

**Forum:** Human Rights Council

**Issue:** Addressing the rise of hate speech due to the increase in digital media usage

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## Introduction

The growth of hateful content online has been coupled with the rise of easily shareable disinformation enabled by digital tools. Statistics show that reported hate crimes rose 108% over nine years, from a low of 5,597 in 2014 to 11,643 in 2022; and prior to 2014, the lowest number of reported hate crimes was 1991's 4,589. Between 2010 and 2019, an estimated 56% of hate crimes were not reported to the police. This raises unprecedented challenges for our societies as governments struggle to enforce national laws in the virtual world's scale and speed. Unlike in traditional media, online hate speech can be produced and shared easily, at low cost and anonymously. It has the potential to reach a global and diverse audience in real time. The relative permanence of hateful online content is also problematic, as it can resurface and (re)gain popularity over time. Meanwhile, the growing weaponization of social media to spread hateful and divisive narratives has been aided by online corporations' rhythms. This has intensified the stigma vulnerable communities face and exposed the fragility of our democracies worldwide. It has raised scrutiny on Internet players and sparked questions about their role and responsibility in inflicting real world harm.

Discrimination and hate speech in media do not only hurt the feelings of the individuals or communities they target. They can also contribute to crimes committed against them and stoke the flames of armed conflict, or incite or justify the commission of crimes against ethnic or national groups, as well as encouraging violence against specific demographics such as women, children, refugees, minorities or political opposition figures. Online hate has negative effects on the well-being of both victims and observers, including 'depression, isolation, paranoia, social anxiety, self-doubt, disappointment, loneliness, and lack of confidence'; victims of online hate speech may feel as if their human dignity was violated, no longer seeing themselves as good and appropriate, in accordance with socio-cultural norms.

As of today, there are some international policies put in place to deal with hate speech such as Article 10, and 17 of the ECHR, the EU's Digital Service Act, or The International Convention on the Elimination of all Forms of Racial Discrimination (CERD) etc. However, considering the increase of discrimination, more needs to be done. The pre-existing policies need to be reviewed, and new frameworks need to be designed and implemented.

## Definition of Key Terms

### **Hate Speech**

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.

### **Xenophobia**

Prejudice and/or discrimination against anyone or anything that is perceived to be foreign or outside one's own group, nation or culture. Xenophobia is commonly used to describe negative attitudes toward foreigners and immigrants.

### **Ableism**

The discrimination of and social prejudice against people with disabilities based on the belief that typical abilities are superior.

### **Hate**

An extreme dislike for something or someone. If that hate is based on an aspect of someone's identity (e.g. race, religion, gender/gender identity, disability, sexual orientation, etc.) it can result in interpersonal bias, discrimination, hate incidents, hate crimes and/or involvement in an organized hate group.

### **Prejudice**

Prejudging or making a decision about a person or group of people without sufficient knowledge. Prejudicial thinking is frequently based on stereotypes.

### **Minority Groups**

A group within society that coexists with the population of a nation or area, but differ from the dominant population. This can be in terms of race, ethnicity, language, culture, etc. Minority groups commonly face discrimination in their countries.

## Background

### General History

Hate speech laws are a relatively modern phenomenon that appeared in Europe in the wake of World War II. The idea behind such laws was to curb the kinds of anti-Semitic and racist propaganda that gave rise to the Holocaust. Slavery and genocide are among the historic injustices that have propagated deep-seated prejudices and stereotypes, forming the connecting link to hate speech in modern times. Historical injustices have created a legacy of discrimination in which marginalized groups have been dehumanized and targeted based on race, ethnicity, or

religion. This dehumanization cultivates an environment in which hate speech thrives since it generally draws from these long-standing biases to justify or normalize harmful rhetoric. In the present digital perspective, social media and other online platforms magnify these prejudiced voices of history by providing an immense and easily accessible platform on which to proclaim and share hate speech. Algorithms, in their very design of prioritizing engagement, end up promoting such divisive content and often show inflammatory posts that appeal to existing biases. The anonymity of the internet further emboldens people to air views of hate without immediate social consequences. The United Nations has a long history of mobilizing the world against hatred of all kinds to defend human rights and advance the rule of law. The impact of hate speech cuts across numerous UN areas of focus, from protecting human rights and preventing atrocities to sustaining peace, achieving gender equality and supporting children and youth.

