



Norwegian Ministry
of Children and Equality

Strategy

The Government's Strategy against Hate Speech 2016–2020



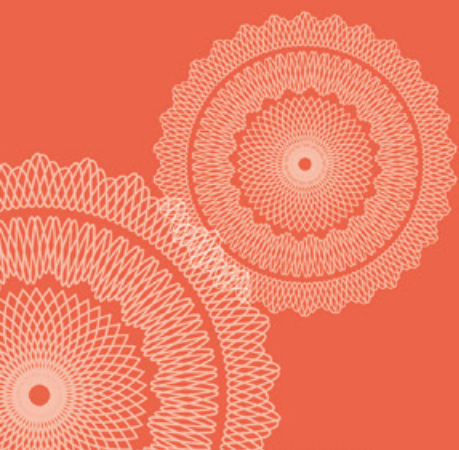
In November 2015, the Government issued a political declaration against hate speech on www.regjeringen.no. The purpose of the declaration is to commit to efforts against hate speech.

Political Declaration against Hate Speech

We, as politicians, Government authorities and key social actors are committed to combatting hate speech and intolerance. Freedom of expression is an indispensable value. This is a strongly held value in Norway. We will not spread or incite hatred.

We are concerned about the extent of hate speech on the basis of gender, ethnicity, religion or life stance, disability or sexual orientation, gender identity and gender expression. Speech that spreads hatred against other people cannot be tolerated. Some speech is prohibited under Norwegian law and shall be prosecuted. But other types of hate speech can have serious consequences on individuals, groups and all of society. Government and educational institutions have a particular responsibility to take an active role in preventing hate speech and ensuring that people who are exposed to it, get help.

We want a society with room for everyone. We therefore intend to work for an open, peaceful and inclusive society where everyone feels a sense of belonging. A society based on democratic values, universal human rights and mutual respect between individuals and groups.



We intend to:

- Work to ensure that everyone can participate in the public debate and move freely in the public sphere without being exposed to hate speech.
- Work actively to create arenas for dialogue, tolerance and awareness of the consequences of hate speech.
- Include combatting hate speech in systematic health, safety and environment efforts in the workplace, schools and education.
- Actively contribute to hate speech being identified, investigated and enforced in the courts.

Foreword



Freedom of expression is a fundamental human right. It is a prerequisite for democracy and enshrined in § 100 of the Norwegian Constitution. Freedom of expression is also a prerequisite for each person's individual liberty and our quest for enlightenment and truth.

The Government intends to facilitate meaningful, mutually respectful public discussion. Hate speech is an obstacle to this. This strategy will help to prevent and combat hate speech. The Government will help to create appropriate forums for discussion together with all the actors who can contribute knowledge and experience. Children and youth forums will be of particular importance. It is important to combat hate speech, and the Government wishes to support people who want to speak out against hate speech.

Freedom of expression is a challenge since it includes statements that may be perceived as controversial, offensive or shocking. In a democratic society we must tolerate being provoked and insulted. An open and free public debate is fundamental to a functioning democracy. Freedom of expression is not an absolute. Norway's obligations under international human rights conventions, in particular the European Convention on Human Rights (ECHR), Article 10, permits the right to encroach on the freedom of expression when certain conditions are met.

Like most countries, Norway has laws prohibiting hate speech or incitement to violence, and which involve encroaching on the freedom of expression.

The Norwegian Constitution § 100, paragraph six, states: "It is the responsibility of the authorities of the State to create conditions that facilitate open and enlightened public discourse."

"This requirement means that the state shall contribute actively so that individuals and groups have an actual opportunity for expression. The Government's task is expanded in paragraph six from a position of refraining from intervention to actively facilitate to make citizens' freedom of expression possible. The infrastructure requirement entails an obligation to facilitate the channels and institutions for an open and informed public debate. In short, an overall Government responsibility for the construction of a public space."

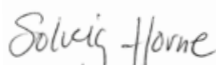
(Recommendation from the Storting, No. 270 (2003–2004)).

We know that many people are reluctant to participate in public debates because they have been met with hateful, harassing or abusive responses. This keeps important voices from speaking out. As a result, the debates become poorer, with a subsequent loss for democracy.



Prime Minister

Erna Solberg



Minister of Children and Equality

Solveig Horne



Minister of Culture

Linda Hofstad Helleland



Minister of Justice and Public Security

Anders Anundsen



Minister of Labour and Social Affairs

Anniken Hauglie



Minister of Education and Research

Torbjørn Røe Isaksen



Minister of Local Government and Modernisation

Jan Tore Sanner



Minister of Immigration and Integration

Sylvi Listhaug



Minister of Foreign Affairs

Børge Brende

Contents



08	Summary of measures
10	Introduction
12	Main points from the Government's efforts against hate speech 2014–2016 12
14	The current status of knowledge on hate speech
16	Goals and efforts
18	Forums for discussion
22	Children and youth
28	The legal system
36	Employment
40	The media sector
44	Knowledge and research
48	Going forward
50	APPENDIX International efforts
52	Bibliography

Summary of measures

NO	MEASURES	REPOSIBLE MINISTRY
FORUMS FOR DISCUSSION		
1	Annual conferences/dialogue meetings	Ministry of Children and Equality
2	Establish a website on hate speech	Ministry of Children and Equality
3	Continued support for the Stop Hate Speech Campaign	Ministry of Children and Equality
4	Reference group for efforts against hate speech	Ministry of Children and Equality
5	United Nations International Day of Persons with Disabilities	Ministry of Children and Equality
CHILDREN AND YOUTH		
6	National expansion of Dembra – Democratic Preparedness against Racism, Antisemitism and Undemocratic Attitudes	Ministry of Education and Research
7	Teaching resources for group-focused enmity	Ministry of Education and Research
8	Dialogue conferences for children and youth on hate speech	Ministry of Children and Equality
9	Information material for children and youth	Ministry of Children and Equality
LEGAL SYSTEM		
10	National competence in relation to hate crimes	Ministry of Justice and Public Security
11	Common guide for police registration under Criminal Code § 185	Ministry of Justice and Public Security
12	National statistics on hate speech	Ministry of Justice and Public Security
13	Assessment of the criminal protection against discrimination	Ministry of Justice and Public Security Ministry of Children and Equality

NO	MEASURES	RESPONSIBLE MINISTRY
EMPLOYMENT		
14	Information campaign aimed at employers	Ministry of Children and Equality
15	Include the issue of hate speech in the working group on equality in the workplace	Ministry of Children and Equality
MEDIA SECTOR		
16	Promote diversity in the media through direct and indirect economic means	Ministry of Culture
17	Committee for assessing media pluralism in Norway	Ministry of Culture
18	Reformulate Criminal Code § 269 on editorial responsibility	Ministry of Culture
KNOWLEDGE AND RESEARCH		
19	Summary of research on hate speech against persons with disabilities	Ministry of Children and Equality
20	Doctoral/postdoctoral positions for research on the prevention of antisemitism and other group-focused enmity in schools	Ministry of Education and Research Ministry of Local Government and Modernisation
21	Hate speech and hate crimes on the Internet and in social media	Ministry of Children and Equality
22	Nordic survey of legal regulations related to threats, offences and hate speech on the Internet	Ministry of Children and Equality
23	Further development of knowledge about hate speech	Ministry of Children and Equality

Introduction



Pursuant to § 100, paragraph six of the Norwegian Constitution, public authorities shall facilitate an open and informed public debate, as well as the construction of a well-functioning public space.

With this strategy, the Government intends to prevent and raise awareness about hate speech in public debate and in the public sphere. The strategy will also help to create awareness regarding the consequences of hate speech. We give priority to schools and education, employment, the legal system and the media sector. We want to create new forums for conversation. We want to gain more knowledge, initiate research and international cooperation. Norway's international activities are discussed in an appendix to the strategy.

