



**POSITIVE MESSENGERS**

**Report**

# Mapping Out the National Context of Online Hate Speech

**in  
Romania**

Compiled under the Coalition of Positive Messengers to Counter Online  
Hate Speech project

Project reference number: JUST/2015/PRAC/AG/BEST/8931

Tîrgu Mureş, 2017



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## Acronyms

CSO	Civil Society Organization
GII	General Inspectorate for Immigration
IOM	International Organization for Migration in Romania
ECRI	European Commission against Racism and Intolerance
EERC	East European Resource Centre
ENAR	European Network Against Racism
LGBTI	Lesbian, gay, bisexual, transgender, and intersex persons
MRC	Migrants Resource Centre
NAC	National Audiovisual Council
NGO	Non-governmental Organization
NCCD	National Council for Combating Discrimination
ONS	Office for National Statistics

## EXECUTIVE SUMMARY

In Romania hate speech online is situated at the intersection of multiple tensions: it is the expression of conflicts between different groups within and across society; it is an example of how technologies with a transformative potential such as the Internet bring with them both opportunities and challenges; and it implies complexly balancing between fundamental rights and principles, including freedom of expression and the defense of human dignity.

The present report provides a national overview of the dynamics characterizing hate speech online and some of the measures that have been adopted to counteract and mitigate it, highlighting good practices that have emerged. While the study offers a comprehensive analysis of the national normative frameworks developed to address hate speech online, it places particular emphasis on social and non-regulatory mechanisms that can help to counter the production, dissemination, and impact of hateful messages online.

The overview of hate speech in Romania reveals various gaps in media and politicians' accountability and in general population's education and attitudes towards diversity and intercultural dialogue. Moreover, the huge social gap between different groups of the society made room for new radical voices that are trying to enforce an ethnocentric and eurosceptic discourse that often slides into homophobic, racist hate speech.

This report identifies a variety of methods that have been used to address specific and contextual problems. Important broader lessons emerge. First, the term in itself and the potential harm carried by it represent an opportunity for dialogue about definitions, monitoring, and contextualization. Second, this report shows that dedicated and specialized organizations are extremely important in triggering individual responses, as well as in putting pressure on companies and public authorities to act. More importantly, different initiatives can complement each other. For example, Internet intermediaries have become increasingly responsive towards requests coming from individual users. However, because they have avoided publishing aggregate results that could offer a broader understanding of the phenomenon, civil society groups have sought to fill this gap, offering global reporting platforms that can collect users' reports. Meanwhile, educational initiatives have been launched to empower individuals so that they would more easily know what and how to report when they encounter cases of hate speech. It is obvious that concerted efforts are needed to adequately tackle this emerging phenomenon. Unfortunately there is no governmental body in charge to monitor hate speech and hate crimes in Romania, the

National Council for Combating Discrimination (NCCD) is in charge to combat discrimination, implicitly hate speech too together with the National Audio-Visual Council (NAC). While NAC is monitoring the audio-visual media and is self-initiating more often charges because of discriminative audio-visual media behavior, NCCD mostly reacts to complaints regarding such behavior, both handle just a low number of hate speech cases, there is a real need for a body to be in charge for hate speech cases.

## **1. INTRODUCTION**

### **1.1. Project background**

Asociația Divers is a partner in the *Coalition of Positive Messengers to Counter Online Hate Speech*, project funded by the European Commission – Directorate-General Justice.

The project is implemented from 1 October 2016 until 30 September 2018 by a consortium of 8 organizations from 7 countries: Sofia Development Association (Bulgaria) – lead partner, Libera Università di Lingue e Comunicazione IULM - IUL (Italy), the Languages Company (United Kingdom), Center for Peace (Croatia), People in Need (Czech Republic), Asociația Divers (Romania), Associazione FORMA.Azione (Italy), and Municipality of Agii Anargiri-Kamatero (Greece).

This project tackles the issue of hate speech - online hate speech in particular, targeted against migrants, refugees and asylum seekers in the 7 EU countries. It addresses the need for more effective civil society response to online hate speech through sharing and disseminating best practices. The main project objective is to strengthen the response of civil society at the national and EU level to online hate speech through active engagement of local communities in creating and sharing powerful counter-narratives against xenophobic discourse. The project focuses on 1) building multi-stakeholder coalitions for developing counter-narratives to denounce hate speech and negative representations of migrants and refugees, and 2) disseminating the positive messages through media literacy and a public awareness campaign.

The project also aims:

- To compile and share best practices for countering the spread of online hate speech against migrants, refugees and minorities through awareness-raising campaigns;

- To provide new data on the nature, scope and impact of online hate speech targeting migrants and refugees, in order to aid national and EU authorities to develop more effective integration and anti-discrimination policies;
- To foster shared understanding and communication between the communities most vulnerable to hate speech and mainstream society in Europe;
- To educate and train the target groups about hate speech, media literacy, creation and dissemination of web content.

## **1.2. Objectives**

The research focuses on the national normative frameworks developed to identify, limit and counter hate speech online, the mechanisms for monitoring and reporting hate speech instances, and legal and non-legal measures to counter hate speech.

The specific research objectives are:

- To provide up-to-date picture of the national context as well as comparative assessments on countering hate speech;
- To identify key stakeholders, supporters, multipliers, to be involved in subsequent project activities;
- To assess key civil society initiatives for countering hate speech and other forms of discrimination;
- To identify best strategies for civic actors to counter hate-based violence on the Internet.

## **2. METHODOLOGY**

### **2.1. Research problem and aim of the research**

The research problem is defined by the main project objectives, namely, to strengthen the civil society response against the spread of online hate speech against migrants and refugees.

Accordingly, the research has two main aims: 1) to describe and assess the effectiveness of the existing regulations against online hate speech in each partner country, and 2) to assess the societal responses against hate speech in each partner country in order to develop more effective strategies for civic actors to counter online hate speech against migrants and refugees.

## **2.2. Justification of the research**

- While a number of studies on the regulatory framework on hate speech have been done in individual countries and across the EU, not enough has been done to establish the effectiveness of these regulations (or the need for new ones) in the case of online hate speech against migrants and refugees. The increasing migration flows to Europe in the past two years, coupled with the rising negative attitude to migrants and refugees create a new sense of urgency to look deeper into the issue and to generate the changes needed. In this regard, the research will provide the basis for developing powerful counter-narratives against xenophobia in an environment where migrants and refugees are becoming increasingly vulnerable not only to verbal assault but to physical violence as well. In addition, the study will allow for a critical assessment of social media's role in creating and spreading discriminative and xenophobic attitudes, and for a critical assessment of the most recent regulatory changes and cooperation agreements between national and EU public authorities and Internet intermediaries – organizations that mediate online communication such as Google, Facebook, to curb the spread and incidence of hate speech on the internet. Research findings will be followed with recommendations in the country reports and the integrated comparative report targeted at the relevant stakeholders.
- In defining the scope of the research, the project team members have considered previous studies on hate speech done at national and EU level, as well as publications on discrimination, xenophobia, and racism. Given the tensions between hate speech and freedom of expression, as well as its intersection in issues of human rights, equality and dignity, and laws governing the media, the research will focus on various pieces of legislation that might be applicable to hate speech and online hate speech in particular.

