

PC.DEL/1018/03

5 September 2003

ENGLISH

Original: FRENCH

French Delegation

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Vienna, 4-5 September 2003

**Disturbing rise in the manifestation of racism on the Internet**

The Internet has offered new spaces for the promotion of human rights but it has, at the same time, made possible a wider manifestation of racism in defiance of national and international provisions and instruments relating to its suppression.

Thousands of openly racist sites are available to the public but there are still many more messages calling for racial hatred which are exchanged at discussion forums or groups and which are accessible to all.

Anti-Semitism and negationism are always present and active, while there is an exponential increase in the manifestation of Arabophobia.

But, in the context of a tense international situation, the traditional players on the extreme right have received reinforcement from certain extremist communalist sectors which carry over on to the Internet as elsewhere the drama of the agonized peoples of the Middle East, Israelis and Palestinians.

This is a particularly disturbing phenomenon, from which lessons should be drawn in order to better refine the policies of prevention to be implemented on the Internet.

Whereas communalist pressures call for some hierarchical grading of racism, one should turn the Internet into a showcase of universal human rights values.

The Vienna conference held on 19 and 20 June of this year and the one of 4 and 5 September indicate that the fight against racism and anti-Semitism is at the centre of the OSCE's concerns.

By bringing out the problem of the Internet media in the spread of racism, the OSCE shows its concern for adapting the responses to the reality of the current manifestation of xenophobic hatred.

It provides one of the preferential frameworks for defining recommendations and helping to implement action plans.

## **Proposals for actions against racism**

### **Fight against unlawful hosting**

The Additional Protocol to the Convention on Cybercrime was an indication of the firm desire of the Council of Europe to fight against racism on the Internet. But the effectiveness of the various instruments and provisions is offset by the existence of information technology paradises allowing reception of xenophobic material.

By providing that the additional protocol include penal sanction for unlawful hosting the European assembly was proposing an essential provision. Let us recall that unlawful hosting consists in eluding a constraining national legislation by having the sites hosted on servers in countries with more pliable legislation, while the target public remains that of the publisher.

Thus in 2002, out of 4,000 racist sites recorded worldwide, 2,500 were hosted in the United States of America. The racists in fact distort the spirit of the first amendment to the United States Constitution, the basic provision guaranteeing the freedom of expression, and use it against the fundamental freedoms of groups of human beings subjected to violence and racist hatred.

The proposal of the European assembly was not accepted in the final provisions of the Protocol.

The OSCE might therefore start a discussion among the participating States to study this proposal about penalizing unlawful hosting and eventually help to implement it.

But the legal response, however coercive it be, cannot curb racism on a long-term basis if society does not carry out an accurate inventory of the manifestation of racism on the Internet.

### **A necessary inventory**

The reports of the European Monitoring Centre on Racism and Xenophobia bear witness to exhaustive, basic work on racist acts in the different countries of Europe. However, the European or national statistics and analyses refer principally to racist acts outside virtual support.

Current information is too scattered among the different players on the Internet. It is therefore necessary to centralize, especially in the resource databases, all information relating to illicit material on the Internet.

It would be advisable to add to the statistical information studies on:

- The structuring of the racist networks through the Internet;

- The effect of the racist messages disseminated through the Internet on the mental attitude and behaviour of the weak-minded;
- The impact of the media in a context of intercommunal tensions.

The establishment, on the OSCE's initiative, of working groups closely involving large organizations which come face to face with racism on a daily basis and whose mission is specifically to follow the racist material on the Web would help reduce the lack of knowledge.

It would thus be possible to define the most appropriate policies of repression and prevention.

### **Education and information**

The Internet has introduced a new problem in the promotion of racism. In addition to the traditional political networks and personalities acting as vectors of racist hatred, there are now numerous individual publishers who are sometimes very young or marginal, weak-minded or are in search of a personality.

The latter get the impression that they are participating in a global market place, escaping the constraints of the law.

By establishing forums dedicated to racism or by attaching themselves to general-interest discussion groups, the traditional predators of racism ideologically condition the most vulnerable among this public whom they could not touch before.