Hate speech can restrict the ability of individuals to participate in public debate. Such speech can also have serious consequences on society because it creates distance and distrust between groups. There are a number of examples where hate speech has been used to oppress, persecute and discriminate against certain groups in society. According to international research, hate speech can:

- be intimidating, and cause fewer people to participate in society
- sustain and create prejudice
- contribute to social exclusion and increased conflicts that break down the community
- create fear and deprive people of their dignity by saying that they are not equal citizens (Dovidio, Glick and Rudman 2005)

The boundaries are shifting in the public sphere

Over the past few decades, the Internet has changed the way we communicate. The threshold for expressing oneself has been lowered. More

people participate in social media, and communication is quick and direct. This makes it possible for individuals and groups who would normally not be heard in the public debate, to have a voice. But while the Internet has provided us with new opportunities, many people experience hatred, harassment and slander. Such speech can be legal or illegal.

Prohibitions in the Criminal Code, anti-discrimination legislation and international human rights conventions

No international consensus has been reached on a definition of the term hate speech. How the prohibitions are formulated varies from country to country. Norwegian legislation has a number of relevant provisions in both the Criminal Code and in the anti-discrimination legislation. These prohibit hate speech, discrimination, harassment, reckless conduct and the violation of privacy. In addition, we have protections against hate speech in some of the international human rights conventions to which Norway is bound, see Article 4 of the UN Convention Against Racial Discrimination (CERD), Articles 3, 4, 5 and 6 of the Supplemental Protocol to the Convention on Cybercrime (the Budapest Convention) and Articles 5, 6 and 7 of the European Council Convention on the prevention of terrorism.

Efforts against hate speech, efforts to promote freedom of expression and to promote equality and prevent discrimination, must be viewed in context. This includes efforts to combat hate crimes, racism, bullying, radicalisation and violent extremism. International cooperation takes place through the UN, OSCE, EU, European Council and the Nordic countries. The strategy is also based on measures included in the Government's Action Plan against Discrimination on the Basis of Sexual Orientation, Gender Identity and Gender Expression, the Action Plan against Antisemitism and the Action Plan against Radicalisation and Violent Extremism.

Main points from the Government's efforts against hate speech 2014–2016

2014

The Ministry of Children, Equality and Social Inclusion granted funds for the first time for the campaign Stop Hate Speech Online.

November 2014

The Prime Minister and the Minister of Children, Equality and Social Inclusion convened a wide-ranging dialogue meeting. Persons having experience with hate speech on the basis of gender, disability, sexual orientation, ethnic or religious background participated.

August 2015

Norway was examined by the UN Committee on the Elimination of Racial Discrimination. The Committee recommended that the Norwegian Government prepare a strategy against hate speech.

Autumn 2015

The Ministry of Children, Equality and Social Inclusion allocated funds for charting and analysing the attitudes religious and ethnic minorities have toward each other. This will be completed in 2017.

2014

June
2014

November
2014

May
2015

August
2015

Autumn
2015

Autumn
2015

June 2014

The Prime Minister invited women who have been victims of hate speech to a meeting.

May 2015

The Nordic ministers of equality approved a special initiative against hate speech in the Nordic Council of Ministers.

Autumn 2015

The Government allocated funds for a survey of attitudes on antisemitism in Norway. The project will be completed in 2017.

October 2015

A committee of State Secretaries for government efforts against hate speech was appointed. Work on a strategy against hate speech was initiated.

January 2016

The Minister of Children and Equality convened an input meeting on the strategy.

March 2016

A reference group for efforts on the strategy was appointed. The reference group has a broad composition of representatives of NGOs, scientists, the Sami Parliament and other relevant stakeholders.

October 2016

The Government launched the Action Plan against Antisemitism for the period 2016–2020.

October
2015

November
2015

January
2016

February
2016

March
2016

June
2016

October
2016

November
2016

November 2015

The Government issued a Political Declaration against Hate Speech.

February 2016

The Centre for Research on Extremism (C-REX) was created using government funds.

June 2016

The Government launched the Action Plan against Discrimination on the Basis of Sexual Orientation, Gender Identity and Gender Expression for the period 2017–2020.

November 2016

The Government launched the Strategy against Hate Speech for the period 2016–2020.

The current status of knowledge on hate speech

The Institute for Social Research (ISF) has prepared three summaries on the current knowledge about hate speech on behalf of the Norwegian Directorate for Children, Youth and Family Affairs. The results of this work were made available in the autumn of 2016. The summaries form an important basis for the Government's follow-up of the strategy. Please refer to the chapter Knowledge and Research. Below are excerpts from the summaries of the three reports.

Hate speech – Report 1:

Research on the nature and extent of hate speech

(Nadim and Fladmoe 2016)

The purpose of the report is to gather research-based knowledge about:

- The extent of online hate speech
- Which groups are particularly subjected to online hate speech
- Which media/platforms are used in particular to disseminate hate speech
- Who produces hate speech and what motivates them

Very few studies have examined the extent of hate speech directly. Various studies have applied different definitions of hate speech and other offensive speech. As a result, the estimates of the extent of hate speech vary widely. The same applies to figures on police reporting, which are considered unsuitable for providing a complete picture of hate speech online. Many of the studies have primarily addressed online hate more generally, without using the term "hate speech". Thus, there are few studies that deal with speech aimed at specific groups. Hate speech is commonly understood as speech that is hateful or discriminatory in nature based on the recipient's inclusion in a particular minority group.

Ethnicity and sexual orientation are the most common grounds for hate speech. There is less knowledge about harassment directed at people with disabilities. Moreover, young people have had unpleasant experiences online more often than those who are older. Overall, there are relatively small gender differences in terms of the extent to which men and women are affected, but there are differences in the types of online harassment to which women and men are exposed.

The perpetrators of hate speech are often motivated by factors other than a strong sense of hatred. Rather, factors such as thrill-seeking and conformity to an online culture for defamatory language are more likely to be the root cause. Yet those affected are not random. The perpetrators base their actions on prejudices, stereotypes and perceptions of differences between groups.

Hate speech – Report 2:

Research on hate and discrimination

(Eggebo and Stubberud 2016)

The report sheds light on the relationship between hate speech and discrimination, bullying and violence. It also examines research on the consequences of hate speech.

Existing research reveals that minority groups are often more exposed to negative or offensive speech than the population at large.

Hate crimes and hateful, undesired and offensive speech have consequences for the individuals,



Ethnicity and sexual orientation are the most common grounds of hate speech. There is less knowledge about harassment directed at people with disabilities.

groups and society at large. On the individual level, there are direct consequences for whoever is exposed in the form of psychological stress, restricted movement and speech, and fear. On a group level, this can result in some groups withdrawing from the public sphere and vulnerable groups internalising negative stereotypes. On a more general level within society, the consequences involve discrimination being regarded as normal. The most extreme consequence can lead to motivating and legitimising serious offences and violence. Exposure to violence and discrimination, as well as certain groups withdrawing from the public sphere, result in a more poorly functioning democracy.

The report concludes that there is a need for considerable research efforts when it comes to hate speech and hate crimes directed at minorities in Norway.

Hate speech – Report 3:

The boundary between freedom of speech and criminal law protection against hate speech

(Wessel-Aas, Fladmoe and Nadim 2016)

The report notes that the interpretation and application of the criminal law provisions on hate speech must take place in a manner consistent with the freedom of expression, as protected in both the Norwegian Constitution and in International Conventions to which Norway is bound, and which are incorporated into Norwegian law through the Human Rights Act, including the European Convention on Human Rights (ECHR) Article 10. At the same

time, Section 98 of the Constitution contains a general principle of equality and non-discrimination. In addition, Norway has obligations pursuant to international conventions to combat and, in some cases, to criminalise certain forms of hate speech.