## **2.3. Definitions used**

- The research does not aim to engage in theoretical debates on the definition of the term “hate speech” or debates on the tension between freedom of expression and



hate speech. For the purposes of this study, and given the lack of a common international definition of hate speech, the project partners have agreed to use the definition proposed by the Council of Europe: „The term ‚hate speech‘ shall be understood 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.“<sup>1</sup> The research will also take into account article 2.1 of the Additional Protocol to the Convention on Cybercrime<sup>2</sup>, which states that "racist and xenophobic material" means any written material, any image or any other representation of ideas or theories, which advocates, promotes or incites hatred, discrimination or violence, against any individual or group of individuals, based on race, color, descent or national or ethnic origin, as well as religion if used as a pretext for any of these factors. Partners will also use as guidelines the definition of cyberhate and the forms and mechanisms used by those who spread or promote hate online proposed by the Anti-Defamation League (ADL) "ADL defines Cyber hate as any use of electronic communications technology to spread anti-Semitic, racist, bigoted, extremist or terrorist messages or information. These electronic communications technologies include the Internet (i.e., Web-sites, social networking sites, "Web 2.0" user-generated content, dating sites, blogs, on-line games, instant messages, and E-mail) as well as other computer- and cell phone-based information technologies (such as text messages and mobile phones)."<sup>3</sup>

## 2.4. Research methods

Given the main goal of the research, that is, mapping the national context (regulatory framework and societal responses to online hate speech), the methods selected for data gathering and analysis are qualitative. The qualitative focus of the research is justified in light of its primary aim, namely to get a deeper understanding and to support assessment of the social and non-regulatory mechanisms that can help to counter the production, dissemination and impact of hateful messages online. The methods to be employed for the research include literature review (including review of legal literature, academic and non-academic articles), and secondary data review (for example, content produced by NGOs, relevant public bodies, scholars, representative surveys, legal databases, national statistics reports).

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1 Appendix to RECOMMENDATION No. R (97) 20 of the Committee of Ministers on "Hate Speech." Adopted by the Committee of Ministers of the Council of Europe on 30 October 1997 at the 607th meeting of the Ministers' Deputies

2 Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (Strasbourg, 28.I.2003).

3 From Responding to Cyberhate, Toolkit for Action (ADL), [http://www.adl.org/internet/Binder\\_final.pdf](http://www.adl.org/internet/Binder_final.pdf)

### 3. NATIONAL CONTEXT FRAMEWORK

#### 3.1. National context overview and data on current social, economic and political situation in Romania

Since Romania as a nation state was founded in 1918 it was never a country of high immigration, but during the recent history it produced several waves of emigration. Total population of Romania in 2017 according to [www.Worldometers.info](http://www.Worldometers.info) is 19,237,513.

17.247 estimated immigrants came to Romania in 2015 and we do not have rigorous numbers regarding the eventual increase in this number since 2015. Declarations made by heads of the National Immigration Inspectorate revealed that the number of asylum seekers was the highest in 2012 when over 2000 economic asylum seekers came to Romania, in 2016 the number of asylum seekers was 1800, which cannot be called extremely high. Even these persons are scattered around the country in 6 refugee centers with 900 places and many cares for themselves after seeking asylum without requesting aid from the Romania state.

According to a 2016 study<sup>4</sup> by the European Institute in Romania most non-EU immigrants in Romania (50%) come from Moldova, Turkey, China and Syria (in this order). Most immigrants from third countries are young (under 35) and male (60%). The low level of immigration in Romania is caused mainly by low wages in labor market areas where immigrants without higher qualifications (and others) usually enter: basic services, agriculture, textiles. This effect is bolstered by poor social networks for immigrants from remote countries, poor coordination among labor market players, cumbersome immigration procedures and the poor levels of information about the Romanian labor market made available to potential job seekers from third countries. The study highlights the fact that Romanian immigration law puts a particular emphasis on control and sanctions, paying less attention to integration and strategic planning.

Compared with other states, these numbers seem to be irrelevant. However, since the refugee crises in 2015, public opinion about the immigration issue in Romania changed towards negative. In recent years immigration has become increasingly one of the subjects of controversy and political debate. It is argued that immigration takes jobs from the indigenous population, depresses wages and puts pressure on public services and it is also seen as unfair towards the indigenous population because of the generous aid allowance that each asylum

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<sup>4</sup> Zaharia Rodica Milena (coordonator), Ban Cornel, Popescu Alexandra-Maria - Relația dintre fenomenul migrației legale și piața muncii din România. Evoluții relevante, impact potențial, recomandări de politici, Institutului European din România, 2017 Bucuresti, Available at: [http://www.ier.ro/sites/default/files/pdf/SPOS\\_2016\\_%20Migratia\\_legala\\_si\\_piata\\_muncii.pdf](http://www.ier.ro/sites/default/files/pdf/SPOS_2016_%20Migratia_legala_si_piata_muncii.pdf)

seeker receives for one year, which is as high as a minimum wage for someone who works 8 hours/day.

Views on the cultural and social effects of immigration start to be also more and more negative because of the religious aspects/differences immigrants carry along. Public attitudes do not influence positively this negative trend which encourages nationalist sentiments among the population.

Romania joined the EU in 2007. Romania is a constitutional republic with a democratic, multi-party parliamentary system. Legislative authority is exercised by the bicameral Parliament (Parlamentul României) consists of the Senate (Senat) and the Chamber of Deputies (Camera Deputatilor), both elected by popular vote. The president serves as head of state and nominates the prime minister, who leads the government. President is directly elected to a five-year term and is limited by the Constitution to a maximum of two terms. The last presidential elections were held in November 2014, when Klaus Johannis, an ethnic German candidate of the National Liberal Party, won with 54.43%. In September 2016 the country held parliamentary elections won by the Social Democratic Party. On 26 June 2017, Mihai Tudose was appointed the new prime minister of Romania.

Romania has by Constitution 20 recognized national minorities from which each has one representative in Parliament, the Hungarian minority having separate group in both the Deputy Chamber and the Senat in Parliament.

