



## United States Mission to the OSCE

# **OSCE Meeting on the Relationship between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes**

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Session on Public and Private Partnerships in the Fight against Racism, Xenophobia and  
Anti-Semitism on the Internet – Best Practices  
Paris, June 16, 2004

Thank you, Mr. Chairman.

As various speakers from the United States delegation have made clear, the United States believes strongly that the most effective means of combating racism, xenophobia, and anti-Semitism is through the protection of the freedom of speech, and the encouragement of vigorous debate. Racist, xenophobic and anti-Semitic materials on the Internet are merely the symptoms of a darker evil that lies in the hearts of some men. A regulatory approach addresses only those symptoms; it does nothing to address their root causes. And, even if it does succeed in pushing offensive materials from the public square, the regulatory approach simply prevents the public rebuttal of such bad speech with good.

This is no less true for the Internet than for any other means of communication. The United States therefore applauds the ongoing efforts of NGOs, religious associations and industry groups to monitor and bring to light racist, xenophobic and anti-Semitic materials on the Internet. These organizations identify and catalogue such offensive material, in order to better understand its adherents and propagators. Also, they expose it, subjecting it to public rebuttal. The efforts of these groups to share information about and enhance public understanding of such materials are, in large part, the reason why this meeting is occurring today.

The United States government has encouraged such activities, in order that hateful speech can be examined, countered, and debunked. One such example, as noted in the panel presentation, is the Partners Against Hate program. This program provides educational and training materials for youth and for those working with them. Through it, children learn to reject racist, xenophobic, and anti-Semitic notions when confronted by them. This program, a joint effort between NGOs, the United States Department of Justice, and the U.S. Department of Education, demonstrates how governments can support outreach, public education, and training.

The United States encourages such efforts to educate the public, particularly children, in this area. The information, techniques used, and materials produced by the various entities involved in these educational programs should be widely shared and copies of materials

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produced should be disseminated throughout the OSCE. The best practices of such groups should also be shared.

In addition, the United States supports the private efforts of NGOs, religious associations, and industry groups to monitor and bring to light racist, xenophobic, or anti-Semitic content on the Internet. This information should be compiled, analyzed and reported on regularly so participating States can have current information on the topic of hate online. Participating States should support efforts by these groups to establish a central library of materials dealing with online hate. Also, the creation of a database to house available information should be examined for feasibility.

Such efforts can prove particularly effective where NGOs work in partnership with Internet service providers. Many ISPs and host companies have in place user contracts containing “Terms of Service” and “Acceptable Use” clauses, which often include prohibitions on hateful materials. Such contracts create a web of private, market-based regulation on Internet use. NGOs provide a valuable service by bringing to the attention of the host ISP and the public the presence of racist, xenophobic, or anti-Semitic materials.

Additionally, there are instances in which it is appropriate for NGOs to share information directly with law enforcement officials. In the United States, where Internet content transgresses the line from expression to criminality, in that it poses a clear and present danger, law enforcement activity is appropriate. In such cases, the partnership of private monitoring and public law enforcement can act swiftly to prosecute wrongdoing.

The United States must, however, sound a note of caution as to the interaction between government, NGOs, and industry. The United States supports private monitoring, and ISP’s ability to self-regulate. However, such activities should not become a proxy for government. Purportedly private monitoring and regulation conducted in collusion with government officials carries all the same risks as direct government monitoring. The United States urges participating States to maintain a clear line between public and private monitoring and regulation of expression.

This meeting underscores the importance of this issue to participating States. The gathering of so many nations and groups to identify positive steps to be taken by all is a commendable development of international cooperation. We hope that the resulting recommendations can be implemented to ensure that ongoing efforts in the field of identifying, understanding, and dealing with online hate can lead to outcomes taken positively by all participating States.

## RECOMMENDATIONS

- The United States recommends:
- That participating States support the establishment of educational programs and development of training materials directed to educating children regarding methods of addressing racist, xenophobic, or anti-Semitic expression they may encounter on the Internet.
- That NGOs, religious associations, industry, and other private groups continue to monitor the Internet for racist, xenophobic, and anti-Semitic content, and report publicly on their findings, and that this material is centrally maintained and catalogued by these groups.
- Participating States should take steps to raise parental awareness of filtering software, which empower parents, on a voluntary basis, to exercise greater supervision and control over their children's use of the Internet.
- Many Internet Service Providers (ISPs) already reserve the right to block transmittals that fall outside of their policies. Most of the large ISPs in the United States enforce policies banning racist and hateful statements. NGOs and other private organizations should promote consumer awareness of which ISPs host hate speech and which do not in order to allow consumers to make informed decisions on the ISPs they choose to use.