Based on a review of the jurisprudence of the European Court of Human Rights (ECHR) in cases concerning hate speech versus the freedom of expression, there is, on a general level, no indication that current Norwegian law goes too far in restricting the freedom of expression as it is enforced in this area by the ECHR.

In addition to the three reports cited above, NTNU has prepared the report *An updated status of knowledge on sexual harassment among students in secondary education* (Bendixen, Ottesen Kennair and Grøntvedt 2016), which was commissioned by the Ministry of Children and Equality. The report provides a summary of Norwegian and other Nordic research on the basis of knowledge available for the period 2007-2015. The report shows that the extent of sexual harassment is widespread, and that girls are more often the victims of physical sexual harassment than boys. There is little knowledge about causes and consequences.

Goals and efforts



In the strategy, the Government focuses attention on some specific areas. The Government wants to create arenas for dialogue and raise awareness of the consequences of hate speech. In addition, the Government wants to facilitate, to a degree greater than today, illegal hate speech being identified, investigated and brought before the courts or other relevant authorities. Long-term and targeted capacity building aims to provide a good basis for efforts against hate speech. The Government wants a social debate in which no one is excluded because of hate speech. It also aims to include the fight against hate speech in systematic efforts on health, safety and environment in the workplace, as well as in schools and education.

Forums for discussion

The Government wants to facilitate forums where children, youth and adults can discuss, disagree and have different points of view without resorting to harassment or hate speech. Meaningful forums help to create equality and prevent groups from being excluded.

Forums and dialogue

During work on the strategy, several meetings have been held between the Government, NGOs, research institutions and various key social actors (see the discussion under Main points from the Government's efforts to combat hate speech 2014–2016). These have provided important input to the Government's efforts.

Within the Nordic cooperation on equality, the countries work in particular on equality in the public sphere, including combatting hate speech. The topic of hate speech has been on the Nordic agenda since 2015. Norway is assuming the Presidency of the Nordic Council of Ministers in 2017, and hate speech will be one of four key focus areas for the cooperation on equality (Nordic Council of Ministers 2015).

In recent years, the Norwegian Equality and Anti-Discrimination Ombudsman has worked systematically on the issue of hate speech. In 2015 it prepared

the report *Hate Speech and Hate Crimes*. The Ombudsman participates in a Nordic network on sexism and hate speech on the Internet. The network consists of a number of Nordic equality and ombudsman agencies. The Equality and Anti-Discrimination Ombudsman has a separate user committee consisting of interest groups and NGOs.

The Ministry of Children and Equality arranges annual meetings at the policy level with youth. The purpose is to get updated knowledge on what different groups of youth think about issues that are of particular interest to them. Meetings with representatives from Youth Councils are held by local authorities. The Ministry of Children and Equality also arranges an annual political round-table for people with disabilities.

The Government helps to promote dialogue between religious and life stance communities. Such dialogue promotes diversity and prevents abusive or hateful speech.



NGOs are key players who help to create places where children, youth and adults meet in their leisure time. The NGOs have a democratic function, and they contribute to a sense of belonging and community.

Stop Hate Speech Online

This is a campaign led by a group of organisations that inform and arrange meeting venues for youth who are engaged in combatting harassment and discrimination. Through their work, they are able to recognise and respond to hate speech. The campaign aims to combat discrimination on the basis of gender, disability, sexual orientation, ethnicity and religion. The campaign is part of the European Council campaign “Young People combatting Hate Speech Online.” The Ministry of Children and Equality has supported the campaign since 2014. In the autumn of 2016, the Stop Hate Speech campaign and the Directorate for Children, Youth and Family Affairs arranged a youth conference on

hate speech. The conference intended to establish a national youth network against hate speech. The conference was conducted with support from the Ministry of Children and Equality.

Sami Pathfinders/Ofelaš

Sami Pathfinders visit schools and institutions to inform about Sami culture and society. Increased knowledge can raise awareness and combat prejudices. In a realistic and engaging way, this measure will contribute to raising awareness of modern Sami society, Sami history and community development.

The Ministry of Local Government and Modernisation collaborates on the project with Sámi allaskuvla/Sami University College in Kautokeino.

Forum measures

Jewish guides

The Jewish religious community has been given the means to finance information measures against antisemitism by the Ministry of Local Government and Modernisation. The Jewish guide programme was inspired by the Sami Pathfinders. Two Jewish youths visit schools and educational institutions throughout Norway to make young, Jewish Norwegians visible, to spread knowledge and help to remove prejudice. Through this scheme, Norwegian Jews help to increase knowledge about Jewish culture, Jewish life in Norway and the history of antisemitism.

Efforts pursued by the Government

The Government intends to build upon the dialogue already underway with civil society. This will provide valuable input to the implementation of the strategy. The Government also hopes that the dialogue will contribute to closer cooperation across organisations working for different interest groups in Norwegian society, both at the local and national level.

The Government is keen to support individuals who are exposed to hate speech or harassment. Initiatives supporting those who wish to speak out against hate speech, will also be important.

Main objective

To create forums for dialogue, tolerance and awareness of the consequences of hate speech

Secondary objective

Maintain and continue to develop the dialogue between the authorities and civil society, and participate in international forums

MEASURE 1: Annual conferences/dialogue meetings

Annual conferences, round table conferences and participation in international contexts can contribute to the development of dialogue and knowledge about hate speech. The Ministry of Children and Equality is to organise an international conference on hate speech 21 June 2017. This is part of the Minister of Children and Equality's programme under the Norwegian Presidency of the Nordic Council of Ministers.

*Responsible Ministry:
Ministry of Children and Equality*

Secondary objective

Create awareness and venues for dialogue

MEASURE 2: Establish a website on hate speech

The Government shall establish a website with relevant information on efforts to combat hate



speech. The website will include information on what to do if someone is subjected to hate speech, as well as information about government efforts. The website will also act as a forum for sharing knowledge about ongoing activities against hate speech. The website is to be universally designed and contain information in several languages.

*Responsible Ministry:
Ministry of Children and Equality*

Secondary objective

Raise awareness and contribute to dialogue among youth about hate speech

MEASURE 3: Continue support for the Stop Hate Speech Campaign

The Stop hate speech campaign is part of the European Council campaign “Young People combatting Hate Speech Online.” The Norwegian campaign is broadly composed of organisations working to protect the rights of many different groups of young people in Norway. The campaign has received support from the Ministry of Children and Equality since 2014. The support is to continue in 2017.

*Responsible Ministry:
Ministry of Children and Equality*

Secondary objective

Consolidate efforts to combat hate speech in civil society

MEASURE 4: Reference group for efforts against hate speech

A separate reference group has been established to work on the strategy. The reference group is broadly composed of representatives of NGOs, scientists, the Sami Parliament and other relevant participants. The group shall provide input for the follow-up of the strategy and its revision.

*Responsible Ministry:
Ministry of Children and Equality*

Secondary goal

Dialogue on hate speech and disability

MEASURE 5: United Nations International Day of Persons with Disabilities

Each year, on 3 December, the Directorate for Children, Youth and Family Affairs arranges a conference in conjunction with the United Nations International Day of Persons with Disabilities. In 2016, the theme of the conference is hate speech.

*Responsible Ministry:
Ministry of Children and Equality*

Children and youth

Efforts to combat hate speech among children and youth are associated with efforts against bullying and discrimination.

Bullying, harassment and hate speech is a barrier to a positive upbringing

The challenges children and youth face from hate speech will be different, and therefore require other responses than hate speech among adults. Aggressive jargon and hate speech among youth may be part of their usual language. Children and youth rarely use hate speech as an expression of “hate” in the usual sense. Nevertheless, it is important to prevent and combat bullying, harassment and hate speech among children and youth.

