



United States Mission to the OSCE

OSCE Meeting on the Relationship between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes

As prepared for delivery by Stephan M. Minikes
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Closing Session
Paris, June 17, 2004

Thank you, Mr. Chairman.

I would like to thank the Chairman-in-Office and our French hosts for organizing this important event and for the excellent cooperation we have enjoyed with both during the preparations for this Meeting.

The U.S. Delegation has enjoyed and benefited from the exchanges during this meeting and appreciates the forthright and constructive contributions of the participants.

No one here questions that the Internet provides a potent new tool for the dissemination of objectionable speech. The question is how best to address this potential.

During the past two days, we have heard some advocate that hate speech on the Internet must be suppressed. Respectfully, we disagree. Rather than fear the purveyors of hate, let us confront them in the marketplace of free ideas, where the bright light of truth will expose their bigotry and their lies can be unmasked.

Once we surrender to government the power to determine what ideas may or may not be heard, how do we guarantee the efficacy of these different decisions and then protect against even greater restrictions? How can we ensure, for example, that restrictions directed against what some call religious extremism are not used to target minority religions, as is already the case among some of those who advocate this approach? Or that restrictions against so-called xenophobic or racist speech are not a proxy for stifling political dissent, as we also see happening in parts of the world?

Demands that governments restrict the new and widespread dissemination of information are not new. Five hundred years ago, Gutenberg's movable-type press prompted many governments to censor all printed works. The potential for widespread access to information caused great fear of social change or even upheaval. The spread of the truth was viewed as a danger.

Since then, history is replete with publications that are unworthy of mention. And yet, the ensuing five centuries have seen both an ever-wider dissemination of knowledge, and an inexorable march towards greater democracy and freedom.

Today, the Internet, like the printing press, can be used to promote unpopular ideas. However, the United States believes that ultimately the ability of the Internet to promote discourse and disseminate ideas is the very solution to -- and not a problem in -- the fight against racism, xenophobia, and anti-Semitism.

We have discussed differences in the ways that our respective nations view government regulation of objectionable speech. More importantly, however, our exchanges over the past two days have also revealed broad areas of consensus. These are:

First, that participating States and NGOs must work together both to educate, particularly the young, and to expose the utter falsehood of the messages conveyed by hate speech. In this regard, we believe that the techniques and materials produced and employed by successful educational programs should be widely disseminated. We must also enable and encourage parents to exercise greater supervision and control over their children's use of the Internet. In particular, participating States and ISPs should take concrete steps to increase parental awareness of widely available and even free-of-charge filtering software that allows parents to monitor their children's Internet access. At the same time, it is important to note that the Internet represents a valuable, positive educational tool. Participating States therefore should foster access to the Internet both in homes and in schools.

Second, it is clear that much study is needed of the relationship between hate speech on the Internet and bias-motivated crime. It is also particularly vital that we study how laws restricting hate speech are currently enforced. On this point, the Representative on Freedom of the Media should examine whether such laws are being enforced in a discriminatory or selective manner or are being misused to suppress political dissent. We are pleased that he has expressed interest in this recommendation.

Third, this meeting has revealed broad consensus on the important role played by NGOs and industry groups. We support the efforts of private organizations to monitor and uncover racist, xenophobic, and anti-Semitic expression on the Internet and believe it is imperative that they share this information regularly. In particular, NGOs can be very effective in alerting ISPs to hate speech, which often violates "Terms of Service" and "Acceptable Use" clauses that prohibit racist, xenophobic, and anti-Semitic material.

Finally, this meeting has demonstrated consensus on some things government itself should do. We agree, for example, that participating States must vigorously investigate and, where appropriate, prosecute criminal threats of violence transmitted over the Internet. Likewise, participating States must vigorously prosecute perpetrators of all bias-motivated violence. Finally, given the complexities of such prosecutions, we believe there is a consensus on the need to train investigators and prosecutors on how to address bias-motivated crimes on the Internet.

In conclusion, we believe that a basis now exists for immediate action. Our discussions have identified common ground among participating States in a number of areas. Accordingly, the U.S. is pleased to present a 10-point action plan as a roadmap for immediate progress that will be attached to our circulated written statement. We look forward to continuing to work with participating States in the months to come on these important issues and thank our French hosts for their hospitality.

**OSCE Meeting on the Relationship between
Racist, Xenophobic and Anti-Semitic Propaganda on the Internet
and Hate Crimes
U.S. Delegation Ten-Point Action Plan**

1. Participating States should take action to ensure that the Internet remains an open and public forum for the airing of all viewpoints and to foster access to the Internet both in homes and in schools.
2. Participating States should vigorously investigate and, where appropriate, fully prosecute bias-motivated violence and criminal threats of violence on the Internet.
3. The OSCE Representative on Freedom of the Media should study whether laws prohibiting bias-motivated speech are being enforced in a discriminatory or selective manner or are being misused in any nation as a means of silencing government critics and suppressing political dissent.
4. Participating States should study the effectiveness of laws regulating Internet content, specifically with regard to their effect on the rate of racist, xenophobic, anti-Semitic crimes.
5. Analytically rigorous studies should be conducted of the possible relationship between racist, xenophobic, and anti-Semitic speech on the Internet and the commission of bias-motivated crimes.
6. Participating States should collect information concerning incidents of bias-motivated crimes and publish a report on an annual basis summarizing this data.
7. Participating States should support the establishment of programs to educate children about bias-motivated expression they may encounter on the Internet. Materials from successful educational programs should be widely disseminated.
8. Participating States and ISPs should take steps to increase parental awareness of widely available filtering software that enables parents to exercise greater supervision and control over their children's use of the Internet.
9. NGOs should continue and increase their efforts to monitor the Internet for, share, and publicize their finding of racist, xenophobic, and anti-Semitic content.
10. Participating States should train investigators and prosecutors on how to address bias-motivated crimes on the Internet