One instance of hate speech in digital media usage is the Charleston church shooter in the United States, perpetrators of recent white supremacist attacks have circulated among racist communities online, and also embraced social media to publicize their acts. Prosecutors said the Charleston church shooter, who killed nine black clergy and worshippers in June 2015, engaged in a “self-learning process” online that led him to believe that the goal of white supremacy required violent action. The vast and diverse publicity that the incident and its consequent events received proved to be an important factor in influencing public opinion. There was a heightened focus in the media on the connections between hate speech and incitement to violence, as they began to investigate Roof’s online activity and the processes of his radicalization.

Another instance of hate speech is the 2018 Pittsburgh synagogue shooter was a participant in the social media network Gab, whose lax rules have attracted extremists banned by larger platforms. There, he espoused the conspiracy that Jews sought to bring immigrants into the United States, and render whites a minority, before killing eleven worshippers at a refugee-themed Shabbat service. This “great replacement” trope, which was heard at the white supremacist rally in Charlottesville, Virginia, a year prior and originates with the French far right, expresses demographic anxieties about nonwhite immigration and birth rates.

Recent UN actions include the Pact for the Future that includes a Global Digital Compact and a Declaration on Future Generations which took place on 22nd September, 2024, as well as the UN cybercrime treaty which as passed in unanimous vote on 8th August, 2024

## Causes

### *Covid 19 Pandemic*

As early as May 2020, United Nations Secretary-General António Guterres raised the alarm about the “tsunami of hate and xenophobia, scapegoating and scaremongering around the world” unleashed during the coronavirus pandemic. He then made a global appeal to address and counter the specific issue of COVID-19-related hate speech. Released shortly after, the UN Guidance Note on Addressing and Countering COVID-19 related Hate Speech clarifies that this “encompasses a broad range of disparaging expressions against certain individuals and groups that has emerged or been exacerbated as a result of the

new coronavirus disease outbreak – from scapegoating, stereotyping, stigmatization and the use of derogatory, misogynistic, racist, xenophobic, Islamophobic or antisemitic language”. This hateful content is often coupled with disinformation and misinformation about COVID-19 and disseminated through traditional and/or digital media. During a global health crisis, when access to safe and reliable information can be a matter of life or death, the consequences of COVID-19-related hate speech can be disastrous for both targeted groups and society at large. Such hate speech can worsen pre-existing inequalities, intolerance and discrimination – especially towards minorities and/or foreigners. It may also expose those targeted to violence, social, political and economic exclusion, deepening the already disproportionate effects of the pandemic on underprivileged communities as a result. COVID-19-related hate speech and disinformation may also lead to division and social unrest at a time when unity and cohesion are more needed than ever. It is particularly dangerous when used by influential figures – like political and religious leaders – and/or when it is part of a coordinated effort to harm.

COVID-19 has been largely blamed on the Chinese due to the first case of COVID being discovered there which led to the high-profile cases of hate crimes in the U.S targeting Asian Americans. Intimations—and even accusations—that the novel coronavirus is an “Asian” or “Chinese” virus have been linked to anti-Asian American hate crime, potentially leaving members of this group not only fearful of being victimized but also at risk for victimization. Due to self-isolation as the highly infectious virus, perpetrators turned to social media to display their immoral acts of hate speech. According to the Stop AAPI Hate Center, nearly 1900 hate crimes against Asian Americans were reported by victims, and around 69% of cases were related to verbal harassment, including being called the “Chinese Coronavirus.” Statistics show that hate crime against Asian Americans increased considerably in 2020 compared with that of 2019. Specifically, hate crime against Asian Americans temporarily surged after March 16, 2020, when the blaming labels including “Kung flu” or “Chinese Virus” were used publicly.

### ***Historical Context***

Slavery, colonialism, genocides, and other forms of discrimination have contributed to the rise and dissemination of hate speech. For example, the legacy of colonialism and imperialism has resulted in prejudices and hierarchies of power that promote hate speech against marginalised communities. Hate speech is widespread because of the ideas and rhetoric used to justify these historical injustices, which continue to influence attitudes and behaviour today. One of the main discussions of discrimination in the media is the Rwandan Civil War. The Rwandan broadcaster, RTLM, played an important part in fomenting conflict between the Hutu and Tutsi ethnic groups in 1994, calling for the killing of Tutsis and describing them as “cockroaches” in its coverage of events. In cases of this kind, hate speech is a crime punishable by law. The International Criminal Tribunal for Rwanda sentenced the RTLM’s co-founder, Ferdinand Nahimana, and its executive chairman, Jean Bosco Barayagwiza, to life imprisonment for promoting hatred against the Tutsis through its broadcasts.

