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London, 26 February 2020

SUBJECT: Experts working group against online hate speech

Honourable Minister for Technological Innovation and Digitalisation,
Honourable Minister of Justice,
Honourable Under Secretary of State,
Honourable Head of the Department for Publishing,

ARTICLE 19 hereby writes concerning your recent initiative to establish a working group of experts to monitor and study the regrettable phenomenon of hate speech online in the country, with the aim of providing suggestions and recommendations on how to combat it.

ARTICLE 19 is an international human rights organization promoting the right to freedom of expression and information. We work for a world where all people can freely express themselves and actively engage in public life without fear of discrimination. We do this by working nationally, regionally and internationally to close the implementation gap between law and practice.

We are fully aware of the challenges presented by hate speech in Italy and of a significant rise in the number of recorded episodes of incitement to hatred based on various grounds in recent years. At a number of previous occasions, we have tried to contribute in a number of ways to address these challenges, putting our expertise and skills at disposal of relevant actors. Most recently, in 2019 we provided comments to the AGCOM public consultation on the new regulation on hate speech.¹ In 2018, we have also produced a comprehensive report on hate speech and freedom of expression in Italy; this report examines both legislation and practices related to hate speech in the country, with a particular focus on the media.² The report also assesses the compliance of the respective legislation with international freedom of expression standards and offers recommendations for its improvement.

¹ <https://www.article19.org/resources/italy-article-19-responds-to-agcom-proposal-for-hate-speech-regulation/>

² <https://www.article19.org/resources/italy-responding-hate-speech/>

Therefore, we welcome your recent initiative, which clearly signals institutional attention and commitment with regard to a phenomenon that remains a great concern in Italy and beyond.

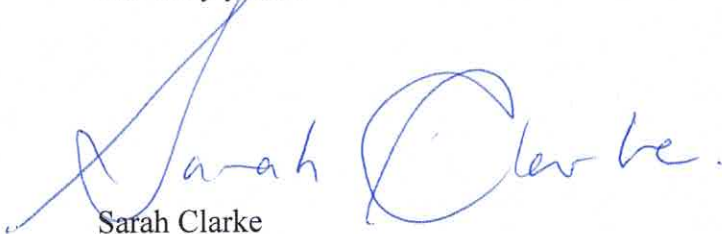
At the same time, we wish to express our serious concerns about the fact that the group of experts established with the decree of 29 January 2020 does not include all relevant stakeholders who could play a role in the debate, and in the identification of adequate solutions to the hate speech problem in Italy. Based on the publicly available information none of the 16 members appointed, in fact, appears to represent the civil society. We are also concerned that the group fails to ensure a diversity of expertise needed to address related problems. For example, it does not include experts on anti-discrimination issues, nor civil society representatives of different minorities, who are among the most touched by the phenomenon.

We are strongly convinced that civil society has a fundamental role to play in the fight against hate speech, as well as intolerance and discrimination. We believe that its presence in the group of experts could provide a valuable and necessary contribution, while its absence would undermine its inclusiveness and legitimacy. We are aware that the working group intends to consult with a wide range of stakeholders from the private and the public sector and we would welcome the opportunity to contribute to the discussion by providing our expertise on the application of international standards on freedom of expression to national contexts.

Therefore, we hereby call on you to support and encourage the active participation of civil society members to the working group of experts, to take into due account our previous recommendations on how to contrast hate speech in the country and to ensure that international human rights standards on freedom of expression are taken into account in the formulation of policy documents and their application.

We are grateful for the attention you will dedicate to this urgent matter.

Sincerely yours,



Sarah Clarke

Head of Europe and Central Asia

ARTICLE 19

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