

HUMAN
RIGHTS



Online Hate Speech in the EU: Legal Responses

SEMINAR FOR LEGAL PRACTITIONERS

Trier, 12-13 December 2019

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Human
Rights Law**



Speakers

Petros Alikakos, President, Court of General Jurisdiction, Athens; CEPEJ Expert

María Elósegui, Judge, European Court of Human Rights, Strasbourg

Vittoria Federici, Stakeholder Engagement Manager, Product Policy, Facebook, London

Paul Harvey, Barrister, Doughty Street Chambers, London; Advocate, Arnot Manderson Advocates, Edinburgh

Louisa Klingvall, Policy Officer, Fundamental rights Policy Unit, DG JUST, European Commission, Brussels

Norbert Lorenz, Director for Parliamentary and Financial Affairs, Legal Service, European Parliament, Luxembourg

Karmen Turk, Lawyer, Trinita Law Firm, Tallinn

Key topics

- Hate speech regulation and case law developments
- Assessment of harmful content
- Liability exception regime under the e-Commerce Directive
- Law enforcement by private actors
- Use of artificial intelligence (AI) in tackling hate speech
- Format of complaint procedures
- Political expression v. hate speech
- Obtaining evidence from online platforms
- Rules & Terms of Service

Language
English

Event number
419D104

Organiser
ERA, Sanja Jovičić



With the support of the Erasmus+ programme of the European Union

Online Hate Speech in the EU: Legal Responses

Thursday, 12 December 2019

8:30 Arrival and registration of participants

9:00 **Opening of the seminar**
Sanja Jovičić

I. EUROPEAN REGULATION AND CASE LAW DEVELOPMENTS

9:15 **Current hate speech regulation in Europe**

- Setting the boundary between legal and illegal expression
- The scope of protected identity characteristics
- Blasphemy and freedom of expression
- International cooperation in detecting and addressing hate speech

Petros Alikakos

10:00 Discussion

10:15 **Legal assessment of harmful online content**

- How to balance freedom of expression against protection of dignity and privacy?
- The test of proportionality
- Clarity of definitions of unlawful content
- Consideration of national/regional contexts

María Elósegui

11:00 Discussion

11:15 Coffee break

11:45 **Case study:**
Applying the European Court of Human Rights (ECtHR) case law on hate speech
Paul Harvey

12:30 Discussion

12:45 Lunch

14:00 **How to apply the liability exception regime under the e-Commerce Directive?**

- Intermediary liability and freedom of expression in the EU
- "Knowledge" about unlawful content by the hosting service providers under Art. 15 of the e-Commerce Directive

Louisa Klingvall

14:45 Discussion

II. ADDRESSING ONLINE HATE SPEECH IN PRACTICE

15:00 **Law-enforcement by private actors and accountability for interpreting hate speech law**

- Transparency of the decision-making procedure of online platforms
- Obligation to provide a remedy
- Control and accountability of trusted flaggers and Internet referral units in case of abuses

15:45 Discussion

16:00 Coffee break

16:30 **Case study:**
Making complaints and counter-notices in hate speech-related cases

17:15 Discussion

17:30 End of first seminar day

Objective

This seminar will explore the legal challenges faced by practitioners when addressing online hate speech complaints and provide a forum for discussion of possible solutions.

Who should attend?

Lawyers in private practice, in-house counsel, judges, prosecutors, legal staff of national administrations, international organisations and NGOs.

You will learn how to...

- define and tackle hate speech in national legislation in accordance with international human rights standards
- legally assess online unlawful content in practice
- use the relevant ECtHR case law at domestic level
- interpret the relevant EU law on intermediary liability in hate speech cases
- provide an effective remedy and transparent complaint procedures for network users
- use AI technology in hate speech cases without violating the human rights of users
- balance political expression against hate speech
- deal with data protection issues when removing/blocking content
- use the Rules and Terms of Service in hate speech cases

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **10 CPD hours**.

