



**RADA FUNDACJI**

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**Open letter by the Polish civil society organisations to His Holiness Pope Francis  
on counteracting hate speech**

Your Holiness,

At the end of July 2016 you will be visiting Poland on the occasion of the International World Youth Day. Many young people from across the world participating in this event will have the fortunate opportunity to hear your message and, without a doubt, your meaningful words will have a great impact on them. That is why we, the undersigned non-governmental organisations that work in the human rights field in Poland, would like to kindly ask you to consider addressing the problem of hate speech during your pilgrimage. We believe that hate speech is currently one of the most challenging issues regarding the protection of human rights, in both offline and online environments, and in particular concerns young people, who are both authors of hateful comments and their primary recipients. The World Youth Day therefore creates an important opportunity to reflect on this problem.

One of the foundations of any democratic society is freedom of expression. The European Court of Human Rights has underlined on many occasions that this freedom is applicable not only to 'information' or 'ideas' that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population<sup>1</sup>. However, freedom of expression is not an absolute right and in certain circumstances may be limited, particularly in the case of hate speech or incitement to violence. In line with the views of the European Court of Human Rights, these are two extreme forms of abuse of freedom of expression that are not protected under Article 10 of the European Convention for Human Rights<sup>2</sup>. They are also not granted protection under Article 54 of the Polish Constitution. This is because hate speech negates fundamental values of a democratic society, such as tolerance and respect for the equal dignity of all human beings<sup>3</sup>. Such forms of speech contravene the moral and social norms of any open and tolerant society, particularly those that aspire to reflect Catholic values.

<sup>1</sup> ECtHR judgment from 7 December 1976, *Handyside v. United Kingdom*, application no. 5493/72.

<sup>2</sup> ECtHR judgment from 20 July 2006, *Raichinov v. Bulgaria*, application no. 47579/99; judgment from 17 December 2004 r., *Cumpănă and Mazăre v. Romania*, application no. 33348/95.

<sup>3</sup> ECtHR judgment from 6 July 2006, *Erbakan v. Turkey*, application no. 59405/00.

According to the Recommendation No. (97) 20 of the Committee of Ministers of the Council of Europe, the term ‘hate speech’ shall be understood as covering all forms of expression which is used to 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, and discrimination and hostility against minorities, migrants and people of immigrant origin. Unfortunately we observe that hate speech has been increasing of late in Poland, similarly to other countries of our region. This applies in particular to Internet communication, but also to offline hatred.

The available research reveals that the Internet has become one of the main platforms through which hate speech is nowadays distributed, affecting to a great extent young people for whom online communication plays a crucial role in life, both for work and leisure. According to the survey conducted by the No Hate Speech Movement in 2015, as many as 83% of young people who participated in the survey have come across online hate speech<sup>4</sup>. In Poland almost two-thirds of young people encountered examples of anti-Semitic hate speech on the Internet and similar percentages encountered racist, anti-Roma or homophobic statements online<sup>5</sup>. Moreover, young people are more likely than any other demographic group to be a target of online harassment<sup>6</sup>. We have also observed recently a disturbing rise of racist and homophobic violence against migrants and LGBT people in Poland, including verbal abuses and physical attacks on members of these groups and on NGOs protecting their rights. In particular we witnessed a worrying situation in the city of Białystok in April 2016, in which a march by a radical nationalist group, promoting *inter alia* xenophobic views, began with a holy mass in the city’s cathedral, at which the priest spoke about ‘malignant’ elements in the Polish society which can be cured only by ‘nationalist-Catholic radicalism’<sup>7</sup>.

Combatting hate speech certainly requires adopting diversified strategies. These cannot be limited to the use of legal instruments and the prosecution of such crimes but – more importantly – should involve prevention. The key to preventing hate speech, especially in the case of young people, is education and raising awareness in order to empower them to use their freedom of expression offline and on the Internet in a responsible manner. That is why we consider your Holiness’s previous engagement and support for many initiatives focused on counteracting hatred based on any kind of intolerance, including racism, religious intolerance or homophobia, to be an extremely important and powerful response to hate speech<sup>8</sup>. We are

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<sup>4</sup> The survey was answered by 6601 people in 30 languages, the majority in English (1434), <http://www.nohatespeechmovement.org/survey-result>.

<sup>5</sup> *Hate speech. National opinion poll*, study conducted at the request of the Stefan Batory Foundation by the Public Opinion Research Center and the experts from the Centre for Research on Prejudice of the University of Warsaw, 2014, <https://odpowiedzialnybiznes.pl/publikacje/mowa-nienawisci-raport-z-badan>; summary in English: [http://www.ngofund.org.pl/wp-content/uploads/2014/06/Mowa-nienawisci-w-Polsce-streszczenie.eng\\_.pdf](http://www.ngofund.org.pl/wp-content/uploads/2014/06/Mowa-nienawisci-w-Polsce-streszczenie.eng_.pdf).

<sup>6</sup> *Online Harassment*, Pew Research Center’s American Trends Panel, 2014, <http://www.pewinternet.org/2014/10/22/online-harassment/>.

<sup>7</sup> *Catholic Church authorities in eastern Poland have denounced nationalist views and apologized after a radical extreme-right organization held a Mass in a regional cathedral*, USnews.com, 20 April 2016, <http://www.usnews.com/news/world/articles/2016-04-20/polish-church-apologizes-for-hosting-nationalist-prayers>.

<sup>8</sup> For example: Holy Father’s support for No Hate Parliamentary Alliance within Council of Europe Parliamentary Assembly – an alliance of parliamentarians who commit to taking firm and pro-active stands

convinced that your stand against hate speech on the Internet during the World Youth Day would have a great educational value for the participants of this event, helping to keep the Internet a place with primarily positive potential, where young people can exchange ideas and access information. Your words could also prevent verbal and physical attacks on minorities, fuelled by hatred and intolerance.

With every best wish. Yours sincerely,



Danuta Przywara  
*President of the Board*  
*Helsinki Foundation for Human Rights*

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3. Centrum Praw Kobiet
4. Centrum Wsparcia Imigrantów i Imigrantek
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22. Obywatele dla edukacji
23. Polskie Forum Migracyjne

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against racism, hatred and intolerance, involving also religious leaders, 14 December 2015, [http://website-pace.net/web/apce/no-hate-alliance/-/asset\\_publisher/s2jd8a1WeN6D/content/ega-no-hate-alliance-support/maximized](http://website-pace.net/web/apce/no-hate-alliance/-/asset_publisher/s2jd8a1WeN6D/content/ega-no-hate-alliance-support/maximized); *Pope Francis Speaks Out on Charlie Hebdo: 'One Cannot Make Fun of Faith'*, Time.com, 15 January 2016, <http://time.com/3668875/pope-francis-charlie-hebdo>; *Pope Francis says Church should apologise to gays*, 27 June 2016, BBC.com, <http://www.bbc.com/news/world-europe-36636845>.

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