Children and youth are active users of all forms of digital media, but they are also exposed to the negative aspects of these. Many are bullied, are victims of hate speech or of sexual and other abuse.

The Norwegian Media Authority’s Safer Internet Centre is the national coordinator for efforts to ensure that children and youth have a safe digital experience. They collaborate with and give advice

to organisations, ministries and companies that work for children and youth to have a safe and positive digital experience. Through raising awareness among children and youth about source criticism, Safer Internet Centre works to prevent hate speech and radicalisation on the internet.

The Norwegian Children and Youth Council (LNU), including the National Youth Club Organisation has for many years worked against bullying.

Bullying, harassment and hate speech are obstacles to learning

All adults in children’s lives have an important task as role models, and they can help to prevent, detect and stop bullying. Parents have a special position in raising children and providing care, cf. the Children Act § 30. The school must facilitate good parental cooperation that contributes to students’ academic and social development.



Several studies show that bullying occurs among children in kindergarten. Working for a good psychosocial kindergarten environment is of great importance. Kindergarten is therefore part of the Ministry of Education and Research's follow-up of the Djupedal Committee's NOU 2015: 2 *Belonging. Means for a safe psychosocial school environment.*

The Parents' Committee for Kindergartens works to include children in the community and to discourage bullying. They published the guide *Bullying in the Kindergarten* (National Parents' Committee for Kindergartens 2012).

In White Paper No. 19 to the Storting (2015–2016) *Time for play and learning. Better content in the kindergarten*, the Government states that the kindergarten is an important social institution for contributing to tolerance for diversity in the way people live their lives.

Schools must embrace all students and provide them with equal education, regardless of social background, gender, sexual orientation, gender identity and gender expression, ethnicity or disability.¹

Bullying, harassment and hate speech in schools prevent learning and good physical and mental health. The challenges at school often mirror what is happening in society. To face these challenges, there must be professionally skilled teachers and good contact between home and school.

One of the persistent challenges of schools is to combat bullying. A student survey indicates that more than 30,000 pupils are bullied two-three times a month or more (Norwegian Directorate for Education and Training 2016).

¹ Cf. The Education Act § 1 and § 2-1



The school's main social mission is to contribute to the development of democracy, inclusion and equality.

It has been reported that many Jewish students feel harassed on the basis of their religious beliefs. Students from Muslim backgrounds also seem to be subject to this more often than in the past, because of increased polarisation in society. Sami schoolchildren and students from the country's national minorities are similarly exposed to unwanted behaviour. The same applies to children and youth with LGBTI identities. It is difficult to assess with certainty how many are affected, but it gives cause for concern. In a report from 2013, every third parent reported that their child was bullied because of their disability (Finnvold 2013).

The Education Act, Chapter 9a, gives all students the right to a good physical and psychosocial environment that promotes health, well-being and learning. According to the Gender Equality Act and anti-discrimination legislation, children and youth organisations as well as primary and secondary schools have a duty to prevent and seek to prevent harassment from occurring. The Gender Equality Act also contains a provision stating that educational materials in schools and other educational institutions must be based on equality regardless of gender. In a consultation memorandum on a joint equality and anti-discrimination law, it was proposed that the provision stating that teaching materials must

be based on equality and non-discrimination should be extended to cover all grounds of discrimination, and that it should also apply to teaching.

In April 2016, the Government initiated measures against bullying. The measures are aimed at the following three main areas: Competence building for kindergarten and school staff, better support and counselling for children, youth and their parents, and regulatory changes. It is the objective of the Government that the measures should reduce the extent of bullying.

A new Internet portal was established in the autumn of 2016 that aims to make it easier for children, youth and parents to find information on measures against bullying. Through the "Partnership against Bullying", the Government has established a more binding partnership between the various parties than in the former "Manifesto against Bullying." The partnership now includes the organisations which include school and kindergarten owners, school and kindergarten staff, parents and students.

The Government has submitted for public consultation a legislative proposal in which there will be zero tolerance for any form of bullying, violence, discrimination, harassment and other offences in schools.

Efforts pursued by the Government

The Government aims to give children and youth the right to a safe and sound environment, regardless of where in Norway they live.

The Government will also work to provide all students with an inclusive learning environment. The school's main social mission is to contribute to the development of democracy, inclusion and equality.

To achieve the goal of all students feeling safe at school, the school must not only have sufficient competence with regard to rights, but also about what is needed to prevent, detect and stop bullying and harassment. Knowledge about inequality, vulnerability and inclusion must therefore form the basis for the schools' efforts on the psychosocial environment.

The Government has zero tolerance for bullying and hate speech among all children and youth, and will make active efforts to prevent, detect and address such actions. It is the Government's goal that the measures in this area shall reduce the extent of bullying and hate speech among all groups, especially among the groups that are most vulnerable.

Measures aimed at children and youth

Main objective

Making certain that all children have a safe existence at school, without being subjected to hate speech

Secondary objective

Reducing the incidence of racism and antisemitism, as well as contributing to democratic attitudes in the education sector

MEASURE 6: National expansion of Dembra – Democratic Preparedness against Racism, Antisemitism and Undemocratic Attitudes

Dembra is a training programme for schools to support efforts to combat racism and antisemitism and to promote democratic attitudes. Dembra is also part of the efforts to prevent radicalisation and violent extremism. The target audience is school administrators, teachers and students in secondary schools and in colleges. From 2016, available digital learning resources have been posted on the website www.dembra.no for free use for lower and upper secondary schools.

*Responsible Ministry:
Ministry of Education and Research*

Secondary objective

Enhance teacher training and teacher skills as well as strengthen efforts in the learning environment in order to reduce hate speech in the education sector

MEASURE 7: Teaching resources on group-focused enmity

The Government is committed to combatting hate speech on the basis of gender, ethnicity, religion, life stance, disability, sexual orientation, gender identity and gender expression. Values such as diversity, respect for differences, equality and trust between people are reflected in several of the competence aims in different subjects.

From 2017, efforts will be made to develop teaching resources about group-focused enmity for inclusion in teacher training and digital training packages. These shall also be used to improve competence in schools. The teaching resources are to cover the areas of hate speech, antisemitism, racism, discrimination against minorities and undemocratic attitudes. The resources will be tested in 2018 and evaluated in 2019 for the purpose of making them available from the autumn of 2019. The aim of the measure is to strengthen student and teacher skills,



as well as the already broad-based efforts in the teaching environment. This measure shall also help reduce the incidence of hate speech in the education sector.

Responsible Ministry:
Ministry of Education and Research

Secondary objective

Involve children and youth in the fight against hate speech

MEASURE 8: Dialogue conferences for children and youth on hate speech

The Government will initiate conferences on topics related to efforts to combat hate speech directed at children and youth.

Responsible ministry:
Ministry of Children and Equality

Secondary objective

Raise awareness and inform young people about hate speech

MEASURE 9: Information material for children and youth

As part of Norway's Presidency of the Nordic Council of Ministers in 2017, Norway will be responsible for producing information material about hate speech suitable for children and youth (10-18 years). The material will deal with how young people can combat such speech and what strategies they can use when encountering it. The information material will be adapted for children and youth in all five Nordic countries, and will be available in the five main languages. The material is also to be translated into Northern Sami.

Responsible Ministry:
Ministry of Children and Equality

The legal system

The Oslo Police Force reported an increase in hate crime cases in 2015. The police assume that there are unreported cases of hate crimes in general and hate speech in particular. The true extent of hate speech that could be covered by Criminal Code § 185 is likely to be far higher than the number registered as offences reported to the police. The Government will ensure greater conformity between § 185 of the Criminal Code and the grounds of discrimination in anti-discrimination legislation.

Prohibition on discriminatory or hate speech in public

Discriminatory or hateful expressions may involve threatening or insulting someone, inciting hatred, persecution or contempt for someone because of their skin colour or national or ethnic origin, religion or life stance, sexual orientation, gender identity and gender expression or disability.

