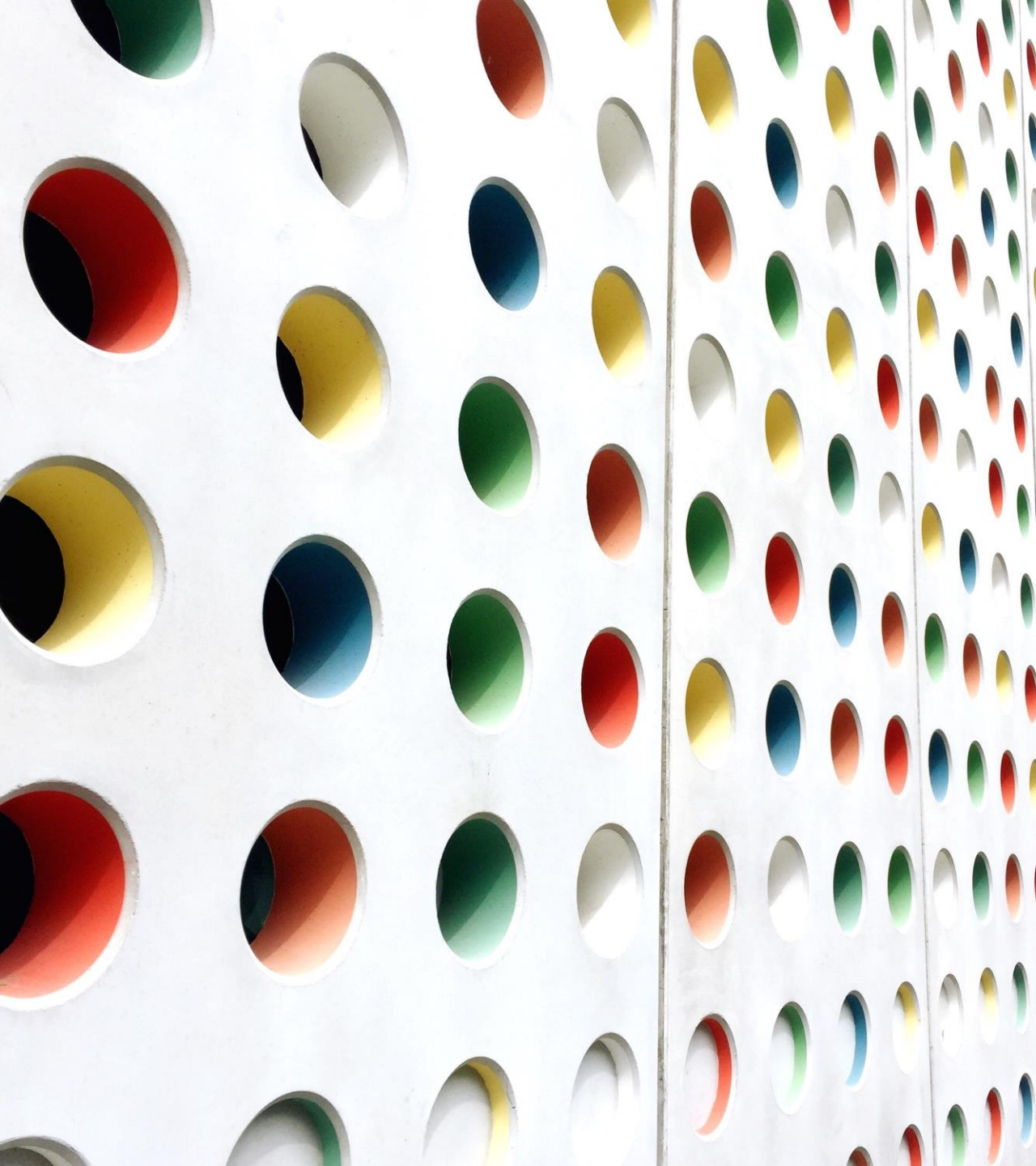




Hate Speech & Freedom of Information on Online Platforms

*Public Awareness Campaigns and
International Perspectives on
Regulating Online Media Content*

