





**RECOMMENDATION ON COMBATTING
DISCRIMINATION AND HATE SPEECH
IN ELECTION CAMPAIGNS**


Equinet, the European Network of Equality Bodies:




Recalling that equal treatment and non-discrimination are the foundations of the universal human rights system and founding principles and values of the European Union;




Recognising that the right to equality and freedom from discrimination is the only right set out in all nine of the core UN human rights treaties and it is also the subject of binding legislation and well-developed jurisprudence at the Council of Europe and European Union levels;



Recalling that equality bodies are independent state institutions set up around Europe to promote equality and counter discrimination and harassment and often mandated to deal with hate speech;




Reiterating that equality bodies are dedicated to promoting equality and non-discrimination in all areas of life;




Recognising that freedom of expression is one of the most basic human rights and it 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, but **recalling** that freedom of expression is not absolute and it is necessary to prevent hate speech, defined as all forms of expression which spread, incite, promote or justify hatred based on intolerance;



Recognising the links between discrimination, harassment and hate speech;



Noting with concern reports about a growing number of election campaigns in Europe marred by scapegoating and discriminatory language or hate speech against certain groups of society, often justified as mere expressions of personal opinions or even concerns for human rights;



Recognising that discrimination, harassment, hate speech and ideologies or discourse in election campaigns that are based on ideas or theories of inherent superiority of one group of persons due to their personal characteristics are directly and necessarily contradictory of democratic principles and are capable of undermining the founding values of democratic states and our common constitutional traditions.

Equinet provides the following recommendations:



General principle of equality

- 1** Non-discrimination and an ambition for substantive equality are cornerstones of European democracies and election campaigns are crucial testing grounds for commitment to them.
- 2** Equal treatment and non-discrimination are common minimum standards and must be respected by everyone under all circumstances, including in times of election campaigns.
- 3** Political parties and media outlets should consider adopting or supporting codes of conduct for election campaigns that include a policy to tackle discrimination, harassment and hate speech.

Prohibition of discrimination

- 4** Political parties and candidates, as well as people working for them, must refrain in their programmes and campaigns from using discriminatory language or proposing discriminatory policies and laws and voicing or supporting ideas or theories of superiority of one group of persons based on their race, ethnic origin, religion, gender, age, sexual orientation, gender identity, disability, other protected personal characteristics or a combination of these.
- 5** Media outlets, in their coverage of election campaigns, must refrain from using or supporting discriminatory language or policies and ideas or theories of superiority of one group of persons based on their race, ethnic origin, religion, gender, age, sexual orientation, gender identity, disability, other protected personal characteristics or a combination of these. Reporting on such issues and statements in election campaigns should be conducted in a responsible manner, with due explanation of and critical reflections on the context.

Hate speech

- 6** Political parties and candidates, as well as people working for them, must refrain in their programmes and campaigns from using or supporting language that amounts to hate speech ¹.
- 7** Media outlets, in their coverage of election campaigns, must refrain from using or supporting hate speech. Reporting on language in election campaigns that amounts to hate speech should be conducted in a responsible manner, with due explanation of and critical reflections on the context.

Addressing sensitive topics ²

- 8** Political parties and candidates, as well as people working for them, should deal responsibly and fairly with sensitive topics relating to groups defined by common protected personal characteristics to avoid their stigmatisation.
- 9** Media outlets, in their coverage of election campaigns, should deal responsibly and fairly with sensitive topics relating to groups defined by common protected personal characteristics to avoid their stigmatisation. Reporting on such sensitive topics must be accompanied by due explanation of and critical reflections on the context.

Equal representation on electoral lists

- 10** Political parties should consider putting in place practices and policies to achieve a representation that is reflective of the diversity of people in society at all levels on their electoral lists even in the absence of an express legal duty to do so.

¹ For the purposes of this recommendation hate speech is understood, following the wording of the [General Policy Recommendation No. 15 of the European Commission against Racism and Intolerance on combating hate speech](#), as the advocacy, promotion or incitement, in any form, of the denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatization or threat in respect of such a person or group of persons and the justification of all the preceding types of expression, on the ground of "race", colour, descent, national or ethnic origin, age, disability, language, religion or belief, sex, gender, gender identity, sexual orientation and other personal characteristics or status.

² For the purposes of this recommendation, a sensitive topic means any topic that is routinely used in discriminatory and intolerant rhetoric or hate speech against certain groups. Sensitive topics might include, but are not limited to, social protection measures, unemployment benefits, or criminal statistics.

Equinet is the European Network of Equality Bodies, a membership organisation bringing together 49 equality bodies from 36 European countries including all EU Member States. National equality bodies are public organisations assisting victims of discrimination, monitoring and reporting on discrimination issues, and contributing to an awareness of rights and a societal valuing of equality. They are legally required to do so in relation to one, some, or all of the grounds of discrimination covered by European Union (EU) law – gender, race and ethnicity, age, sexual orientation, religion or belief, and disability.

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