The Roma as national minority represent approximately 2 million persons in Romania and are the most marginalized communities around the country. They are the target of different forms of direct and indirect discrimination, school segregation and early school drop-out, unemployment, bad living and health conditions, hate speech (even from political leaders like former President Basescu, foreign ministers and state secretary in Education Ministry) and even hate crimes (the latest on 31th March 2017 in Gheorgheni, county Harghita from Romania where a Roma house was burned down and Roma inhabitants threatened by organized groups).

The Hungarians as national minority represent around 1.3 million persons in Romania and are seen as „enemies of the nation state” because they seek cultural autonomy and recognition for the Hungarian language at least as a regional language.

LGB communities are one of the most vulnerable in Romania when it comes to prejudices and hate speech.

Jews are a few in Romania, according to 2011 census only 3.271, they are targeted by hate speech mostly connected with Holocaust issues or when Far-East conflicts are mentioned on TV.

The Muslims are represented by the Turkish and Tatar national minorities and for members of these two communities it gets more and more hard to practice their religion, because the Muslim religion is connected more and more with terrorist attacks, and online hate speech appears every time such an attack occurs. There is also a growing Muslim immigrant community with the highest number in Bucharest, the capital city of Romania, but also in other cities from Romania with higher concentration in university towns.

As a result of hate speech, spreading racist attacks against Muslim migrants were reported by media and civil society organizations, two Syrian women were physically assaulted on the streets of Bucharest by five unidentified teenagers for wearing the hijab in March 2016<sup>5</sup>.

### **3.2. Literature review on Hate Speech and Online Hate Speech**

#### **• Annual report on hate speech in Romania 2015-2016<sup>6</sup>**

The Annual Report on the Instigator of Hate Speech in Romania, 2015-2016, is one product of the No Hate Speech Movement Campaign and aims to review the main trends in hate speech and its fight against the period October 2015 - December 2016. The research focused on the following areas:

- manifestations of intolerance in public space;
- public events to support diversity;
- the work of the main institutions with competence in sanctioning the instigating speech to hate;
- Autoregulations existing at editorial level, media organizations, parties;

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<sup>5</sup> 'Ancheta dupa agresarea in capitala doua tinere din Siria'. Digi 24. 1 April 2016. Available at: <http://www.digi24.ro/stiri/actualitate/justitie/anchetadupa-agresarea-in-capitala-a-doua-tinere-din-siria-502387> accessed on 13/09/2016. As cited in the Romania Shadow Report questionnaire response

<sup>6</sup> Codreanu Ionuț, Martin Răzvan, Răileanu Radu, Szelmenczi Adrian - Annual report on hate speech in Romania 2015-2016, Active Watch, Available at: [http://activewatch.ro/Assets/Upload/files/Raport%20annual%20cu%20privire%20la%20discursul%20instigator%20la%20ura%202015%202016\(1\).pdf](http://activewatch.ro/Assets/Upload/files/Raport%20annual%20cu%20privire%20la%20discursul%20instigator%20la%20ura%202015%202016(1).pdf)

- Political and sports federations;
- Legislation and legislative proposals.

The research is mainly qualitative, carried out by desk research, therefore its results cannot be considered statistically relevant. We plan to harvest and to illustrate the main types of issues that have made their strongest presence in the public space. Also, the concept of hate speech that we have operated with was not strictly limited to those forms of speech that can lead to sanctions; rather, we have included in this category any speech which represents or encourages the non-acceptance of social groups at risk.

- **Hate speech in online media in Romania**<sup>7</sup>

This study was funded by PATRIR (Peace Action, Training and Research Institute of Romania) as part of the Switch OFF/ONline Hate Speech project financed through the SEE grants 2009-2014 within the NGO Fund, it investigates hate-speech in three of the most important online spaces for public expression: user comments on Facebook Pages, blogs and online news outlets. The co-occurrence of terms referencing frequent targets of hate-speech with elements of violent or offensive language was analyzed in order to detect instances of hate-speech in a sample of over 2.6 million comments published in Romanian in the first six months of 2015. Results indicate a relatively low occurrence of hate speech - below 1% in the analyzed sample, but also several well-defined contexts and timeframes associated with high occurrence of hate-speech, suggesting possibilities for further in-depth work focusing especially on these particular contexts. Conclusions of the article:

*“This research opens up new methodological pathways in researching online hate-speech in Romania. The analysis methods may be replicated and extended to cover more time and more contexts for online computer mediated communication. The author considers discussion groups, Web forums or Facebook groups popular among teenagers such as Toți Pentru Unu (tpu.ro) or Junimea to be of particular interest. Also Facebook pages belonging to other public figures, political parties or civil society groups might be of interest to future researchers. Interrogating the Facebook API is a relatively straightforward an less errorprone method than Web scraping should the results of this study need be replicated or extended in the future. However, researching both Facebook and discussion groups like TPU may offer valuable information on use of language and*

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<sup>7</sup> MezaM. Radu - Hate speech in online media in Romania, Available at:  
[file:///C:/Users/Maria/Desktop/Hate\\_speech\\_in\\_the\\_Romanian\\_Online\\_Media.pdf](file:///C:/Users/Maria/Desktop/Hate_speech_in_the_Romanian_Online_Media.pdf)

*freedom of expression in pseudonymous and anonymous contexts. The limitations of co-occurrence analysis in detecting online hate-speech point towards a need for more in-depth analyses using qualitative or discourse analysis methods for certain contexts where spikes or surges were detected in the frequency of co-occurrence of terms referencing target groups with elements of violent or offensive language.”*

- **Online hatespeech in Romania<sup>8</sup>**

This study is a fieldwork report from Romania part of the Annex II of the Preventing, Redressing & Inhibiting Hate Speech in New Media (PRISM) project from 2016. The research is primarily qualitative, based on 40 face-to-face interviews with professionals and social media users, as well as on a mapping of the social media use by selected xenophobic and far right groups. The focus of the project is on xenophobic and racist hate speech on the Internet, with an emphasis on social media, whilst also taking into account other arenas of online interaction, such as comments sections of digital newspapers and general discussion forums. Furthermore, the qualitative part of the study has a special focus on the experiences of young social media users, as those having fully integrated social media into their day-to-day living, and with potential to make a change.

- **A qualitative analysis of hate speech reported to the Romanian National Council for Combating Discrimination (2003-2015)<sup>9</sup>**

The article has analyzed the most important characteristics of Romanian hate speech as evidences in the NCCD jurisprudence between 2003 and 2015. It relied on an extensive database of NCCD Decisions in cases of hate speech, which were coded according to relevant criteria. Next, qualitative analysis was performed on these decisions with the aim of drawing out the narratives employed in hate speech. The study found that the main victims of hate speech in Romania over the period studied were the Roma, Hungarians and women.

