3</sup> Walker, Samuel (1994). *Hate Speech: The History of an American Controversy*. Lincoln: University of Nebraska Press. p. 79.

<sup>4</sup> [https://dejure.org/gesetz\\*e/StGB/130.html](https://dejure.org/gesetz*e/StGB/130.html)

illegal to incite racial hatred or to use language that was racially contemptuous or offensive, as well as the Gayssot Law in 1990, making it illegal to deny publicly the occurrence of the Nazi Holocaust.<sup>5</sup>

## Causes

The cause of hate speech is rooted in ignorance, fear, and social factors. Limited knowledge and a lack of exposure to different cultures, religions and beliefs can lead to the distribution of prejudiced attitudes and stereotypes. Furthermore, fear and insecurity play a significant role, as individuals may utilize hate speech to assert dominance and demonize or dehumanize other groups of people.

According to the Pyramid of Hate, which was released by the Anti-Defamation League (ADL) in 2018 to illustrate how certain behaviors contribute to bias-motivated violence, the foundation of hate speech lies in biased attitudes, which includes destructive stereotypes, insensitive remarks, fear of difference and non-inclusive language. The next level of the pyramid involves discrimination, which often comes in various forms, such as economic, educational and criminal discrimination. Subsequently, the higher level of the pyramid describes violence on the basis of biases, including different forms of hate crimes, from assault and arson to even murder. Eventually, at the pinnacle of the pyramid, there is genocide, which refers to deliberate and systematic destruction of a particular group of people.

The Pyramid of Hate explicates that the core cause of discrimination, hate crimes and genocide is rooted in hate speech. Additionally, if the behaviors on the lower levels of the pyramid are treated as normal, the next level becomes more acceptable among both individuals and institutions. Rather than considering hate speech as a symptom of racism or sexism, hate speech should be viewed as a driving force for these issues.

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<sup>5</sup> <https://www.jstor.org/stable/422386?origin=crossref>

## The Problem

Hate Speech affects not only the dignity and human rights of the individual who is directly targeted, but also others who belong to the same minority or group as those who are directly targeted. Hate speech causes dangerous splits in society, affects the participation and inclusion of all those targeted, and threatens democracy. Hate speech victims become progressively excluded from society, pushed out of public debate and silenced. Hate speech is widely acknowledged to be a prerequisite for mass atrocities such as genocide.<sup>6</sup> Incitement to genocide is an extreme form of hate speech, and has been prosecuted in international courts such as the International Criminal Tribunal for Rwanda.<sup>7</sup>

Current case law and research concerning hate speech has shifted focus toward hate speech on the Internet. Online hate diffusion has now developed into a serious problem and this has led to a number of international initiatives being proposed, aimed at qualifying the problem and developing effective counter-measures. Among its main consequences, harm against social groups by creating an environment of prejudice and intolerance, fostering discrimination and hostility, and in severe cases facilitating violent acts; impoliteness, pejorative terms, vulgarity, or sarcasm; incivility, that includes behaviors that threaten democracy, deny people their personal freedoms, or stereotype social groups; and off line hate speech expressed as direct aggressions, against political ideologies, religious groups or ethnic minorities.<sup>8</sup> For example, racial- and ethnic-centered rumors can lead to ethnic violence and offended individuals might be threatened because of their group identities.

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<sup>6</sup> [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3230050](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3230050)

<sup>7</sup> <https://www.loc.gov/item/lcwaN0010101/>

<sup>8</sup> <https://www.sciencedirect.com/science/article/abs/pii/S1359178921000628>

Online hate speech is culminating in horrible scenarios like the Rohingya genocide in Myanmar, anti-Muslim mob violence in Sri Lanka, and the Pittsburgh synagogue shooting.<sup>9</sup>

### Past UN Actions

As the United Nations organization has always demonstrated aspiration to address this disturbing phenomenon both on global and national scales, recognizing it as a challenge for peace and a growing menace to the social stability and democracy, United Nations Secretary-General António Guterres developed the United Nations Strategy and Plan of Action on Hate Speech on 18 June 2019, which is coordinated by the United Nations Special Adviser on the Prevention of genocide. This strategy, which aims to improve the UN's response to the global phenomenon of hate speech, is the result of close collaboration between 16 entities under the UN Working Group on Hate Speech. The primary purpose of the strategy is to improve understanding of all United Nations entities about the impact of hate speech and the ways to effectively address it in their work. The strategy also includes stronger support for Member States and closer engagement with private companies, civil society and media.<sup>10</sup>

In June 5, 2020, UNESCO organized a webinar on "*The COVID-19 pandemic of disinformation and hate speech: How can education and digital citizenship help?*".<sup>11</sup> The webinar looked at how education can help young people navigate the online world in terms of civic engagement.