AUDIOVISUAL COUNCIL
OF MOLDOVA



AC's Methodology on monitoring hate speech

- **The Rabat Action Plan** - includes: (1) the social and political context, (2) the status of the speaker, (3) the intention to incite the audience against a target group, (4) the content and form of the speech, (5) the extent of its dissemination, and (6) the likelihood of harm, including imminence.
- **The triple test of the European Court of Human Rights (ECtHR)** - restrictions on the right to freedom of expression must be provided for by law; the restrictions must be based on one of the legitimate aims of the law; the restrictions must be strictly necessary and proportionate to the aim pursued.

Practical cases

1. The regional public audiovisual media service "TV Gagauzia" and the private TV channel "ATV" were fined with 60 000 lei (3 090 EUR) and, respectively, 40 000 lei (2 060 EUR) for providing a platform through which public figures, opinion leaders and civic activists expressed opinions and delivered messages with elements of **discrimination, incitement to hatred, cultivation of extremism, division of society and disinformation**.
2. The radio station "Jurnal FM" received a public warning for **failure to avoid discrimination** in one edition of its entertainment show, „PopCorn Show". The control showed that the topic addressing the Day of Education without Violence ("Spank Out Day") included statements of a discriminatory nature, and some comments were devoid of educational and informational value.
3. The regional public audiovisual media service "TV Gagauzia" was publicly warned for **admitting sexual orientation-based discrimination**. The content analysis identified narratives, supported by messages, likely to constitute discourse that incites to discrimination against LGBTQ+ people.

New definition for “*hate speech*”

Hate speech - all types of expression that incite, promote, spread or justify hatred, violence or discrimination against a person or a group of persons, or that degrades or harms their honour and dignity on grounds of their personal characteristics or status, real or perceived, such as race, colour, ethnic, national or social origin, citizenship, sex, gender, language, religion or religious belief, political opinions, disability, sexual orientation, gender identity, health, age, marital status, migrant or asylum-seeker status

Hate speech —————> Illegal audiovisual content

Under new provisions of the Audiovisual Media Services Code, hate speech becomes one of the categories generically called "illegal audiovisual content"

Amendments concerning *hate speech*

1. Providers of video sharing platform services, that are under the jurisdiction of the Republic of Moldova, have the obligation to protect the general public from audiovisual programmes, user-generated videos and audiovisual commercial communications containing **incitement to hatred**.
2. The AC will have the right to elaborate, approve and monitor the implementation of regulations on how to identify audiovisual content that constitutes **hate speech** and assess its seriousness.
3. For broadcasting illegal content, including **hate speech**, media service providers and distributors may receive fines varying from 50 000 lei (2 576 EUR) to 100 000 lei (5 152 EUR).

Hate speech and discrimination in the public space and in the media of the Republic of Moldova in the context of the war of the Russian Federation against Ukraine (February 24th and April 24th, 2022)

SPECIAL SOURCE CATEGORIES



Hate speech and incitement to discrimination in the public space and mass media in the Republic of Moldova during the electoral period for the Presidential Elections of October 20th (November 3rd), 2024, and the Constitutional Republican Referendum of October 20th, 2024

- Hate speech was mainly used by men (162 cases) and those aged 35-50 years (97 cases).
- Compared to 2018-2019, hate speech was spread, in particular, through social networks (75 cases) and mobile applications (78 cases).
- For the first time since 2018, the criterion “opinion” has surpassed the criteria “sex”, “gender”, “sexual orientation” and “gender identity”.
- LGBTQI+ people (57 cases) and women (54 cases) continued to be among the most frequently targeted by hate speech.
- Most cases of hate speech in online media were either spread or generated in/by Sputnik Moldova (15 cases) and TV6 (six cases).

Thank you for your attention!

Discursul de ură

nu este libertate de exprimare,
ci atac la demnitatea altora