The use of symbols is also considered an expression. Criminal Code § 185 covers both grossly negligent and deliberate violations. The penalty may consist of a fine or imprisonment up to three years. The provision applies to hate speech made in the presence of others against someone who is thus discriminated against or who may be exposed to

hatred. The penalty for this is a fine or imprisonment not exceeding one year.

Criminal Code (2005) § 185 is an important part of the legal provisions against hate crimes, and is a continuation of a similar provision in the previous Criminal Code (1902) § 135a, known as the Racism Clause. Criminal Code § 185 is one of several provisions that may be applied against hate online, violations, harassment and intimidation, etc. These are part of a larger group of criminal offences often referred to as hate crimes.

Other crimes may also be categorised as hate crime. Pursuant to Criminal Code § 77 it is an aggravating circumstance when the offence is committed against groups with a special need for protection or is based



on religion or life stance, colour, national or ethnic origin, gay orientation or disability. Offences such as the use of violence, threats and vandalism will be regarded as more serious if they are motivated by the factors mentioned.

Only 17 percent of victims of hate crimes have chosen to report their case to the police (National Police Directorate 2016).

The survey shows that a lack of trust in the police and the way in which it handles hate crime, are the main reasons that offences generally go unreported.

Legal sanctions apply only to the most serious speech violations. The police have recently brought charges in an increasing number of such cases. But

the police also intervene through direct contact with individuals committing hate speech offences, by warning them. Experience shows that this is often an effective way to prevent these individuals from committing further hate speech.²

Prohibition against harassment and sexual harassment

In addition to protection against hate speech in criminal law, there is protection against harassment in the Gender Equality Act and anti-discrimination legislation in civil law. The Gender Equality Act also contains a prohibition against sexual harassment.

² Input from the Centre for Research on Extremism (C-REX) by Tore Bjørgo



The Government wants to ensure that hate speech and hate crime are given priority in all police districts.

Harassment refers to acts, omissions or speech which are offensive, or are intended to be offensive, intimidating, hostile, degrading or humiliating. According to anti-discrimination legislation, harassment in all areas of society based on gender, ethnicity, religion, life stance, sexual orientation, gender identity, gender expression and disability is prohibited. In addition, the Working Environment Act prohibits harassment in the workplace due to age, political views and trade union membership.

Sexual harassment is defined as unwelcome sexual attention that is offensive to the person who is subjected to it.

Persons subjected to harassment in violation of anti-discrimination legislation may demand redress and compensation.

Efforts pursued by the Government

The Government wants to ensure greater conformity between civil and criminal legislation against hate speech. The protection against discrimination in the Criminal Code will be reviewed. This includes a review of how gender, gender identity and gender expression can be included in the Criminal Code against various forms of hate crime.

The Government wants to ensure that hate speech and hate crimes are given priority in all police districts. According to the goals and priority circular for criminal proceedings from the Director of Public Prosecutions, hate crime is afforded a central, nationwide priority in the public prosecutor offices and police districts (Director of Public Prosecutions 2016).

Hate crime is equated with other criminal violations against people's integrity. The chief of police must provide appropriate resources to ensure that hate crimes are dealt with in an appropriate manner.

Examples of illegal hate speech

Examples of convictions under Criminal Code (2005) § 185 and Criminal Code (1902) § 135a

There have been multiple convictions under Criminal Code (2005) § 185 and Criminal Code (1902) 135a. Currently, a large majority of cases prosecuted in court are linked to ethnicity and religion.

Conviction in Oslo District Court 17.03.2015 (TOSLO-2015-10833):

A man born in 1957 was given 18 days suspended sentence and a fine of NOK 15,000 for violating the peace and for spitting at and directing hate speech at a Muslim woman. According to the indictment, the man stated that “all Muslims should be slaughtered” and “I hate all Muslims.” The majority found that it wasn’t proven that the defendant had stated the former, however, there was no doubt that he said something negative about Muslims, which was heard by the victim. The latter statement was undisputed.

Conviction in Oslo District Court 04.05.2016 (TOSLO-2016-5138):

A man born in 1991 was given a 30-day suspended sentence for hate speech on an open Facebook profile. On Tuesday, 6 October 2015, at approx. 14.15 in Oslo, in an open Facebook profile belonging to B, he posted the following comment: “Congratulations, you’ve managed to sleep your way to a permanent residence permit. Why can’t you take your family and move back to Africa. Why can’t you just show some respect, there’s no war where you come from. You cheeky obnoxious monkey. Get out of the country. Bloody *'nigger.'*”

”

... Jews are the main enemy, they have killed our people, they are vicious murderers. They are not people, they are parasites that should be eliminated ...

**Sentence from Supreme Court
30.03.2012 (HR-2012-689-A):**

While drunk and disorderly, the defendant had made malicious statements directed at a door attendant at a nightclub. Among other things, he had uttered “bloody negro”, “bloody ‘nigger’” and “why are negroes allowed to work in Norway?” to a door attendant at a nightclub. There were dozens of listeners. Despite few specific statements, this was interpreted as a rejection of the door-attendant’s suitability for the job, based on his skin colour. It was regarded as an aggravating factor that the statements were made in a context where the respect of guests and audience is a prerequisite for carrying out the work. The statement was an insult without any other purpose than to humiliate the victim because of his skin colour. The statements were considered a gross denigration of a group’s human dignity, and therefore not protected by § 100 of the Constitution. Sentenced under: 135a (1 and 2), 390A. The sentence was a suspended prison sentence of 18 days, a fine of NOK 15,000 and legal costs of NOK 4000.

**Verdict of the Supreme Court
21.12.2007 (HR-2007-2150-A):**

The case concerned statements about Jews that were made during an interview with the newspaper VG. The perpetrator had stated, among other things, that “... the Jews are the main enemy, they have killed our people, they are vicious murderers. They are not people, they are parasites that should be eliminated ... ”

The Supreme Court found it beyond doubt that the perpetrator had encouraged or endorsed clear violations of the integrity of Jews, and that the statements were of such an offensive nature that Criminal Code § 135a was infringed. The statements also involved a gross denigration of a group’s human dignity, which indicated that it was appropriate to apply § 135a.

Legal system measures

Main objective

To facilitate, to a degree greater than today, hate speech being identified, investigated and prosecuted by the courts or by other relevant authorities.

Secondary objective

Ensuring that the police have more knowledge of legislation relating to hate speech and hate crimes

MEASURE 10: National competence in relation to hate crimes

From 1 January 2016, the number of police districts was reduced from 27 to 12 as part of the community-based policing reform. Larger police districts will facilitate the pooling of resources and more professional environments. Larger policing environments provide the basis for increased specialisation and competence. This is necessary in order for the police to deal with hate crimes in general and hate speech in particular. Hate crimes are to be registered and followed up in a professional manner regardless of residency.

To ensure that these types of cases receive the proper priority, there is a need for increased knowledge about legislation and how hate crimes, including Criminal Code § 185 (hate speech), are to be registered and reported in a separate work registry. Knowledge, awareness and uniform reporting between police districts will provide an improved basis for enforcing the law, while proper data collection will assure the quality of statistics

on hate crimes, including on hate speech. The Oslo police district has established a special investigation group for hate crimes at the Manglerud police station. This unit also provides specialised guidance to other police districts on investigating such cases.

*Responsible Ministry:
Ministry of Justice and Public Security*

Secondary objective

Upgrading police skills

MEASURE 11: Common guide for police registration under Criminal Code § 185

The Police Directorate shall prepare a common guide for registration according to Criminal Code § 185 in police procedural systems. Regular statistics are to be published on cases reported and prosecuted under Criminal Code § 185. Those reporting hate speech often have a need for protection. In these efforts, the police are to refer to the experiences of the Oslo police with supportive discourse offered as assistance to those reporting such offences.