- **Annual report on hate speech in online media in Romania 2015-2016<sup>10</sup>**

The reference period for the research was October 2014 - October 2015. It contains a chapter

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<sup>8</sup> Codreanu I. - Online hatespeech in Romania, Annex II PRISM project 2016, Available at: [http://www.unicri.it/special\\_topics/hate\\_crimes/Backgrounds\\_Experiences\\_and\\_Responses\\_to\\_Online\\_Hate\\_Speech\\_A\\_Comparative\\_Cross-Country\\_Analysis.pdf](http://www.unicri.it/special_topics/hate_crimes/Backgrounds_Experiences_and_Responses_to_Online_Hate_Speech_A_Comparative_Cross-Country_Analysis.pdf)

<sup>9</sup> Iordache Adriana - A qualitative analysis of hate speech reported to the Romanian National Council for Combating Discrimination (2003-2015), Sfera Politicii nr. 4 (186) / 2015, page 50, Available at: <http://www.sferapoliticii.ro/sfera/186/pdf/186.05.iordache.pdf>

<sup>10</sup> Iordache Adriana - A qualitative analysis of hate speech reported to the Romanian National Council for Combating Discrimination (2003-2015), Sfera Politicii nr. 4 (186) / 2015, page 50, Available at: <http://www.sferapoliticii.ro/sfera/186/pdf/186.05.iordache.pdf>

regarding the legislation that follows two directions: (a) changes in the existing legislation pertaining to hate speech and (b) new legislative initiatives that may have implications with regards to the way in which the subject is treated or that may generate an environment favorable to hate speech. Discussion of the implications of these changes is also included here. Another chapter contains the analysis of how the public authorities responsible for punishing hate speech fulfilled their duties, monitoring the decisions of the National Council for the Audiovisual (NCA), the National Council for Combating Discrimination (NCCD) and the Romanian courts, and also the ECHR jurisprudence concerning hate speech. The chapter on self-regulations, looks at the self-regulations on sanctioning hate speech, or the lack of them, at the level of: political parties; media outlets; press associations and journalists associations (e.g. the Romanian Press Club, COM, etc.); sports associations frequently facing issues of hate speech, as a result of the behavior of the supporters of the Romanian teams (Romanian Football Federation, Professional Football League, Romanian Ice Hockey Federation). There is also a chapter on monitoring hate speech in the public space and the monitoring of the prominent cases in the media, meaning those topics manifested in the public space by waves of articles with discriminatory or hateful content that generated hate speech in the chat rooms.

- **Hate speech in Romania**<sup>11</sup>

The paper reviews the main international and European level approaches to hate speech, identifies and describes in detail the main European institutions and jurisprudence in this domain. Particular attention is paid to the historical context of hate speech in Romania. For the Romanian practitioners, this study is important because, on the one hand, it creates an inventory of the main institutions competent to combat hate speech and relevant national legislation, and on the other hand places the phenomenon in the local context and defines the main target groups, issuers and channels to propagate it. For the Romanian context, the study brings an analysis of the legislation and institutions responsible for combating hate speech. To place hate speech in the Romanian context the researchers conducted interviews with representatives of the main institutions and actors relevant non-governmental organizations.

- The Comparative study on legislation sanctioning hate speech and discrimination in the member states of the European Union published by the National Council on combating discrimination in 2014 with the financial support of a SEE grant in the frame of the Stop discrimination project concluded already in 2014, with a limited duration in time, there is no

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<sup>11</sup> Angi Daniela and Bădescu Gabriel (2014) Hate speech in Romania, Available at <http://www.democracycenter.ro/application/files/9014/4611/7097/2-discurs.pdf>

other systematic process for monitoring hate speech and discrimination in the online environment, as it exists for the other communication media. It would require, therefore, the need of a body - regardless of administrative form - either under the tutelage of NCCD or CNA or independently - to monitor, at least during the electoral campaign, if not always, the incidence of this type of speech within the online environment. This body could refer to recommended institutions; it could centralize and analyze data, and possibly make proposals to the institutions that have a regulatory role.”

### **3.3. General overview of legislation and regulations on hate speech**

Active Watch Romania states in their Annual report on hate speech 2014-2015<sup>12</sup> that “Hate speech gives birth to lots of controversies, including ones of a legislative nature. Using hate speech may lead to the infringement of the rights of those who are targeted by such a speech. Restricting speech, by legally framing it as an offense or a crime, constitutes a restriction on freedom of expression, which in some cases may be a violation of that right in itself. Thus, the right to freedom of expression sometimes comes into conflict with other rights, such as the right to human dignity and the right to be free from discrimination.”

#### **The Romanian Constitution**

The following provisions are directly or indirectly related to hate speech or to adjacent principles: - The Constitution states the principle of *equality between the citizens*

- **Article 4 (2)** Romania is the common and indivisible homeland of all its citizens, irrespective of race, nationality, ethnic origin, language, religion, gender, opinion, political affiliation, wealth or social origin; - Article 16 contains the principle of *non-discrimination*

- **Article 16 (2)** All citizens are equal before the law and the public authorities, without any privilege or discrimination;

- **Article 20** contains the principle of prevalence of the treaties and pacts relating to fundamental human rights

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<sup>12</sup> Răileanu Radu, Tabă Oana, Szelmenczi Adrian, Codreanu Ionuț, Diaconescu Loredana și Răzvan Martin. Annual report on hate speech in online media in Romania 2015-2016. Net Rangers Against Intolerance project.  
<http://www.activewatch.ro/Assets/Upload/files/annual%20report%20on%20hate%20speech%20in%20romania%202014%202015.pdf>



- **Article 20 (2)** In case of any inconsistencies between the conventions and treaties on fundamental human rights to which Romania is a party and the national laws, the international regulations shall prevail, unless the Constitution or the national laws contain more favorable provisions;

- *Freedom of expression* is provided for by the **Article 30**, which also includes limitations, such as those provided for in paragraphs 6 and 7

- **Article 30 (6)** Freedom of expression shall not bring prejudice to the dignity, honor, privacy and the right to one's own image; **Article 30 (7)** There are legally forbidden any defamation of the country and the nation, any incitement to war of aggression, to national, racial, class or religious hatred, to discrimination, territorial separatism or public violence, as well as any obscene behaviors, contrary to the accepted principles of morality. ECRI recommended, in the third report on Romania, the amendment of the Romanian Constitution as to include a provision restricting the freedom of expression, assembly, and association in order to combat racism, as detailed by ECRI in the 7th General Policy Recommendation regarding the domestic legislation on combating racism and racial discrimination. In the fourth report on Romania, ECRI reiterates this recommendation, considering that the current provisions are not sufficient as they are formulated, a clearer message being required: "The Constitution should, therefore, provide that the exercise of freedom of expression, assembly, and association may be restricted in order to combat racism, according to the ECHR and consistent with RPG No 7" .

