This fact sheet aims to raise awareness about the hate speech against Roma with special focus on media used as a dissemination tool. With this fact sheet, we intend to inform about the negative effects of hate speech and give some illustrative examples, and provide different stakeholders with general recommendations on how to fight such phenomenon.

**Definition of hate speech**

Despite the lack of a universally accepted definition of hate speech, the Council of Europe’s Committee of Ministers’ Recommendation 97(20) on “hate speech”\(^1\) could serve us as a guideline for defining this term. The Recommendation interprets hate speech as covering “all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin”\(^2\). Due to the year of the Recommendation’s adoption, some protected grounds were not expressively covered within its definition. Nevertheless, the text includes “other forms of hatred” and allow us to extend its scope to other grounds such as ethnic origin, religion, sex or sexual orientation. The European Court of Human Rights considers “all forms of expression which spread, incite, promote or justify hatred based on intolerance”\(^2\) as hate speech. Although the United Nations’ International Covenant on Civil and Political Rights\(^3\) does not specifically refer to hate speech, Article 20 (2) could be considered as a definition of this term: “Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence”. In summary, hate speech against Roma is a public conduct, which wilfully expresses intense hostility towards Roma on the basis of their ethnicity\(^4\). This language cultivates the cultural and ethnic homogeneity in order to prove “uniqueness” of a certain national identity\(^5\).

---

5. VOLKOVA, Nadia, SILVESTRI, Martina and LÓPEZ, Sergio. *Hate speech and the media*. Council of Europe. Available at: http://www.coe.int/t/dghl/cooperation/media/Meetings/Hate%20Speech%20Background%20Paper.pdf
Hate speech can take many forms and is not limited to verbal expressions. It can also be shared non-verbally via symbols, leaflets, drawings, etc. Hate speech is not only conducted on face to face basis but also through the use of new technologies easily accessible by masses all around the world. Internet users can share their hatred while hiding their identity behind the veil of anonymity. Their online attacks often target the most vulnerable groups. Public figures, including politicians are using blogs, Facebook, Twitter and other social media to disseminate their racist messages including approval of and incitement to discrimination, hostility or even violence.

This leads us to the question whether hate speech is covered by the protective shield of freedom of expression. One can say both constitute two sides of the same coin. Exercising freedom of speech is based on communication of an opinion or message with any cognitive content while hate speech aims to incite violence and induce certain psychological reactions such as fear, intimidation and other emotional distress in its victim(s)\(^6\). Even though freedom of expression as a fundamental right establishes a cornerstone of all modern democracies, it is not absolute. Under certain conditions it can be restricted. Though limitation of freedom of speech could become a dangerous tool in hands of oppressive governments and could be misused by imposing a certain kind of censorship. Therefore, it is crucial to precisely set up boundaries, within which the freedom of expression could be exercised.

Limitations on freedom of expression can be found on all levels – international, European and national. The Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law\(^7\) obliges member states to adopt a criminal legislation punishing public incitement to violence or hatred including public dissemination of tracts, pictures or other material; publicly condoning, denying or grossly trivialising crimes of genocide, crimes against peace, war crimes and crimes against humanity. Article 10 (1) of the European Convention on Human Rights (ECHR)\(^8\) guarantees the freedom of speech while Article 10 (2) limits the freedom of expression by “formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society”. In the light of the European Court of Human Rights’ jurisprudence, hate speech is not protected by Article 10 of the ECHR\(^9\). Moreover, online hate speech is addressed in the Additional Protocol to the Convention on Cybercrime\(^10\). Regarding the United Nations’ treaties, International Covenant on Civil and Political Rights\(^11\) obliges contracting member states to prohibit hate speech (advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or

---

\(^8\) http://www.echr.coe.int/Documents/Convention_ENG.pdf
\(^10\) http://conventions.coe.int/Treaty/EN/Treaties/Html/189.htm
violence) by law (Article 20(2)). Finally, hate speech condemnation is also included within the International Convention on the Elimination of All Forms of Racial Discrimination\(^\text{12}\); it requires declaring hate speech as an offence punishable by law and calls for prohibition of racist organisations promoting and inciting racial discrimination and propaganda activities.