*Responsible Ministry:
Ministry of Justice and Public Security*



Secondary objective

Regular publication of statistics on hate speech under the Criminal Code

MEASURE 12: National statistics on hate speech

Proper knowledge, registration and statistics on hate speech are to be presented. There is a need for more knowledge about the groups who are exposed to hate speech to be better able to prevent and combat this form of hate crime. Statistics are to be published regularly, showing the trends in registered cases under Criminal Code § 185 (hate speech).

*Responsible Ministry:
Ministry of Justice and Public Security*

Secondary objective

Ensure greater conformity between civil and the criminal legislation against discrimination

MEASURE 13: Assessment of the criminal protection against discrimination

Criminal protection against hate crimes should be effective, and the legislation must be adapted to the situations that arise. The Ministry of Children and Equality, in cooperation with the Ministry of Justice and Public Security, has initiated an external comprehensive study of criminal law protection against discrimination. The study was completed in September 2016 (Larsen 2016). The ministries will consider whether to propose changes to the Criminal Code as a result of the findings from the study.

*Responsible Ministry:
Ministry of Justice and Public Security and
Ministry of Children and Equality*

Employment

Some occupations are more subject to hate speech and harassment than others. Employers must be aware of their obligations in order to include combatting hate speech in systematic health, safety and environment efforts.

Employers have a duty to prevent and follow up hate speech

We currently have good regulations on employers' obligation to identify and prevent the risk of dangers and problems in the work environment. Under the Working Environment Act, employers must carry out systematic efforts to promote health, safety and environment. Equality and anti-discrimination legislation requires employers to prevent harassment and to work actively to promote equality.

The Working Environment Act provides rules concerning work environment requirements

The work environment in companies and enterprises must be satisfactory based on an individual and overall assessment of factors in the work environment, which may affect the employees' physical and mental health and welfare, cf., the general provision in § 4-1. The detailed requirements of the psychosocial work environment are set out in § 4.3.

According to the general requirement for systematic health, safety and environment efforts in the Working Environment Act § 3-1, employers are required to identify hazards and problems in the work environment, assess risks, develop plans and implement measures to reduce the risk.

The term "hate speech" is not used in the regulations, but can fall under terms such as harassment or other improper conduct according to § 4-3, third paragraph. Violence, threats and adverse impacts as a result of contact with others fall under the same provision, fourth paragraph. The fourth paragraph of the provision implies that the requirement for a satisfactory work environment also includes relationships with others, not only within the organisation. By others is meant anyone representing a risk to the employee, such as a customer, client, user and patient.

The Labour Inspection Authority monitors enterprises, and the monitoring has a separate hotline



service that can provide information and guidance to workers and employers.

The psychosocial work environment in Norway is regarded as positive according to most international studies. Nonetheless, there are still challenges and a potential for improvement. In Statistics Norway's Living Conditions Survey for 2013, 4.7 percent indicate that during the past year they have been subjected to unwanted sexual attention, comments or similar occurrences in the workplace. In total, three percent said they had been bullied in the workplace. This is the same as for the period 1989-2013. Overall 7.5 percent state that during the past year, they have been subjected to violence or threats of violence (Statistics Norway 2014).

An industry programme focused on the cleaning, catering/nightlife and transport sectors

The Ministry of Labour and Social Affairs, in cooperation with the social partners, have established a tripartite industry programme to produce an accurate diagnosis of the issues, and proposals

to address these. This is intended as a means to promote responsible and sound working conditions, and to contribute to long-lasting improvements in exposed trades. The programme may also include issues such as bullying and harassment.

In cooperation with the social partners, the Labour Inspection Authority charts the state of violence and intimidation in the workplace. The survey has revealed that the extent of violence and threats in some industries is significant, and that efforts to prevent violence and threats in the various fields vary (the Labour Inspection Authority 2015). The Labour Inspection Authority has proposed additional regulation of the issue of violence and threats of violence in work environment regulations. The proposal has been circulated for consultation, and is being considered by the Ministry of Labour and Social Affairs.



Provisions against harassment in the Gender Equality Act and the anti-discrimination laws

The Gender Equality Act and anti-discrimination laws prohibit harassment. These laws also have a provision that requires employers to prevent and seek to prevent the occurrence of harassment. In addition, employers have a general duty to make active, targeted and systematic efforts to promote equality, equivalence and equal opportunities.

The Equality and Anti-Discrimination Ombudsman enforces prohibitions against harassment, with the exception of the prohibition against sexual harassment. The Ombudsman enforces the employer's duty to prevent and seek to prevent harassment and sexual harassment.

During the period from 2007 to 2015, the Ombudsman handled in all 102 cases of harassment in the workplace. The Ombudsman stated that the majority of the cases in which it gave an opinion, concern matters of harassment on the basis of gender and ethnicity. Often it is very difficult to prove that harassment has occurred. The Ombudsman's experience has been that there are rarely witnesses present, or written evidence, to substantiate the occurrence of harassment.

Efforts pursued by the Government

The Government will work to ensure that everyone participating in the labour market in Norway benefits from a safe work environment where they can realise their potential without being subject to harassment and hate speech.

Harassment and hate speech have a negative impact on the work environment and the individual employee's ability to do a good job. There is a need to continue efforts to promote responsible and sound working conditions, and to raise awareness among employers about their obligations.

Employment measures

Main objective

Include combatting hate speech in systematic health, safety and environment efforts in the workplace

Secondary objective

Raise awareness among employers about their obligation to prevent and address hate speech and harassment in the workplace

MEASURE 14: Information campaign aimed at employers

There are already satisfactory regulations in place for preventing hate speech in the workplace. The strategy can help to raise awareness about the employers' duty to prevent and deal with hate speech and harassment both through systematic health, safety and environment efforts under the Working Environment Act, and through the duty to take action in accordance with anti-discrimination legislation. The aim is to ensure that HSE training includes knowledge about, and ways to handle, hate speech tailored to the individual enterprise and the level of risk in the particular industry. This applies especially to raising awareness among employers in industries where employees are particularly exposed to hate speech and harassment.

*Responsible Ministry:
Ministry of Children and Equality*

Secondary objective

Creating a permanent forum for dialogue on hate speech and harassment in the workplace between the social partners and government authorities

MEASURE 15: Include the issue of hate speech in the working group on equality in the workplace

The Committee on Working Life and Pension Issues is a tripartite cooperation between the authorities and the social partners. The committee has a working group on equality in the workplace, which is coordinated by the Ministry of Children and Equality. The authorities would like to discuss with the parties involved whether the working group can address hate speech and harassment as an issue.

*Responsible Ministry:
Ministry of Children and Equality*

The media sector

The State's responsibility in the media sector is to promote freedom of expression and democracy by facilitating an open and informed public debate, cf., § 100 of the Norwegian Constitution. The main objective of the Government's media policy is to promote sound production of news and a broad public dialogue in current and future digital media community.

It is necessary to draw a distinction between two types of media in the media sector. One is the editor-controlled, journalistic media, which fulfil a unique democratic function, and which is subject to industry ethics and journalistic standards. On the other hand, there are the user-driven, online services like social media, blogs etc.

Editor-controlled media

The editorial mass media are key mediators of professional journalism and public debate. We still need arenas for public discourse that are subject to ethical rules and the Ethical Code of Practice for the Press (Norwegian Press Complaints Commission, 2015), and which ensure accountability and credibility.

One of the media's most important tasks in a democracy is to conduct independent and critical supervision of governmental exercise of authority (ibid.). It is therefore a key policy goal to safeguard the editorial independence of the press from interference by the authorities.

