

***Concept paper on final OHCHR  
expert workshop on the prohibition of incitement to national, racial or  
religious hatred***

**I. Background**

As noted in the Durban Review Conference Outcome Document and in follow-up to the 2008 OHCHR Expert Seminar on the links between articles 19 and 20 of the International Covenant on Civil and Political Rights (ICCPR) with regard to freedom of expression and incitement to hatred, OHCHR has – in 2011 – organized a series of expert workshops on freedom of expression and the prohibition of incitement to national, racial or religious hatred as reflected in articles 19 and 20 of the ICCPR.

**II. Series of expert workshops in 2011**

The events took place in Europe (Vienna, 9 and 10 February), in Africa (Nairobi, 6 and 7 April), in Asia and the Pacific (Bangkok, 6 and 7 July), and in the Americas (Santiago, 12 and 13 October). In doing so, OHCHR aimed to conduct a comprehensive assessment of the implementation of legislation, jurisprudence and policies regarding incitement to national, racial or religious hatred at the national and regional levels, while encouraging full respect for freedom of expression as protected by international human rights law. This activity focused on the demarcation between freedom of expression and hate speech, especially in relation to religious issues – a matter that has unfortunately come increasingly under focus and created friction among diverse communities.

Participants discussed strategic responses to hate speech, which in addition to legal measures could include, inter alia, systematic monitoring and data gathering to facilitate early warning, self-regulation by the media, awareness-raising campaigns by governments, training of law enforcement officers and judges, and promoting tolerance through education.

The Special Rapporteurs on Freedom of Expression and Opinion, on Freedom of Religion or Belief, and on Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as members of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination (CERD) participated in the various workshops.

**III. Final Expert Workshop**

**A. Rationale and objective**

The series of workshops has been a useful exercise as testified by the dynamic discussions and the interesting findings they produced. Each of the events has generated a wealth of information as well as a large number of practical suggestions for better implementation of the relevant international human rights standards. To take stock of these rich results, OHCHR will convene a final expert to produce a comparative analysis of the findings of the four workshops, to identify possible actions at all levels, and to reflect on the best ways and means of sharing experiences.

## **B. Scope**

The expert workshop will focus on the results of the 4 events held in the various regions of the world. In this regard, participants will focus on legislative and judicial practices as well as policies/institutions conducive to effectively prohibit and prevent advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

## **C. Expert participants**

The expert workshop will include the four moderators and those experts having participated in all four workshops including the Special Rapporteur on Freedom of Expression and Opinion, the Special Rapporteur on Freedom of Religion or Belief, and the Special Rapporteur on Racism, Racial Discrimination, Xenophobia and related intolerance, a member of the Committee on the Elimination of Racial Discrimination and of the Human Rights Committee, as well as a representative of Article IX.

## **D. Member State engagement**

In line with the practice of previous events, Member States will be invited to participate in the workshops as observers, and are encouraged to include experts from their capitals in their delegations.

## **E. Participation of relevant UN, international and regional organisations**

Relevant UN departments, funds and programmes as well as relevant international and regional organizations can participate as observers.

## **F. Participation of civil society organisations**

Relevant civil society organizations will be invited to participate and contribute to the workshop as observers. For the purpose of this exercise “civil society” is interpreted broadly and may include academia, journalists and faith-based organizations.

## **G. Venue and date**

The Government of the Kingdom of Morocco has kindly offered to host this final expert workshop. The event will take place on 4 and 5 October 2012 in Hotel Tour Hassan, Rabat.

## **H. Outcome**

The outcome will be a report reflecting the discussions including recommendations agreed upon by the experts.