Harm of hate speech on victims

Hate speech has detrimental effects on its victims and society. On a rising wave of right wing extremism supported by current economic crisis, Roma have been used as scapegoats, blamed for almost all wrong-doings in European society. Perpetrators attempt to dehumanise Roma by strategically using precise discriminatory and selective vocabulary in order to “justify” their hostile aggressive attitude causing psychological damage to victims. Anti-Roma discourses and hate speech particularly by public figures influences opinions of ordinary citizens and fuels ethnic tensions between Roma and non-Roma. Generally, attacked Roma are depicted as outsiders, inferior citizens, an imposed “threat and burden” for mainstream society. They are not viewed as equals and are deprived of their human dignity, paving the way to further discrimination, physical harm and hate crime against them. Hate crimes against Roma and Sinti include incitement to violence, threats, damage to property, arson attacks, physical assaults and even murder. Hate crimes were often committed against Roma children (e.g. threats in Hungary, acid throwing in Italy, physical attacks in Poland) and some of them organised via social network (threats and organisation of arson attack on Facebook in Austria). Furthermore, results of the 2013 OCSE Office for the Democratic Institutions and Human Rights’ hate crime reporting revealed that hate crimes are underreported. While civil society organisations reported hate crimes in twelve OSCE member states; official national hate crime reports were only provided by four OSCE member states (Croatia, Czech Republic, Poland and Sweden)\(^\text{13}\).

When it comes to the spread of hate speech, media often play a strong role. By strengthening negative Roma stereotypes, using offensive language, not reflecting the diversity of European multicultural societies and denying or trivialising anti-Gypsyism media are constructing a racialised social reality\(^\text{14}\). Online media constitute an infinite communication complex used for dissemination of anti-Roma discourses. Due to the global and wide nature of the Internet, social networks provide a platform, where hate speech can be reached by thousands each day. Easy accessibility and anonymity of the Internet also allow perpetrators to create their own websites dedicated solely to the incitement of hatred, discrimination and violence.

\(^{12}\) http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx

\(^{13}\) More information about hate crimes against Roma and Sinti can be found in OSCE ODIHR’s Reports available at: http://hatecrime.osce.org/what-hate-crime/bias-against-roma-and-sinti

\(^{14}\) PANKOWSKI, Rafal. How to Understand and Confront Hate Speech. Thematic Leaflet (2007) 3. UNITED for Intercultural Action, European network against nationalism, racism, fascism and in support of migrants and refugees, p. 2
Cases of hate speech against Roma in the media

This section includes illustration of hate speech against Roma in the media covering the period 2011 - 2014. Beside the hate speech quote, you can find the information about the date and location of the incident, perpetrator’s occupation and response of the local authorities.

FRANCE

➢ Incident 1:

Date, Time and Location of the Incident
Due to the frequency and repetitiveness of hate speech statements by the perpetrator, the incidents cover periods between 2012 – 2015.

Perpetrator(s)
MEP Jean Marie Le Pen is a regional councillor in the south of France and a former member of French National Front political party (FN - Front National).

Brief Description of the Incident
Mr Le Pen stated that “Roma are like birds, they steal naturally.” During the BBC Hardtalk interview he also described the Nazi gas chambers as a “small detail of WWII history”. He repeated his views on the Holocaust in 2015.

Response of Local Authorities
Mr Pen was fined €5,000 for anti-Roma statement. Due to his racist hate speech he has been suspended from FN after a disciplinary hearing.

Source of Information

HUNGARY

➢ Incident 2

Date, Time and Location of the Incident
The statement was published in Hungarian ultra-right-wing Magyar Hírlap newspaper in January 2013.

Perpetrator(s)
Zsolt Bayer is a co-founder of Fidesz.
**Brief Description of the Incident**

Mr Bayer wrote: "A significant part of the Roma is unfit for coexistence. They are not fit to live among people. These Roma are animals, and they behave like animals. When they meet with resistance, they commit murder. They are incapable of human communication. Inarticulate sounds pour out of their bestial skulls. At the same time, these Gypsies understand how to exploit the 'achievements' of the idiotic Western world. But one must retaliate rather than tolerate. These animals shouldn't be allowed to exist. In no way. That needs to be solved -- immediately and regardless of the method."

**Response of Local Authorities**

Gabriella Selmezci, Fidesz spokeswoman, stated that “since Bayer had expressed his opinion as a commentator rather than as a Fidesz member in the incriminating article, the party would not take a stance on it.”

**Source of Information**

http://www.spiegel.de/international/europe/hungarian-journalist-says-roma-should-not-be-allowed-to-exist-a-876887.html

---

**Incident 3**

**Date, Time and Location of the Incident**

The hate speech was made in February 2012 via a local television.

**Perpetrator(s)**

Ferenc Haszilló is a Mayor of Kecel, a former Fidesz member.

**Brief Description of the Incident**

Mr Haszilló stated: “A lot of people don’t have children, but these assholes have four or five. These pieces of shit grow up in piss, dumb as animals, and they come here asking for wood. I would like to kick them in the mouths.”

**Response of Local Authorities**

Mr Haszilló was expelled from the Fidesz party.

**Source of Information**

Incident 4

**Date, Time and Location of the Incident**
The hate speech was expressed via social media, but the date of the post is uncertain (perpetrators had made racist comments between 2011 and 2013).