This points to the need for training the citizen in the new medium. By including racism on the Internet among the lines of action under the eSafe programme, the European Union is moving in that direction.

But if this education is to be effective, a knowledge of the Internet's racism circuits should be included in the educational courses for all those involved with young people.

Adults are frequently unaware of the material, the players and the methods and techniques of dissemination of racism through the Internet, reducing often the risks to the Internet sites alone.

## **Better integration of Internet providers in monitoring activities on the Internet**

### **A standard charter for using the services of technical providers**

Primary responsibility for racist material on the Internet - just as in other media - lies with the publisher, but it is not always easy to identify that person bearing in mind the information technology paradise and anonymity procedures that exist. Because of these difficulties, technical providers are sometimes in charge of regulating material on the Internet.

This transfer of responsibility to private economic players is unsatisfactory for fundamental freedoms. However, the providers - as agents of dissemination - have a responsibility of their own, therefore it is advisable to make them partners in the process of monitoring activities on the Internet.

The preparation at the European level of a standard charter specifying the conditions for the use of hosting and communication services and banning any manifestations of racism could be the expression of vigilance on the part of Web hosts.

A standard charter of this kind supported by all the players on the Internet and institutional and professional associations would be submitted to the users for acceptance before they could use a service. Users would be invited to indicate this acceptance by means of a logo on their website.

The OSCE appears to be the most suitable authority to provide an impetus to a proposal of this kind which brings together economic players to make the Web a more secure place.

### **Formalization of notification procedures**

The Internet Rights Forum, which brings together all the players on the Internet in France, has drafted some very constructive recommendations aimed at allowing Web hosts to obtain reliable information through notifications which would enable them to assess more easily the illicit nature of material.

But it is advisable to formalize the notification process so as to avoid abusive claims or false accusations. The Forum voiced the idea that the only persons authorized to notify the Web hosts would be natural or legal persons interested in playing a part and having identified themselves, and also, obviously the judicial authorities.

The Forum has thus proposed that the law organize how Web hosts could obtain knowledge as regards the existence of illicit acts or activities and thus judge the exact nature of the material they are hosting.

This formalized process would include, among other things, the identification of the author of the notification, descriptions of the controversial acts, the exact location of the material and the reasons that should determine its withdrawal.

This assistance mechanism - formalized and accepted by the players on the Internet - would then allow professionals to make decisions concerning the withdrawal of material if it proves necessary.

The OSCE could submit this proposal to its participating States for their consideration. At the European level, this proposal could serve as an effective deterrent to publishers of illicit material.

## **Improvement of the value of positive material on the Internet and exclusion of illicit material**

Human-rights sites and documents belonging to publishers who accept the terms of the standard charter could be granted a label, subject to a validation process by the authorized bodies.

This label would help users to select sources, but it would also make it possible to establish partnerships with professionals in order to promote material enhancing the status of universal values. I am thinking of indexing procedures taking into account the labelling of sites in search engines.

It would further be advisable that indexing procedures should make it possible to exclude sites listed in a previously established database of illicit material.

This partnership with professionals would be truly effective only at the international level. The OSCE could therefore play a decisive role to this end.

## **Conclusion**

Efforts need be made so that this wonderful tool - the Internet - does not become corrupted or hijacked for the benefit of those who profess hatred and practise discrimination and who find, in the context of communalist isolation, an opportunity to increase tension.

This would involve:

- Producing accurate evaluations of manifestations of racism on the Internet;
- Finding legislative and juridical responses, which are currently lacking. I have in mind the penalization of unlawful hosting;
- Protecting young people not only through technical measures but also chiefly through appropriate information and education;
- Defining a voluntary policy of co-operation with professionals who must be active partners in the regulation process, and I refer to the proposal concerning the notification procedure to assist in decision-making;
- Helping to increase the value of material, one tool for this could be "labelling".

As has already been pointed out, the OSCE could play a decisive role in assisting a regulation policy aimed at reducing manifestations of hatred and racism on the Internet.