Within the editor-controlled media, this means that it is the responsibility of the editor alone to manage

lawful speech, and that this is something which is regulated through the media's own ethical control. There is broad political consensus that, as a matter of principle, editorial and media ethical issues should be left to the industry itself.

Through the dissemination of news and debate from various parts of society, the mass media play an important role in promoting knowledge of and insight into other people's lives. Knowledge and insight promote understanding, which can prevent hate speech.

User-generated material published in editor-controlled media raises particular concerns. The Press Code of Ethics does not impose pre-editing, but states that *"Should the editorial staff choose not to pre-edit digital exchanges, this must be announced in a clear manner to those with access."* It is also established that *"the editorial staff has a particular responsibility to remove any material that violates good press practices as soon as possible"* (ibid. Section 4.17). The Association of Norwegian Editors is also working on a guide for moderating online debates aimed at the editorial staff.



Social media, discussion forums, blogs and other user-driven, electronic services

The Internet has given us new opportunities to express ourselves and to participate in the public debate, in addition to producing and disseminating our own material. The Internet and social media have lowered the barriers to share all kinds of statements, and are of growing importance in news reporting and communication.

One of the major benefits of social media is that it becomes possible for groups that are normally not heard in the public debate to have a voice. Whereas previously newspaper editors decided who and what statements should be made public, everyone in principle now has direct access to the public. This implies both a significant expansion of media pluralism and a democratisation of the public sphere.

The threshold for spreading harassment and hate speech online is lower than in face-to-face interaction. In social media and discussion forums, temperatures can become heated when various debaters are fighting over their version of the truth. An aggressive and hateful tone may have a chilling

effect on the public debate, because some people do not wish to deal with the stress, and consequently withdraw from the discussion.

It is thus important to emphasise that the increased opportunities entail increased responsibility. It is incumbent on anyone who chooses to publish their own or others' utterances to be fully responsible for what is published.

Efforts pursued by the Government

The main objective of Government policy for the editorial media is to promote sound news production and a broad public debate in the current and future digital media community. This is achieved by facilitating a diversity of news and current affairs media, characterised by high quality and independent journalism, including a strong national public broadcaster.

Media sector measures

Main objective

Diverse news reporting and a democratic debate in which no groups or individuals are excluded as a result of hate speech

Secondary objective

Promote diversity in the media and contribute to a continued high level of news consumption in Norway in the future for the benefit of public debate and democracy

MEASURE 16: Promote diversity in the media through direct and indirect economic means

The Government is currently modernising its media policy tools. A new, platform-neutral production grant was introduced in 2014, and on 1 March 2016, the VAT exemption for electronic news services entered into force. Norway is the first country in Europe to introduce tax exemptions for electronic news media. The measure will promote media diversity and contribute to a continued high level of news consumption in Norway in the future for the benefit of public debate and democracy.

*Responsible Ministry:
Ministry of Culture*

Secondary objective

Adapt the State's economic public policy system in the best way possible, to facilitate an open and informed public debate and to stimulate a diverse range of media.

MEASURE 17: Committee for assessing media pluralism in Norway

The Government has appointed a committee to assess how media diversity in Norway can be maintained in the light of ongoing changes in the media sector. The traditional news and current affairs media face a number of challenges, and established business models are under pressure. So far, it is the newspaper sector that is mostly affected by a drop in advertising, lower circulation figures and challenges related to user payment. The committee shall look at these trends, and consider how it affects diversity. The aim is to discover how the state's economic public policy system can best be adapted to facilitate an open and informed public debate, and encourage a diverse range of media. The committee is to present its report as a Norwegian Official Report to the Ministry of Culture by 1 March 2017.

*Responsible Ministry:
Ministry of Culture*



Secondary objective

Modernise the rules for placing legal responsibility for material published in the media

MEASURE 18: Reformulate Criminal Code § 269 on editorial responsibility

It is a prerequisite for making someone accountable for an offence, and consequently for the effective enforcement of penal provisions on for example hate speech, that there are clear rules for placing the legal responsibility for media content. An effective system for accountability will therefore promote an open and healthy debate climate.

The accountability system in the media sector was assessed by the Committee on Media Responsibility in NOU 2011:12 *Freedom of expression and responsibility in a new media world*. The Ministry of Culture is working to address the issues raised in the report, and will, in this context, assess whether Criminal Code § 269 on editorial responsibility can be formulated in a more technology-neutral manner.

*Responsible Ministry:
Ministry of Culture*

Knowledge and research

Knowledge based on research is important for obtaining a realistic picture of hate speech in Norway. Research is important for uncovering the impact hate speech has on the individual exposed to it, and the consequences of hate speech on society. Increased knowledge also makes it possible to implement effective and targeted measures.

Research on hate speech is limited both when it comes to the type, extent, causes and consequences of hate speech. There is also a lack of knowledge about what measures can prevent and reduce the incidence of hate speech. There is furthermore a need for more research on the forms of hate crimes which are not explicitly violent, but which threaten or harass someone.

Nonetheless in recent years, some major studies have been carried out which are relevant to the topic of hate speech. "The State of Freedom of Expression in Norway" is a research project on the condition for freedom of expression. The project is led by the Institute for Social Research (ISF) on behalf of The Freedom of Expression Foundation.

The project has shown that freedom of expression is a core value in Norway. There are few people who want changes in the current legal framework. However, many still believe that caution should be exercised as to how people express themselves and what should be published via the media (Steen-Johansen, Fladmoen and Midtbøen 2016).

The project has also shown that hate speech creates a climate that weakens democracy by limiting

individual and group participation in public debate (Staksrud et al 2014).

It appears that hate speech legitimises prejudice and hatred against certain groups, which in turn can contribute to the extent of such speech increasing (see, among others, Eggebø and Stubberud 2016, LDO 2015 and Nilsen 2014).

There have been several reports over the past year summarising the existing knowledge of hate speech. Several of these have been discussed above in the chapter "The Current Status of Knowledge on Hate Speech".

The Centre for Research on Extremism (C-REX) at the University of Oslo was established by the Government in February 2016. This is a ten-year effort on the part of the Government. It was established primarily as a result of the attacks that hit Norway on 22 July 2011 and the disturbing trend in right-wing extremism seen in a number of European countries in recent years. The centre develops knowledge about the causes and consequences of right-wing extremism and hate crimes in Norway and internationally. It disseminates research-based knowledge of practical use to



Photo: Tine Poppe

policymakers, the police, local authorities, civil society, journalists and educational institutions. This can strengthen efforts to promote democratic values and prevent radicalisation and violent extremism. The centre is represented in the Reference Group for the Strategy against Hate Speech, and will contribute to additional development of knowledge in the field.

The Norwegian Centre for Studies of the Holocaust and Religious Minorities has investigated Norwegians' attitudes towards Jews and other minorities. In 2012, they showed that in Norway, there was pronounced prejudice and scepticism towards Jews, Muslims, Roma and others (Centre for Studies of the Holocaust and Religious Minorities 2012). A follow-up of this study, plus an additional study on attitudes that ethnic and religious minorities have towards each other, will be completed by the end of 2017.

The Government wants to increase knowledge about how religious communities and NGOs help to create conditions for the participation and involvement of children and youth in society. The Ministry of Culture has initiated research on "The Significance of Religious Communities, NGOs and Local Communities as an Arena of Prevention," and "Local Organisations as

settings for the Recreational Activities of Children and Young People". The research projects are carried out by the Centre for Research on Civil Society and Voluntary Sector, and will be completed in February 2017 and December 2016 respectively.

Efforts pursued by the Government

There are many angles from which to approach the study of hate speech. Through a variety of measures, the Government will contribute to make knowledge in the field more complete.

The Government wants anti-hate speech efforts to be based on the long-term and targeted development of knowledge. Existing knowledge and recommendations will be an important point of departure for the future development of knowledge in the implementation of the strategy.