**Perpetrator(s)**
Janos Kotel is a member of Hungarian nationalist party Jobbik and a newly elected local Councillor.

**Brief Description of the Incident**
Mr Kotel posted a comment on social media about procuring weapons “to kill gypsies”.

**Response of Local Authorities**
No reaction is mentioned.

**Source of Information**

ITALY

Incident 5

**Date, Time and Location of the Incident**
Hate speech was expressed in the parish newsletter in Arrezzo. The date is not specified.

**Perpetrator(s)**
Virgilio Annetti is a pastor of the church of Rigutino.

**Brief Description of the Incident**
Father Anettis stated: "'Himmler' gave this order: add a wagon of gypsies to every convoy. God bless Himmler but why just one instead of two?"

**Response of Local Authorities**
We are not aware of any response by local authorities, but the perpetrator apologised for his racist statement.

**Source of Information**
SLOVAKIA

➢ Incident 6

Date, Time and Location of the Incident
Hate speech was expressed via Facebook in 2014.

Perpetrator(s)
Kristína Kormúthová is a former public service TV presenter.

Brief Description of the Incident
Ms Kormúthová posted a status update on her Facebook profile "Some prematurely-born stinking Gypsy steals a four-meter drainpipe from your house, it's so Slovak. Why can't we hunters shoot them like the pests they are?" She concluded that those who dare to call her a racist should be "bitten by something".

Response of Local Authorities
The Slovak public broadcaster terminated a contract with Ms Kormúthová. The post was erased quickly after its posting and followed by another update: "I sincerely apologize for that rash statement, which was made in the heat of passion and is not compatible with my personal convictions. ... I appreciate Romani people, my father played in a band with only Romani members. I have many Romani friends. I am sorry."

Source of Information
Recommendations

To European institutions:

- **Strongly condemn all forms of anti-Roma rhetoric and hate speech** by the media, politicians and public officials. Anti-Roma discourses stigmatise Roma and may serve to incite acts of racially motivated violence. The implementation of the Race Equality Directive 2000/43 should be guaranteed;
- **Ensure member states transpose and implement the Framework Decision 2008/913/JHA.** Additionally, provide member states with guidelines on the implementation of the Framework Decision;
- **Launch infringement proceedings** against member states which failed to transpose or implement the Framework Decision 2008/913/JHA;
- **Increase the capacity of EU agencies to combat hate speech in cooperation with member states:** EU agencies could coordinate and provide a guideline on data collection, provide training to national civil servants and judges.

To member states:

- **Strongly condemn, penalise and oppose all forms of anti-Roma rhetoric and hate speech** by the media, politicians and public officials. Anti-Roma discourses stigmatise Roma and may serve to incite acts of racially motivated violence;
- **Ratify the Additional Protocol to the Convention on Cybercrime and Protocol No. 12 to the ECHR;**
- **Raise awareness** about hate speech, its harm and legal protection;
- **Fight underreporting of hate crime:** Encourage victims to report the incidents by raising awareness about possible ways of reporting and provide sufficient support to victims;
- **Collect data on hate speech and hate crime;**
- **Train civil servants** about Roma, hate speech and hate crime.

To (Roma) civil society:

- **React promptly** and in a well-documented way every time that media (both local and national) disseminate prejudice and (dis)information in regard to Roma;
- **Raise awareness** about hate speech, its harmful effect, underreporting of hate crimes, ways of reporting;
- **Collect data on hate speech and hate crime:** Develop a reporting mechanism in order to record hate speech and hate crime.
To media:

- Embrace a reporting strategy that ensures a conscientious ethical code of conduct, free of stereotypes and prejudices in order to avoid any form of discriminatory reporting;
- Raise awareness about hate speech and its harm: Cover cases of discrimination, racist violence, but do not trivialise the problem of racism and intolerance;
- Prevent hate speech: Raise tolerance by mainstreaming diversity;
- Participation of the Roma: Include the perspective, opinion and expertise of Roma people through consultation and dialogue during the production of programmes;
- Be positive: Present good examples of integration, best practices, etc.;
- Maintain online discussions hate speech free: Adopt hate speech free Codes of conduct or Terms of Service, moderate discussions on your website by allowing hate speech reporting by participants and using filtering systems.

For more information, please contact: Tel: +32 273 33 462   E-mail: office@erionet.eu

The European Roma Information Office (ERIO) is an international advocacy organisation which promotes political and public discussion on Roma issues by providing information to the EU institutions, civil society and governments. Through its wide network, it aims to combat racist discrimination against Roma through awareness raising, lobbying and policy development. www.erionet.eu - www.facebook.com/erionet.eu - www.twitter.com/ERIO_EU

This publication has been funded by the Rights, Equality and Citizenship Programme of the European Union
JUST/2014/RDIS/OG/NETW/6809