### **The Government Ordinance 137/2000 on preventing and sanctioning all and any forms of discrimination**

The Ordinance 137/2000 transposed the Council Directive 2000/43/EC on implementing the principle of equal treatment between persons irrespective of their racial or ethnic origin and the Council Directive 2000/78/ EC establishing a general framework for equal treatment in employment and working conditions. The Ordinance 137/2000 includes regulations on hate speech within Article 15: It is an offense under this Ordinance, unless the act is subject to criminal law, any public behavior, having the nature of nationalist-chauvinist propaganda, of incitement to racial or national hatred or any conduct having the purpose of or aiming to harm the dignity or to create an intimidating, hostile, degrading, humiliating or offensive atmosphere against a person, a group of persons or a community and related to their belonging to a certain race, nationality, ethnicity, religion, social category or to a disadvantaged category or related to the beliefs, gender or sexual orientation thereof.

National Council for Combating Discrimination (NCCD) was established by art. 16 of the Government Ordinance no. 137/2000 on preventing and sanctioning all forms of discrimination and it is the most important equity body in Romania. NCCD is the very first equity body that sanctioned high rank politicians for discriminatory declarations. Former president Traian Basescu has been subject to NCCD sanctions both in 2007 and 2013 for discriminatory speech against Roma community.

## **The Criminal Code**

On 1st of February 2014, the new Criminal Code entered into force, stipulating changes that are, directly or indirectly, related to hate speech regulation. The new Criminal Code regulates hate speech in Article 369, the offense being referred to as Incitement to hatred or discrimination: “The public incitement, by any means, to hatred or discrimination against a class of persons shall be punished with imprisonment from 6 months to 3 years or with a fine“. Article 317 of the Criminal Code criminalized the incitement to discrimination, considering that incitement to hatred is a constitutive act of the incitement to discrimination. The new Criminal Code explicitly criminalizes the incitement to hatred, the offense being referred to as incitement to hatred or discrimination.”

Art. 368 - Public provocation: The act of exhorting the public, orally, in writing or by any other means, to commit offenses [...]. The new Criminal Code brings together in one article the abuse of office against personal interests, against the public interest by restricting certain rights. Paragraph 2 specifically provides the restriction of a personal right or creating an inferiority situation based on race, nationality, ethnic origin, language, religion, gender, sexual orientation, political affiliation, wealth, age, disability, non-contagious chronic illness or HIV / AIDS infection. Article 405 - War propaganda was taken up from the previous Criminal Code. The amendment consists in that the offense was included in the category of crimes against national security, while previously it was included in the Criminal Code under crimes against peace and humanity.

## **The Emergency Government Ordinance no. 31/2002 on prohibiting organizations and symbols of fascist, racist or xenophobic character and prohibiting the worship of persons guilty of crimes against peace and humanity.**

The Ordinance no. 31/2002 was modified in 2013, respectively in 2015. The amendments from 2015 triggered many debates in the public space. The amendment in 2013 provides the repealing of Article 7, which established the public prosecutor as the mandatory prosecuting

authority for offenses under Art. 3-6. The second reason for initiating the amending law was that the previous version of the ordinance did not cover the Legionary Movement, but only fascism, racism, xenophobia and the persons guilty of crimes against peace and humanity.

Article 1 which states the regulatory scope of the ordinance added the legionary character, along with the fascist, racist or xenophobic ones. The same was implemented with regards to Art. 4 paragraph (1), (2) and Art. 5. Article 2 defines the terms used in the ordinance. The definition of “the Holocaust in Romania” was amended, this being seen now as “systematic persecution and annihilation of the Jews and the Roma, with the support of the Romanian authorities and public institutions in the areas administered by these during 1940-1944”

A definition of the Legionary Movement is also included in Article 2: “a fascist organization from Romania, active during 1927-1941 under the names of “The Legion of Archangel Michael”, “The Iron Guard” and the “Everything for the Country Party “.

Article 6 (1): “Denial, contesting, approving, justifying or minimizing in an obvious manner, by any means, in public, the Holocaust or its effects shall be punished with imprisonment from 6 months to 3 years or a fine “. Art. 6 (2), genocide, crimes against humanity and war crimes if denied, contested, approved, justified or minimized should be recognized as such by a decision of the “International Criminal Court, the International Military Tribunal established by the London Agreement, on August 8th 1945, the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda or any other international criminal court established by relevant international instruments and whose jurisdiction is recognized by the Romanian state”.

**Law no. 4/2008 on the prevention and combating of violence during competitions and sports games** states that "the incitement in public or through the media of acts of violence related to competition or sports played by club leaders, officials or athletes is a contravention and is sanctioned by a fine from 3,000 lei to 10,000 lei. "The law criminalizes the use of fascist, racist or xenophobic symbols in the sports arena, spreading or holding, for the purpose of spreading, also symbols in the sports arena ", as well and "promoting the cult of guilty persons of committing an offense against peace and mankind.

190 "Incitement of the public, by any means, to hatred or discrimination against a category of persons punishable by imprisonment from 6 months to 3 years or by fine."

191 Or the promotion of fascist, racist or xenophobic ideology through propaganda, committed by any means within the sports arena ".

**Law no. 504/2002 of Audiovisual.** According to art. 40 "is forbidden to broadcast programs containing any form of incitement to hate on grounds of race, religion, nationality, sex or sexual orientation." The National Audiovisual Council prohibits broadcasting in programs audiovisual content of any forms of anti-Semitic or xenophobic manifestations.

National Audiovisual Council (NAC) was established by art. 10 of Law no. 504/2002 - Broadcasting Act and is an autonomous public authority under parliamentary control that acts as a guarantor of public interest in the audio-visual landscape. The Law no. 504/2002 include specific provisions that entitles NCA to suspend broadcasting licenses should an audio-visual channel promote or accept public incitement to hatred on ethnic, racial or religious bases (article 95/1).

**Law no. 489 of December 28, 2006, on religious freedom** and the general regime of denominations, provides for the possibility of restricting the exercise of the right to freedom of religion in the conditions of the law. (Article 2 (2)). There is no explicit reference to the ban on incitement to hate speech on religious grounds.

**Media's self-regulation** consists on moderating comments to articles published online, but cripted comments are spreading and those are not undergoing monitoring. Even if monitoring of comments occurs and is mentioned in Terms of use on the online media pages, there is no clear information towards the public about what is considered hate speech and will not be tolerated in comments.