### **Affects**

## Minority groups

National, ethnic, religious or linguistic minorities are a recurring targets of hate speech, including online. According to the Special Rapporteur on Minorities Issues' thematic report 70 per cent or more of those targeted by hate crimes or hate speech in social media are minorities. In addition to being the main targets of hate speech, the report says members of minority groups are also more likely to be affected by restrictions and/or removals by social media content moderation systems. Recent incidents of hate speech, including racist slurs and even incitement to violence or genocide, reflect a global and worrisome trend targeting minority groups as diverse as the Igbo people in northern Nigeria, the Rohingya in Myanmar, the Roma and the Sinti in Europe, or People of African descent, among many others. This trend has been exacerbated by extremist groups and populist figures worldwide who have used the COVID-19 pandemic to promote anti-minority narratives, disinformation and conspiracy theories. Many of these scapegoat Jews, Muslims, Christian minorities, people of Asian descent (especially those perceived as Chinese), and other communities for the spread of the virus.

## Migrants and refugees

The scale of international migration has snowballed over the past 20 years, as millions of people worldwide flee from poverty, conflict, violence and persecution. In 2020, the United Nations estimated that 281 million people were living outside their country of origin. Migrants and refugees tend to be particularly vulnerable to racism, discrimination and status-related intolerance. However, hate rhetoric and incitement against migrants and refugees have worsened with the recent increase in the number of refugees, asylum-seekers and migrants across various regions of the world, where the large number of newcomers has put a strain on governments and captivated public debate. Increasingly, migrants and refugees are portrayed as unable to adapt to local customs and life, and routinely associated with fears of violence and terrorism, while their positive contribution to societies is ignored. Where host populations feel confronted by the arrival of newcomers from diverse backgrounds, cultures and religions, stereotyping and polarization often start dominating media coverage and shaping political debate. Meanwhile, harsh measures targeting migrant and refugee communities are often enacted. As extremist groups and politicians, but also news agencies, fuel hate speech against migrants and refugees to serve their own populist agendas, acts of intimidation and violence have spiked and disinformation has intensified. The impact has already proven disastrous for countless migrants around the world who face discrimination and economic hardship and for refugees and asylum-seekers who live in dire conditions or have been pushed back or deported to dangerous environments.

## Major Parties Involved

### Office of the High Commissioner for Human Rights (OHCHR)

The OHCHR is a department under the United Nations Secretariat tasked with protecting and advancing human rights in fulfillment of the Universal Declaration of Human Rights. Over recent years, OHCHR has been vocal concerning hate speech and racial violence. They launched in May 2019 the United Nations Strategy and Plan of Action on Hate Speech to be used for advocacy on social media. Early 2011, the organization started various conferences around the world where they brought together many experts on human rights. Starting with the

one in the Americas, they tackled standards of human rights in addressing incitement to hatred; they continued to do this in the Asia Pacific and African regions.

### **Office on Genocide prevention and the responsibility to protect (OSAPG)**

Office on Genocide Prevention and the Responsibility to Protect's mission is designed to identify risks and mobilize international efforts to address such growing threats before they escalate. Further, the office advocates for the principle of Responsibility to Protect (R2P), which stipulates that states bear the primary responsibility to protect their populations from such atrocities, with the support of the international community in the discharge of this responsibility. OSAPG works through advocacy, capacity-building, and collaboration with member states and civil society to adopt a proactive stance pertaining to the prevention of mass violence and accountability for those who have committed crimes.

### **United States**

On September 23, 2024, the FBI released the hate crimes data from the Uniform Crime Reporting (UCR) Program as reported by law enforcement agencies across the country. Those agencies reported 11,862 hate crime incidents involving 13,829 offenses. Americans are also much more tolerant of offensive speech than people in other nations. For instance, 77% in the U.S. support the right of others to make statements that are offensive to their own religious beliefs, the highest percentage among the nations. Fully 67% think people should be allowed to make public statements that are offensive to minority groups, which is again the highest percentage. The U.S. was one of only three nations where at least half endorse the right to sexually explicit speech. Moreover, Hate speech is protected by the First Amendment. Courts extend this protection on the grounds that the First Amendment requires the government to strictly protect robust debate on matters of public concern even when such debate devolves into distasteful, offensive, or hateful speech that causes others to feel grief, anger, or fear. Under current First Amendment jurisprudence, hate speech can only be criminalized when it directly incites imminent criminal activity or consists of specific threats of violence targeted against a person or group.