Your contact persons



Sanja Jovičić
Course Director
E-Mail: SJovicic@era.int



Laura König
Assistant
E-Mail: lkoenig@era.int

19:00 Dinner

Friday, 13 December 2019

ADDRESSING ONLINE HATE SPEECH IN PRACTICE (continued)

- 9:00 **Fighting online hate speech with machine-learning**
- Algorithmic assessment of an alleged interference into the right to freedom of expression
 - How to avoid bias in the tool introduced by developers/users?
 - Differences in and limits of AI technology
- Vittoria Federici*
- 9:30 Discussion
- 9:45 **Online hate speech in political debate**
- What level of offence or violence might be tolerated in political debate
 - Experiences of the European Parliament
- Norbert Lorenz*
- 10:30 Discussion
- 10:45 Coffee break
- 11:15 **Collecting evidence on online hate speech**
- Procedures for requests to service-providers
 - New EU rules to obtain electronic evidence
 - Data protection issues in obtaining e-evidence
- 11:45 Discussion
- 12:00 **Case study:
Using and interpreting the Rules and Terms of Service of social platforms**
- Karmen Turk*
- 13:00 Discussion
- 13:30 Light lunch and end of seminar

For programme updates: www.era.int
 Programme may be subject to amendment.

What participants said in 2018

- “Great selection of topics and speakers”
- “First-hand practical information”
- “High-quality and efficient programme”
- “One can get useful insights of a particular topic which is of importance in cases”

Social programme



After a day's intensive training and debate, enjoy a dinner at no extra cost on 12 December 2019

with fellow participants from various countries.

Discover Trier



Discover Trier, built on centuries of history and surrounded by diverse culture. Experience what inspired the

Romans, immerse yourself in the city's rich and varied history, or simply take a stroll and soak up the atmosphere. Explore some of the main attractions and landmarks and visit the Porta Nigra, the Cathedral of Saint Peter, the Constantine Basilica or Trier's famous Christmas market.

Travel

Shuttle services from the airports of Luxembourg (30 minutes) and Frankfurt Hahn (50 minutes) to the ERA Conference Centre can be booked at special rates at: era@finkelgruens-taxi.de.

Save the date

Summer Course on European Data Protection Law
 Trier, 9-13 September 2019

Recent Case Law of the European Court of Human Rights in Taxation Matters
 Strasbourg, 10-11 October 2019

Registration

Online Hate Speech in the EU: Legal Responses

Trier, 12-13 December 2019 / Event Number: 419D104



Registration

Fax: +49 (0) 651 93737-773

E-mail: info@era.int

Online registration:
www.era.int/?128580&en

Postal address:
ERA
Postfach 1640
D-54206 Trier

Location

ERA Conference Centre
Metzer Allee 4
54295 Trier
Germany

Language

English

Contact Person

Laura König
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Accommodation at special rates



Vienna House Easy Trier,
from € 99
www.viennahouse.com
+49 (0)651-9377-0



Villa Hügel Trier, from € 114
www.hotel-villa-huegel.de
+49 (0)651-93710-0



Park Plaza Trier, from € 111
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Contact the hotel directly to make your reservation (see para. 16 www.era.int/legalnotice).

Please indicate the event you will attend.



I would like to register for the ERA event mentioned above.

Please update my address (see below) My address (above) is correct Please delete my address

PLEASE USE BLOCK CAPITALS:

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First Name	<input type="text"/>			
Surname	<input type="text"/>			
Organisation	<input type="text"/>			
Position	<input type="text"/>	Tel.	<input type="text"/>	
Department	<input type="text"/>			
E-Mail	<input type="text"/>			
Street	<input type="text"/>			
Postcode/City	<input type="text"/>	Country	<input type="text"/>	

Evening programme: I shall attend the dinner on 12 December 2019 (at no extra charge).

Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 12/11/2019	€ 531.00 <input type="checkbox"/>	€ 318.60 <input type="checkbox"/>	€ 398.25 <input type="checkbox"/>
Registration after 12/11/2019	€ 590.00 <input type="checkbox"/>	€ 354.00 <input type="checkbox"/>	€ 442.50 <input type="checkbox"/>

* EU and ERA Patrons

- Staff of European Union institutions and agencies;
- Staff of ERA's patrons (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany and the German states, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Scotland, Slovakia, Slovenia, Spain, Sweden, United Kingdom, City of Trier).
- Fellows of the European Law Institute

** Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions
- Registration of three or more employees from the same organisation

Method of payment

- Credit card For registration with credit card payment please go to our website www.era.int/?128580&en
- Cheque Cheque number
- Bank transfer

I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:
IBAN: DE145900 00 00 00 58501900 – BIC: MARKDEF1590

Important! Please state your name and the event number on the bank transfer.

I confirm my registration and accept the general terms and conditions: www.era.int/legalnotice

Place, Date

Signature