In addition to the legal system, both state organizations and civil society have been established to combat hate crime of all kinds. These include official or semi-official bodies mapping and reporting hate crime and offering information and support to the victims of such crimes; there are also general campaign and support groups for migrants and victims of hate crime and support groups for specific groups (LGBT community, Jewish community, Roma, Hungarians for example). This is still a modest area and increasingly there is a move towards mutual support and cooperation.

### **3.4. Statistics and tendencies related to online hate speech**

Whilst in the early 90s journalists were the most active hate speech perpetrators and the vast majority of news items on Roma were negative and offensive, in the late 2000s mainstream media became quite neutral towards Roma, whereas the audience became extremely reactive against Roma.

Local politicians and mass media and online media audience equally are active in hate speech.

There has been a rise in hate speech in the Romanian online media, mainly targeting the Roma minority, refugees and migrants from 2013 were not very visible till the refugee quota issued in 2015. A clear example of incitement to hatred occurred in September 2015, where the former President Traian Băsescu made statements associating Muslims with terrorism: “I think about the problem in terms of national security. Let us not forget that among these people are Sunni, Shia, people who put bombs reciprocally in their country (...) Why should we Islamise Europe? We should destroy the migrants’ boats and ships, right in the docks. Otherwise immigration will increase each year, will triple from year to year”.

Hate speech against refugees/migrants is still a minor presence in the Romanian online media. Instead there is a very visible hate speech against Roma and anti-Semitic discourse. Of the 1120 incidents of hate speech identified and analyzed during April-December 2016 by the "Elie Wiesel" National Institute for the Study of the Holocaust in Romania by monitoring Facebook and YouTube posts, redistributions or comments, 41% targeted the Roma, while the remainder were directed against Jews. Most of the messages that the instigators had disseminated targeted the two communities in (78%) and only a small part expressed hostility towards identifiable persons (22%). The study identified 168 groups active in spreading hate speech against Roma and Jews with a media of 1200 members each, 73% of whom were men. General calls to battle and calls for mobilization or resistance expressed in vague terms are the main solution for which anti-Semites plead. 16% of messages identified and analyzed plead for killing Jews, while 6% for other violent acts such as corporal punishment or torture. In the case of incitement to hate speech against the Roma, the general appeals to the fight are found in one Significant proportion (36%). What draws attention in this case lies in the more radical character of the anti-Roma messages since 42% of the monitored content and analyzed suggests the killing or extermination of Roma. Frequently, those who advocate such a solution do reference to genocide against the Roma and Sinti populations implemented by the Nazi

authorities and its allies as an example to follow. One of the conclusions of this monitoring report is:

*"The results of this monitoring suggest that the most popular social media platforms in Romania, namely Facebook and YouTube, treats indifferently the instigator's hate speech against Jews and Roma. Although all the incidents identified and analyzed were subsequently reported Facebook administrators to take action against instigators or offensive content posted by In less than 10% of cases the account was suspended or the messages were removed Promote hatred of Roma and Jews."*

Schools are a place where conflicts, bullying and hate speech is rising, teachers are not prepared to handle this situation and many of them are themselves full of prejudices towards Roma first of all and towards migrants and refugees.

According to "Hate speech in politics in the Republic of Moldova and Romania"<sup>13</sup> study:

*" there was a rise of hate speech in the context of the local and parliamentary elections in 2016. In the case of Romania, the campaign for the election of the President of 2014, as well as the electoral campaign for the Romanian Parliament in 2016 highlighted the existence and perpetuation of hate speech in the political environment. Also another important actor in the promotion of the incitement to hate message was the media, mainly the " political party media "which also represented a barrier in the process of correct information of the electorate."*

Hate speech is also targeting politicians in general and persons who are accused of corruption. Also targeted by hate speech are all persons who "dare" to raise their voice in favor of any target of hate speech.

The above mentioned were mostly validated by the HaSpe - Hate Speech Survey in Europe<sup>14</sup> which is part of a European research, which aims to identify youngsters' (14-35 years old) perception about hate speech, with a particular focus on hate speech online, and how they perceive their role in this regard. HaSpe is an initiative of GEYC, as part of dissemination

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<sup>13</sup> Corobcenco Irina , Drexler Irina, Kacso Zsuzsanna: Hate speech in politics in the Republic of Moldova and Romania, available at: [https://promolex.md/wp-content/uploads/2017/03/Analiza\\_DIU\\_in\\_mediul\\_politic\\_RO\\_RM.pdf](https://promolex.md/wp-content/uploads/2017/03/Analiza_DIU_in_mediul_politic_RO_RM.pdf)

<sup>14</sup> HaSpe - Hate Speech Survey in Europe Results, Available at: <https://drive.google.com/file/d/0B2NLbu57pNoXOVViZ3FRanQ2bE0/view>

activities of Balkan without hate Project, organized by 35mm in the frame of Erasmus+ Program, KA2.

(No. of respondents: 1439, Gender: F 63%, M 36%, Other 1%, Provenience: Urban 65%, Rural 35%)

Respondents were:

- Hate speech victims: 54% at least once, 46% never
- Hate speech initiators: 25% at least once, 75% never
- Identifying hate speech mostly in: comments on blogs or websites, social media and news.

Top 3 criteria for hate speech: race, sexual orientation and opinion. Nationality and ethnic origin follow closely.

When confronted with hate speech: 46% do nothing, 20% respond with hate speech, 21% ask help from friends, 11% feel guilty and only 2% search for specialized aid.

When witnessing hate speech: 36% report it, 34% ignore it, 6% find it funny and 24% comforts the oppressed.

The main actor to combat hate speech online is any user that identifies it (52%) and hopefully reports it too.

As a result of the constant practice of media association of refugees with acts of Terrorism, migrants and refugees have entered the list of traditional hate discourse targets. By the end of 2015, after the Paris attacks, 75.6% of Romanians considered that Romania should not receive refugees and 80.2% were against refugees settling in Romania. The Hungarians continue to be reduced, in a large scale, to the archetype of the extremist revisionist. Roma remains a favorite target of the hate speech, alongside LGBT people, and the violence of messages against them has increased.

The violent hate speech tends to be prevalent at the level of the local press and local politicians more than at central/national level.

As a rule, organized manifestations of expression of intolerance/hate (meetings, protests,

Book launches, etc.) tend to attract a small number of people. The exception is the campaign of the Family Coalition to change the definition of marriage in the Constitution as a limitation to heterosexual unions, which managed to involve more than three million citizens

## 4. SOCIETAL RESPONSE

### 4.1 Specific Initiatives

Trends that influence societal response to hate speech can be portrayed through the “Report on the perception of Romanians about the refugee crises”<sup>15</sup> elaborated in 2016 by the Pro Democratia Association in the P4EU-DEM project financed by the European Commission.