### **India**

In seven years, India has seen a 500% rise in cases filed under its hate-speech law according to the National Crime Records Bureau. In India, lynch mobs and other types of communal violence, in many cases originating with rumors on WhatsApp groups, have been on the rise since the Hindu-nationalist Bharatiya Janata Party (BJP) came to power in 2014. Online and offline hate speech, particularly against Muslims, has been on the rise in India, acquiring grave proportions. The digital hatred and majoritarian radicalization were particularly visible during the early months of the onset of the pandemic. The resultant impact has been damaging for foreign relations, particularly with respect to India's strategic partners in the Gulf. The Organization of Islamic Cooperation (OIC) expressed its concern over the rise of

Islamophobia on social media, with Indian Prime Minister Narendra Modi also tweeting a response to placate the country's Gulf partners. India's ambassador to Oman and his counterpart in the United Arab Emirates reached out to the Indian diaspora as well, asking them to steer away from fake news after several tweets surfaced quoting Hindus blaming Muslims for spreading the coronavirus in India.

## Timeline of Events

Date	Description of event
<b>December, 1948</b>	The Convention on the Prevention and Punishment of the Crime of Genocide is the first human rights treaty adopted by the General Assembly of the United Nations in 1948, on the heels of the atrocities committed during the Second World War. It specifies that genocide is a crime that can take place in times of war or peace and it obliges States to take measure to prevent it and punish perpetrators.
<b>January, 1965</b>	The International Convention on the Elimination of all Forms of Racial Discrimination (CERD), adopted by the UN General Assembly in 1965, prohibits “propaganda” and “dissemination of ideas” about racial superiority and racial discrimination, including from public authorities or public institutions (art. 4)
<b>September, 2015</b>	Adopted in 2015 by all United Nations Member States, the UN Sustainable Development Goals (SDGs) are a call to action by all countries – poor, rich and middle-income. SDG 4 calls for inclusive and quality education for all and the promotion of lifelong learning to achieve sustainable development. Equipping all learners to counter hateful content lies at the core of Target 4.7 of the SDG 4 – sustainable development and global citizenship.  SDG 16 is another goal relevant to hate speech, in that it calls for the promotion of peaceful and inclusive societies, access to justice for all and effective, accountable and inclusive institutions at all levels. In particular, its Target 16.10 – ensure public access to information and the protection of fundamental freedoms, in accordance with the law – can help combat misinformation and disinformation.
<b>June, 2019</b>	In response to growing levels of hate, xenophobia and racism globally, UN Secretary-General Antonio Guterres recognised that ‘hate is moving into the mainstream’. The plan proposes a two-pronged method to tackle hate speech: to address root causes and to enable effective UN responses to the impact on societies. It contains 13 commitments, including supporting victims, engaging with new media, and using education to prevent hate speech.
<b>November, 2021</b>	The UN Human Rights Regional Office for the Middle East and North Africa (OHCHR- ROMENA) has launched in partnership with the UN Office on Genocide

	<p>Prevention and the Responsibility to Protect (OSAPG) a booklet on “Engaging Religious Actors to Counter Hate Speech, Prevent Incitement to Violence, and Build Inclusive and Peaceful Societies”. The concise publication celebrates the fundamental human rights of freedom of expression and freedom of religion or belief, both cornerstones of pluralist, diverse and inclusive societies. It aims to foster understanding, tolerance and respect for diversity in matters relating to freedom of religion or belief is essential for sustained peace and stability, while combatting incitement to discrimination, hostility or violence.</p>
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## Previous Attempts to Resolve the Issue

### United Nations Strategy and Plan of Action on Hate Speech

The Strategy and Plan of Action acknowledges that hate speech has the potential to incite violence and undermine social unity. It recognizes that hate speech has been a precursor to atrocity crimes, including genocide, over the past 75 years. This approach to coordinating efforts across the UN system to identify, prevent and confront hate speech is grounded in international human rights standards, including the right to freedom of opinion and expression, principles of equality and non-discrimination, as well as other fundamental rights. The Strategy aims to give the United Nations the room and the resources to address hate speech, which poses a threat to UN principles, values and programmes. It guides the UN system on how to address hate speech and includes ways to support United Nations Resident Coordinators’ action in addressing and countering hate speech on the ground. The Strategy and Plan of Action has two overriding objectives: Enhance UN efforts to address the root causes and drivers of hate speech in a coordinated way, with a focus on education as a preventive tool to raise awareness and build unity, and Focus on the United Nations response to the impact of hate speech on societies, with an emphasis on engaging with relevant actors, strengthening advocacy, and developing guidance for counter-narratives.

### Action Plan to Prevent Genocide

The Secretary-General launched an Action Plan to Prevent Genocide and appointed the first Special Adviser on the Prevention of Genocide, tasked with raising awareness of the causes and dynamics of genocide, alerting relevant actors where there are risks, and advocating and mobilizing for appropriate action. The work of the Special Adviser on the Prevention of Genocide is supported by the Office on Genocide Prevention and the Responsibility to Protect, a structure shared with the Special Adviser on the Responsibility to Protect (OSAPG), a body shared with the Special Adviser on the Responsibility to Protect. Both Special Advisers report directly to the UN Secretary-General.

