



Intervention by Bürgerbewegung Pax Europa

OSCE Human Dimension Implementation Meeting

Working Session 11

Fundamental Freedoms I, including Freedom of expression

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Hate speech laws do not work. They curtail freedom of speech.

I am Elisabeth Sabaditsch-Wolff, representing Bürgerbewegung Pax Europa.

For at least a decade, the ambiguous and legally undefined term "hate speech" has made its way into discourse here at the OSCE, most notably west of Vienna.

No matter what adjective we use to describe speech we dislike – "hateful", "offensive", dangerous" – such dislikes must not lead to censoring of speech.

Hate speech laws have caused investigations, prosecutions, and convictions, again most notably west of Vienna. This censorship has led to self-censorship. As noted by Gerard Alexander, a political science professor, "An increasing number of European intellectuals, politicians, journalists, and even scholars have had uncomfortable brushes with speech laws. In many cases, their reputation is tarnished, afterward,

their Wikipedia entry is [...] never complete without mention of the official investigation for bigotry.”ⁱ

It is interesting to note that there is an assumption that the enforcement of hate speech laws would prevent the spread of ideologies like National Socialism. In fact, it was National Socialisms manipulation of what they called hate speech laws that stopped all opposition, sending them to concentration camps, kind of like Tommy Robinson. History shows that this and similar laws were on the books prior to the ascent of National Socialism. The problem was not too much speech, but that the National Socialists employed tools like murder, intimidation and other forms of political violence. It precisely this situation we are witnessing nowadays with groups like Antifa and United Against Fascism intimidating peaceful protesters and venues into canceling meetings.

BPE recommends:

- That OSCE review the current "Hate speech" regulations for harm to our freedoms, and investigates approaches of regulations that do not use prior restraint.
- That OSCE pS act decisively against anyone seeking to intimidate and silence others.
- That OSCE make it clear that speaking the documentable truth can never constitute "Hate Speech".

ⁱ Nadine Strossen, HATE – Why we should Resist it with Free Speech, not Censorship. Oxford University Press. 2018