The study’s question aiming to find out the degree of openness of Romanians to refugees: "Do you agree with the presence of refugees in Romania?" had 54% "disagree" and 46% agree with their presence on the territory of our country responses.

The reasons why Romanians do not accept the refugees, the case study showing 54%, were outlined by respondents in three main categories: "the fear of the outbreak of violence or social warfare", "their cultural differences and customs" compared to the European population, but also "possible economic instability" at national or European level.

The questions: "You will accept a foreigner (a citizen of a European country) as ...", "You accept a refugee as ...", confirmed the differences in society; The respondents (Romanians) showed a much higher openness towards citizens of a European country compared to the new immigrants arriving in Europe with the outbreak of the crisis. If, in the case of a European citizen, 38% of respondents would accept it as a close relative by marriage, only 18% would accept a refugee as a relative. If 18% would accept a European as a close friend, the percentage is 5% lower for refugees. The following result reflects the answer to the previous question on "the agreement with the presence of refugees on Romanian territory", as only 8.5% would accept refugees as citizens of the country, while Europeans are accepted as citizens by 15.5% of the respondents. Regarding the acceptance of a European and a refugee as a street / scale neighbor, there is a greater acceptance of a refugee in the

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<sup>15</sup> Iacob Andrei (research coordinator), Marcu Georgiana, Zafiu Roxana, Bondlonuț oc, Radu Artiom - “Report on the perception of Romanians about the refugee crises”, Asociația Pro democrația, 2016 available at: <http://www.apd.ro/wp-content/uploads/2016/04/Raport-de-cercetare-privind-criza-refugiatorilor.pdf>



immediate vicinity of the home, the choice being chosen by 8% of the respondents, compared to 5% for a European.

One of the most relevant findings of the case study is represented by the response saying that if only 2.5% of Romanian citizens with Internet access would expel a foreigner belonging to a European country, 18% would expel a refugee.

During talks in the European Council on the division of a number of refugees among the countries of the European Union, Romania was obliged to host 2,475 refugees. Respondents were asked if they agree with the decision taken at the European level. 35% agreed and 65% disagreed.

According to respondents' answers, 69.5% of them would hire a refugee, while 30.5% would not hire him for any position in the company he is leading. When referring to the Syrian refugee crises what feelings respondents have towards Syrian refugees the answers showed the following:

	<b>Hate</b>	<b>Fear</b>	<b>Respect</b>	<b>Compassion</b>
<b>Very much</b>	8%	12.50%	9.50%	30.50%
<b>A lot</b>	8.50%	15.50%	34.50%	34.50%
<b>Not much</b>	16.50%	32.50%	19.50%	33%
<b>Little</b>	67%	39.50%	23%	15.50%

These responses show up in the online comments during times when issues related to refugees rise in media, there exists compassion towards the situation of refugees, but mostly just till it does not bring refugees to close and don't allow permanent citizenship.

The public manifestations that encourage diversity seem to attract more and more persons. The main vehicle through which public space is encouraged is diversity. Especially children and youth, in general, can be easily attracted into intercultural activities. Even to our relatively small organizations call to participate at the "Diversity – Another Chance for the Future"

intercultural national contest for children there is a response coming from an average of more than 2000 children annually<sup>16</sup>.

During the reporting period, an increased number of top artists have joined campaigns with different actions to encourage diversity. These are mostly aiming to promote social inclusion of Roma and disabled persons and socially disadvantaged families, especially children. For example Football star Gheorghe Hagi, singer Smiley, Tv presenter Andrea Marin accepted to be UNICEF ambassadors.

One World Romania was one of the most active actors in the public space contributing to the creation of a public space in high schools that promotes lack of intolerance and in which diversity is encouraged. The association has organized several documentary film screenings in Romanian high schools, among which those made in five high schools in Bucharest on the occasion of the Holocaust Day or the documentary film festival One World Romania for high school students. After the projections, the association held debates on themes related to movies where students actively participated with interest.

The ProEtnica Festival<sup>17</sup>, organized by the Educational Youth Center (IBZ) in Sighisoara and presenting itself as the largest interethnic festival in Romania, took place under the patronage of the Presidential Administration and with the aim of contributing to interethnic peace. The 2016 edition gathered 62 performances in the field of performing arts, a cultural-scientific section with 8 conferences, 6 parades of ethnic diversity and, for the first time, a section for the documentary film presenting issues related to national minorities.

The March of Diversity, organized in Bucharest for the 11<sup>th</sup> year, managed to attract a record number of participants in 2016: over 2500 people, in 2015 there were only 500. The event began with a moment of silence for the victims Attack in Orlando, United States. Several European political figures participated in the march, including Michael Roth, German State Secretary for European Affairs, Carla Delgado, the first transsexual person elected as parliamentarian in Spain, British Ambassador to Bucharest, Paul Brummell and Dean Thompson, Deputy Head of Mission of the United States of America in Bucharest. Singer Andreea Balan participated in the march accompanied by two dancers from her band. For the first time a minister in office from the Romanian government participated in the March of Diversity. Violeta Alexandru, Minister for Social Dialogue, has sent an official message to the LGBT community in Romania.

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<sup>16</sup> Diversity – Another Chance for the Future” intercultural national contest for children <http://www.divers.org.ro/asociatia-divers/proiecte/concursul-national-pt-elevi-diversitatea-o-sansa-in-plus-pentru-viitor/diversitate-2017.html>

<sup>17</sup> ProEtnica Festival, details at: <http://www.proetnica.ro/2016/index.php/ro/> and <https://www.facebook.com/ProEtnica/?fref=ts>

Unfortunately, large-scale manifestations that encourage diversity remain dependent on external funding, mainly from the EEA Grants. The so-called "Norwegian Funds" have played an essential role in combating negative stereotypes and promoting multiculturalism. In the case of stopping the financing of such events, the public space in Romania will be deprived of an important vector for the promotion of European values.

## 4.2. Good practices

### 4.2.1. Good practice 1

#### **Less Hate, More Speech – Teens get involved!**

**Specific objective:**

Less Hate Project, More Speech - Young people get involved! Is aimed at young people aged between 12 and 17 in order to help them identify and combat hate speech, both online and offline.

**Main organization involved:**

Less Hate Project, More Speech - Young people get involved! Is run by the Median Research Center (MRC) in partnership with the Educational Association

**Location:**

Romania

**Detailed information:**

Teams of 20 students from ten partner schools, coordinated by one teacher, participated in non-formal education workshops and organized events in their communities to combat hate speech.