### The Rabat Plan of Action



Complementing international human rights law provisions, the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence provides key guidance on the distinction between freedom of expression and the incitement to discrimination, hostility and violence. 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.

### The Plan of Action for religious leaders and actors

This Plan of Action includes a broad range of recommendations for how religious leaders and actors can prevent incitement to violence and contribute to peace and stability. It is meant primarily as a tool to inform the work of religious leaders and actors, but is also relevant for States and institutions, secular civil society organizations and media. Launched in July 2017, the Plan of Action captures the recommendations of a two-year consultation that took place within the “Fez process”. This process was the first of its kind engaging religious leaders and actors from different faiths and religions to develop strategies to prevent incitement that could lead to atrocity crimes. The consultations were organized globally by the United Nations Office on Genocide Prevention and the Responsibility to Protect (OSAPG). They took place between April 2015 and December 2016 and gathered 232 religious leaders and actors from 77 countries, as well as government officials, UN entities, civil society organizations and experts on conflict prevention, peacebuilding, human rights and development.

### Possible Solutions

- There should be clearer guidelines and further concise legislations of the consequences of hate speech. As of today, laws concerning hate speech have not been updated to modern-day society since the rise in hate speech and the wide development in social media. Reform in the existing laws, creation of new frameworks, and enforcement of the existing ones are critically important. Stricter content moderation rules would compel the platforms to develop clear policies on the detection and removal of hate speech, complete with regular transparency reports that describe their moderation practices. Algorithms accountability is yet another aspect in view: social media businesses have to be compelled to regularly audit algorithms to make sure they are not inadvertently promoting or amplifying hate speech. Actions that could be taken involve third party audits or AI transparency reports, governments could also develop a department to ensure algorithm accountability. Governments should also implement stricter punishments for breaching hate speech laws, as that may force platforms to take their responsibilities more seriously and build a much safer environment for users.
- A multi-faceted approach should be taken in order to combat hate speech through collaborative efforts with educational institutions in order to raise awareness as well as to prevent future cases of hate speech . This could include integrating digital literacy into a part of school curriculum and facilitating workshops for educators to equip them with essential tools. Children should be taught the consequences of hate speech, as well as being aware of when hate speech occurs. Due to their young ages, children may often be unaware

of when hate speech occurs and take it as the norm. Additionally, peer-led awareness campaigns and partnerships with social media platforms could join forces in providing educational resources for both children and adults. Campaigns and education programmes can be set up by governments, or through relevant NGOs.

- Moreover on the previous point, support systems for victims of hate speech should be sufficient. Adequate government monitoring should be ensured ; the government has to make sure that there is adequate monitoring of the number of hate crimes, areas containing most cases, and other relevant information that may go towards betterment policies concerning the issue. There should also be platforms for victims to report such incidents, with a good system in place so as to ensure that the case, if followed up, will get the victim any help and support. This may include help in paying counseling fees, and even legal assistance. The government should, in addition, pay more attention to cases related to collect information for their future reformations of policies.
- Government partnerships with NGOs and social media platforms would further strengthen the limitations of hate speech. In cooperation with NGOs, governments can draw upon the competence and grassroots-level knowledge these organizations have about the social dynamics and effects of hate speech in specific communities. This would allow framing policies that aim at meeting the needs at the local level without violating human rights. Governments and NGOs can also develop data sharing agreements, joint task forces etc. to further ensure the protection of the people. Second, collaboration by governments with social media companies may be done through setting clear, actionable guidelines that in turn would hold the platforms responsible for their role in regulating hate speech. This includes joint training programs for both government officials and platform employees so that a common understanding of hate speech and its implications may be arrived at. Additionally, governments can support NGO-led programs to monitor online hate speech by supplying the means and legal backing for such independent oversight. This would make it more transparent and gain public confidence in government and social media's efforts to deal with hate speech. Amounting to a collective, such partnerships can devise an integrated approach that incorporates regulatory frameworks, community engagement, and continuous education in furthering a safer, more inclusive online community.

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## Appendix

### I. <https://www.un.org/en/hate-speech>

The website is UN official, it is a general overview on what hate speech is, actions the UN took, how to prevent it and resources on hate speech.

### II. <https://www.ohchr.org/en/what-are-human-rights>

Also an UN official website and is the leading UN entity on human rights, it represents the world's commitment to the promotion and protection of the full range of human rights and freedoms set out in the Universal Declaration of Human Rights.