

Hate Speech in the Online Space

Abstract

This thesis focuses on mapping the ways of sanctioning hate speech which appears on the Internet. In the introductory chapter, the concepts of hate speech and the online environment are first explained. Next, the various means by which the Internet is a suitable venue for the dissemination of hateful rhetoric are discussed. The chapter also briefly shows the ways one can come in contact with hateful content on the Internet.

The second chapter focuses on one of the key human freedoms closely related to the topic, namely freedom of expression. It draws special attention to its possible conflict with other fundamental rights and freedoms and describes how it is limited.

In the third chapter of the thesis, I draw attention to the penalty of hate speech itself, with an emphasis on criminal sanctions. Therefore, the thesis describes in detail the selected criminal offences under which hate speech can be subsumed. I discuss the following: 1) Violence against a Group of People and Individuals, 2) Defamation of Nation, Race, Ethnic or other Groups of People, 3) instigation of Hatred towards a Group of People or of Suppression of their Rights and Freedoms, 4) Establishment, support and promotion of a movement aimed at suppression of human rights and freedoms, 5) Dissemination of works to promote a movement aimed at suppressing human rights and freedoms, 6) Expressing Sympathies for Movements Seeking to Suppress Human Rights and Freedoms, 7) Denial, Impugnation, Approval and Justification of Genocide. Since the elements of the offences contain a list of the individual groups to which the hatred is directed, the detailed definition of terms such as race, ethnicity, etc is included in the chapter. At the end of the chapter, I also outline possible ways of penalties outside the area of criminal law.

In the fourth chapter, I describe selected documents that focus on the fight against hate speech. The fifth chapter describes the trends of recent years in the area of hate speech, and in the final chapter of the thesis, I outline possible proposals for changes to the current legislation.

Key words: freedom of expression, hate speech, internet, bias