



ORDO IURIS

INSTITUTE FOR LEGAL CULTURE

Warsaw, 20.09.2019

HUMAN DIMENSION IMPLEMENTATION MEETING 2019 I OSCE

Institute for Legal Culture I Side event Report

Many Internet users face the problem of censorship in social media. The debate organized on 17th September by the Ordo Iuris Institute as part of the HDIM 2019 conference in Warsaw was devoted to this issue. Lawyers and journalists from Poland and abroad took part in the event.

During the meeting, journalists - Jolanta Hajdasz Ph. D. (Association of Polish Journalists), Paweł Lisicki ("Do Rzeczy", wSensie.tv), Cezary Krysztopa ("Tygodnik Solidarność"), Krzysztof Łuksza (wRealu24.pl), Łukasz Karpiel (PCh24.pl), and Varro Vooglaid - lawyer and publicist from Estonia. During the event, attention was drawn to the fact that contemporary censorship on social networks is also increasingly taking an economic dimension. In addition to simple blocking or removal of content, administrators of social platforms are also going to reduce monetization, i.e. turning off the possibility of earning money on materials considered "substandard".

The speakers also emphasized that almost only conservative content was censored. Platform administrators often use the imprecise term 'hate speech'. In many cases, Internet users are also not informed about the reasons why the materials they posted have been removed.

The debate was opened by attorney Jerzy Kwasniewski.

"Freedom of speech and freedom of assembly are fundamental freedoms of democratic societies. They guarantee the proper process legitimizing the system, legitimizing public power and exercising it," emphasized President of Ordo Iuris.

The censorship mechanism used by the owners of Facebook and YouTube portals was described by Tymoteusz Zych Ph. D., Vice President of the Ordo Iuris Institute. He also presented postulates for introducing appropriate legal changes to guarantee freedom of speech on social networks.

"Access to information is determined by social media. Undoubtedly, this sphere needs legal regulations" - noted Dr. Zych.

Attorney Tomasz Piotr Chudzinski, in turn, discussed current legal response tools for unjustified removal of content posted on social media platforms.

"In Poland, the right to freely express one's views is considered as a personal good. If there is censorship in social media, there is a violation of the personal good of the user who posted certain content", he said.



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The debate was part of the Human Dimension Implementation Meeting - the annual largest conference on human rights and democracy in Europe. Every year, representatives of Ordo Iuris take part in it.

Jolanta Hajdasz Ph. D. drew attention to what content is most often affected by censorship.

„What connects cases of censored content on social media is, above all, their right-wing, conservative nature. We have dozens of cases of suspending various types of profiles, or disabling their ability to earn, limiting ranges, etc.” she said.

Paweł Lisicki pointed to the vagueness of the concept of "hate speech".

„We will never be able to define the concept of "hate speech". We would have to determine the scale of the feeling. This is a task for a psychologist rather than a lawyer.” he claimed.

"Operation of independent television outside YouTube is practically impossible at the moment. We can said that YouTube is a monopolist, "noted Krzysztof Łuksza.

Łukasz Karpiel talked about how the activities of the administration of social networks affect Catholics.

„Hatred against Catholics has an impact on the internet. Facebook removes conservative content and turns a blind eye to hostility towards Catholics, "he said.

"Tygodnik Solidarnosc" is the first free magazine in Poland. Just before the European Parliament elections, its fanpage coverage dropped 90 percent." admitted Cezary Krysztopa.

Varro Vooglaid from Estonia also took the floor.

"In Estonia, YouTube is removing recordings expressing opposition to the LGBT ideology. Some recordings have been removed without any explanation." he claimed.