In an interview with UNESCO on "Why do hatred and antisemitism spike during crises?" the Special Rapporteur on Freedom of Religion and Belief discussed the reasons why underlying and

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<sup>9</sup> <https://dl.acm.org/doi/abs/10.1145/3292522.3326034>

<sup>10</sup> <https://press.un.org/en/2019/pi2264.doc.htm>

<sup>11</sup> <https://www.ohchr.org/en/special-procedures/sr-religion-or-belief/hate-speech-and-incitement-hatred-or-violence>

unchecked hatred and intolerance rise up during times of stress (May 15,2020). According to the Special Rapporteur, education, including social and emotional skills, can help counter hate speech. UNESCO and OSAPG have brought together international experts to define hate speech and plan a global education ministers' conference later in 2020.

Adopted in October 2012, the Rabat Plan of Action is the outcome of a series of expert meetings organized by the Office of the High Commissioner for Human Rights (OHCHR). It stresses the collective responsibility of State officials, religious and community leaders, the media, civil society and all individuals to nurture social unity, tolerance and dialogue to prevent incitement to hatred.<sup>12</sup>

The UN General Assembly adopted a resolution on "promoting interreligious and intercultural dialogue and tolerance in countering hate speech," marking an important step forward in the fight against hate speech. It declares June 18 as the International Day for Countering Hate Speech, and it was first marked on June 18, 2022.

## Solutions

Since the problem of Hate Speech prevails despite the ongoing effect initiated by the UN, further actions are needed.

**Educating media ethics:** To combat tribalized hate speech, it is necessary to recognize that, while freedom of expression is a fundamental human right, the rise of social media has created multiple platforms for the production, packaging, and dissemination of hate speech. Education in media ethics should emphasize journalists' rights and freedoms, as well as their role in creating and promoting peaceful societies. Awareness must be raised on the political, social and cultural rights of individuals and groups, including freedom of speech, and the responsibilities and social implications

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<sup>12</sup> <https://www.un.org/en/hate-speech/united-nations-and-hate-speech/further-un-initiatives-to-combat-hate-speech>



that come with press freedom. Journalists must be equipped with the knowledge and skills to identify hate speech and to counteract hate speech messages.

**Social Media Literacy:** Encourage digital literacy and critical thinking skills in order to help people distinguish between hate speech and constructive discourse. Educate users on how to use social media platforms responsibly and use their influence to fight hate speech.

**Long-term Prevention:** Identify and address the underlying causes of hate speech, such as prejudice, discrimination, and inequality. Policy and initiatives that promote equality, diversity, and social inclusion should be implemented.

**Strengthen Legislation:** Create and enforce hate speech legislation that strikes a balance between freedom of expression and protection from hate speech. To distinguish hate speech from legitimate forms of expression, clear definitions and guidelines must be established.

## Conclusion

In conclusion, hate speech is a serious issue that has had devastating consequences throughout history. It is a method of communication that incites violence and hatred against individuals or groups based on their race, nationality, religion, or gender. Hate speech has historically been a precursor to heinous crimes such as genocide and war. Well-known examples of hate speech's destructive power include the Holocaust, the Cambodian genocide, and the Srebrenica genocide. The legislative response to hate speech has been a complicated and time-consuming process, with various countries enacting restrictions and laws to combat its negative effects. Ignorance, fear, and social factors, such as a lack of knowledge and exposure to different cultures and beliefs, are the root causes of hate speech. It is critical for society to address these causes and work toward making the world more inclusive and tolerant. Efforts toward education, diversity promotion, legislation, and empathy development are critical in preventing the impact of hate speech and maintaining human rights and the rule of law in democratic societies.

## Links to research

<https://www.un.org/en/hate-speech/understanding-hate-speech/what-is-hate-speech>

<https://www.ohchr.org/en/special-procedures/sr-religion-or-belief/hate-speech-and-incitement-hatred-or-violence>

[https://books.google.co.uz/books?hl=fr&lr=&id=dDoiEAAAQBAJ&oi=fnd&pg=PP9&dq=info:UUm7wPkcXQcJ:scholar.google.com/&ots=fljqpxXLkC&sig=FcXzDWvXpqfFBLOCj022BIoVNrl&redir\\_esc=y#v=onepage&q&f=false](https://books.google.co.uz/books?hl=fr&lr=&id=dDoiEAAAQBAJ&oi=fnd&pg=PP9&dq=info:UUm7wPkcXQcJ:scholar.google.com/&ots=fljqpxXLkC&sig=FcXzDWvXpqfFBLOCj022BIoVNrl&redir_esc=y#v=onepage&q&f=false)

<https://link.springer.com/article/10.1007/s11192-020-03737-6>

<https://www.sciencedirect.com/science/article/abs/pii/S1359178921000628>

<https://www.un.org/en/hate-speech/united-nations-and-hate-speech/further-un-initiatives-to-combat-hate-speech>