Knowledge and research measures

Main objective

A long-term and targeted acquisition of knowledge shall provide a solid foundation for the efforts against hate speech

Secondary objective

Obtaining an overview of existing research and identifying anti-hate speech initiatives against persons with disabilities

MEASURE 19: Summary of research on hate speech against persons with disabilities

In 2015, the Directorate of Children, Youth and Family Affairs initiated a research project to look at the nature, scope and consequences of hate speech against persons with disabilities. The project is being conducted by the Nordland Research Institute, and will be completed in 2016.

*Responsible Ministry:
Ministry of Children and Equality*

Secondary objective

Increase the knowledge on group-focused enmity in schools

MEASURE 20: Doctoral/postdoctoral positions for research on the prevention of antisemitism and other group-focused enmity in schools

Funds are to be allocated to establish several doctoral/postdoctoral positions for research on the prevention of antisemitism and other types

of group-focused enmity in schools. The projects will be announced by the Research Council of Norway in the spring of 2017. At least one of the projects is to address antisemitism specifically.

*Responsible Ministries:
The Ministry of Education and Research and
the Ministry of Local Government and Modernisation*

Secondary objective

Knowledge about hate crimes and hate speech on the Internet and in social media

MEASURE 21: Hate speech and hate crimes on the Internet and in social media

The research project aims to increase knowledge about the extent of hate speech and hate crimes on the Internet and in social media. The project shall also examine the relationship between unwanted and criminal speech, preventive action and cooperation between sectors. The work is carried out by the Institute for Social Research (ISF), and is scheduled for completion in November 2016. This project is based on the Government's action plan to combat radicalisation and violent extremism.

*Responsible Ministry:
Ministry of Justice and Public Security*



Secondary objective

Contribute to increased knowledge on how to combat gender-based hate speech on the Internet

MEASURE 22: Nordic survey of legal regulations related to threats, offences and hate speech on the Internet

As part of the cooperation under the Nordic Council of Ministers in the area of gender equality, Nordic Information on Gender (NIKK) will, in the spring of 2017, complete a survey of the Nordic countries' legal regulations on gender based online hate speech, threats and offences. The main result will be for NIKK to point out possible measures in both the legal and political sphere.

*Responsible Ministry:
Ministry of Children and Equality*

Secondary objective

A long-term and targeted acquisition of knowledge

MEASURE 23: Further development of knowledge about hate speech

Through research projects and in cooperation with experts and other established actors in the field, the Government will monitor future trends. The research carried out during the start-up of this strategy will provide important input into the Government's future efforts in this area. The Ministry of Children and Equality will continue to fund the Directorate of Children, Youth and Family Affairs in 2017 in order that they may further develop knowledge about hate speech. The new Centre for Research on Extremism at the University of Oslo can also be expected to contribute to increased knowledge on hate speech.

*Responsible Ministry:
Ministry of Children and Equality*

Going forward



The Government's Strategy against Hate Speech is to be reviewed annually. Descriptions of both facts and measures are to be updated as new knowledge and experience is made available. The Government will ensure that the employees in the responsible ministries and subordinate agencies have the necessary expertise when it comes to hate speech in their own fields. An interministerial working group has assisted in the preparation of the strategy under the leadership of the Ministry of Children and Equality. The working group is to continue to work on the implementation of the strategy. Relevant subordinate directorates and organisations will assist in these efforts when necessary.

The strategy is to be translated into English and Northern Sami. A separate easy-to-read version of the strategy will also be prepared. The target audience for this will be children and young people. It will be considered whether this easy-to-read version will be translated into other relevant languages.

APPENDIX

International efforts



The protection and promotion of human rights are a cornerstone of Norwegian foreign and development policy. Efforts to combat hate speech are an integral part of Norway's work on promoting freedom of expression and independent media (Ministry of Foreign Affairs 2016).

An international consensus has not yet been reached on a definition of the term hate speech.

In Europe, decisions of the European Court of Human Rights are important for defining the extent to which the states may encroach on the freedom of expression in the form of prohibitions against hate speech.

Some states are abusing hate speech legislation. Similarly, laws on things such as blasphemy, defamation or counterterrorism are being abused to silence dissent and legitimate criticism from the opposition, media or other groups in society.

International efforts against hate speech are to a large extent closely related to debates on issues such as racism, discrimination and antisemitism.

UN mechanisms, agencies and institutions are important arenas for efforts relating to freedom of expression and hate speech. The UN is central to the continued development of the normative framework.

The UN Convention on the Elimination of All Forms of Racial Discrimination, the UN Committee on the Elimination of Racial Discrimination, the special rapporteurs and country hearings in the UN Human Rights Council, are important agents in the efforts to influence foreign governments and draw attention to specific situations and issues.

In 2012, hate speech was the topic of the report of the UN special rapporteur on the freedom of

opinion and expression which was presented in the UN General Assembly. The report includes specific recommendations for UN member states on possible measures against hate speech and incitement to violence (UNHR 2012).

In 2015, UNESCO issued a report on hate speech on the Internet *Countering Online Hate Speech* (UNESCO 2015). The report systematically reviews the existing international framework, identifies deficiencies and discusses various actors' roles and responsibilities, and it presents possible measures.

Norway works actively with and participates in regional organisations and cooperation mechanisms. In Europe, this cooperation is well developed and with a foothold in the EU, Council of Europe and the Organisation for Security and Co-operation in Europe (OSCE), among others.

Norway contributes to the EEA. The funds are earmarked for programmes in line with the recipient countries' priorities and the EU's own framework. An example of such a framework is the EU strategy for gender equality, *Strategic Engagement for Gender Equality 2016–2019* (European Union 2015). The strategy is particularly relevant in connection with efforts to combat hate speech on the basis of gender in combination with other grounds such as ethnicity, disability, age, religion or life stance. Through the EEA and Norway Grants, Norway supports, among others, the Council of Europe "No Hate Speech" campaign in different European countries.

In the OSCE, the Representative on Freedom of the Media ³ has a duty in its mandate to combat hate speech.

3 <http://www.osce.org/fom/106289>

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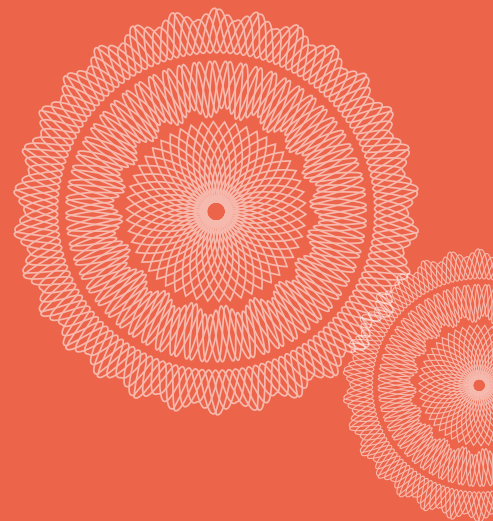
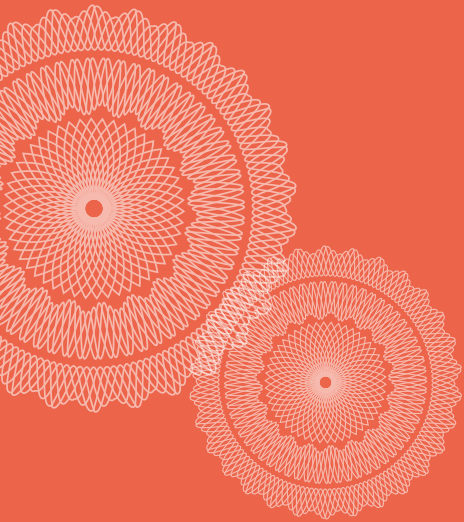
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It is the responsibility of the State to create conditions that facilitate an open and enlightened public discourse.



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