The activities culminated in an Olympiad on the theme of the project, which will be organized as a camp. On the project website pupils can find interactive games and examples of activities they can apply to their community. At the end of the project, an analysis of student behavior and anti-bias incentives that can reduce intolerance was made.

**Resources needed:**

The project benefited from a financing of EUR 81,214.97 of which EUR 73,064.13 (the equivalent of 89.96%) represents grant from the EEA 2009-2014 grant and EUR 8.150.84 (the equivalent of 10.04%) was co-financing provided by the MRC and the Educational Association.

**Timescale (start/end date):**

March 2015 - April 2016

**Evidence of success:**

200 students from 10 gymnasium and high school schools in Bucharest and across the country learned how to recognize hate speech and how to react to it both online and offline. 4 representatives from each team competed at an Olympiad on the project, from 15-18 April at Tohanul Nou near Bran. Here for more than 3 hours students had recognized hate speech and proposed a method of action on the real comments (unfortunately) received by journalists from Gazeta Sporturilor. Beyond the prizes and the fun, the biggest gain was that they discovered themselves and learned how much they can do together.

**Difficulties encountered/ lessons learned:**

The activities are relatively short and it might happen that there is not enough time to deal with all aspects of prejudices that can come up during the activities, therefore the preparatory work of teachers is of utmost importance and they have to be trained for this.

**Potential for transfer:**

It is demonstrated that hate-speech spreads mostly online and those who are online on social media are young people. The competency to analyze comments and how this was learned during the project is what can be disseminated and is important to learn by others too.

**Further information:**

<http://lesshate.openpolitics.ro/>

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#### 4.2.2. Good practice 2

### No Hate Speech Movement - Switch OFF/Online Speech

#### **Specific objective:**

The No Hate Speech Movement is a Council of Europe youth campaign to address and combat hate speech by mobilising young people to speak up for human rights and democracy online, and to reduce the acceptance of hate speech by reporting and denouncing it.

#### **Main organization involved:**

PATRIR – Peace, Training and Research Institute of Romania

#### **Location:**

Romania

#### **Detailed information on the practice:**

The campaign is designed to promote freedom of expression online by providing a safe space for people to express themselves free from fear of hate speech. The campaign seeks to decrease the levels of acceptance of hate speech, online and offline. It combats hate speech in all forms, including those that most affect young people, such as cyber-bullying and cyber-hate. The campaign is based on human rights education, youth participation and media literacy.

The campaign mainly operates on the online platform [www.nohatespeechmovement.org](http://www.nohatespeechmovement.org) where anyone can join and share resources and experiences. It also hosts the [Hate Speech Watch](http://www.nohatespeech.ro) <http://www.nohatespeech.ro>, an online tool for reporting, monitoring and education on hate speech. It also provides information on national reporting mechanisms.

The campaign also relies on offline activities such as training courses, seminars, conferences, youth events, festivals and flash mobs. The campaign highlights the importance of involving school communities as well as non-formal education and youth work practitioners. In Romania the campaign started off with the Switch OFF / ONLINE Speech conference and continued with the training "Online opinion polls and conflict management", which was attended by opinion-makers from the project target.

**Resources needed:**

The Switch OFF / ONline Speech project is funded through EEA grants 2009-2014, under the NGO Fund in Romania with an amount of EUR 66,301.

**Timescale (start/end date):**

2014 –2017

**Evidence of success:**

The project involved bloggers, vloggers, journalists and known artists who on the other hand attracted the interest of youth who were one of the main targets of the project. On the other hand experts and activists were trained to combat hate speech and also exchanged several times their experiences on national and also international level.

**Difficulties encountered/ lessons learned:**

Mobilizing people to report hate speech is not easy, a combination of online and offline campaign is needed to have success.

**Potential for learning or transfer:**

The Hate Speech Watch tool is important to be maintained operational and used by other projects too and materials elaborated during the project are solid resource for coming up studies and activities.

**Further information:**

<http://nohatespeech.ro>

**Contact details:**

**Name:** DREXLER Irina

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## 5. CONCLUSIONS AND RECOMMENDATION

The problem of hate speech is a considerable and growing one in Romania, even under the evident fact, that there is no imminent immigration “threat” against Romania’s borders. It is also evident that there is still just a very timid conscious movement against hate speech in Romania and low level of support for victims to legally pursue the perpetrators with equally low successful legal actions against hate speech. There is also a lack of data and not too many organizations involved in combating hate speech.

Taking into consideration all aspects mentioned till this point we formulate a few suggestions in order to counter efficiently hate speech in Romania and to trigger a clear statement on what is and what is not acceptable behavior in our society:

- ✓ A clear legal framework is important. Current legislation in Romania is good; the law by itself is not, however, enough it has to be implemented on a local level, which is by far not done.
- ✓ More could be done by social media companies to identify and remove hate speech, even if reported in many cases hate speech is not recognized and banned by social media companies; they should have local teams in order to handle this kind of issues. It should be much easier and faster to close fake accounts and remove hateful or illegal postings.
- ✓ The mainstream population still does not get enough information on issues that trigger hate speech, awareness raising on minority issues, migration causes, refugee methodologies and impact of hosting asylum seekers, social inclusion and many other topics is important to happen and funds for it has to be available. Legislation should be also clearly disseminated to the population.
- ✓ Changing the narrative of hate speech should start in school, one of the main target groups should be children and youth in order to prevent prejudices to be formed at a young age and so prevent prejudices to trigger hate speech. The place for this awareness-raising is in schools equally during formal and non-formal education. All of this relates also to online safety and understanding internet processes, in this field parents and educators are equally not up to date

and need more and more information that is also not yet provided in an organized way, it exists scattered and only from time to time.

- ✓ There are still just a few organizations who dedicate themselves to fight hate speech and many times they raise their voices locally, there is recently a national coordination, but it seems that it does not know all the actors, so a wider process of cooperation and coordination between organizations should be supported.
- ✓ There is a need for clear guidelines to know what to do if someone recognizes hate speech, how to help the target of the hate speech, how to counter hate speech and how not to become a victim of hate speech while wanting to counter it. These guidelines should be published first of all online and spread widely.
- ✓ There is still a need of more and deep analysis of hate speech and profiling of those who spread it in order to develop strategies to change this type of attitude and develop a counter-narrative to hate speech.
- ✓ It seems that the counter-narrative to hate speech should be disseminated through the on line media, the same channel that haters mostly use. It is, for now, one of the most successful ways of combating hate speech, but art, drama, video, and stories proved to be also very effective. Stories reveal the truth about those people targeted by hate speech it can persuade those who lack valid information and were negatively influenced by the internet trolls.



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