

Contribution of the Permanent Representative of the Slovak Republic to the OSCE  
Ambassador Peter Lizák  
at the Hate Speech Conference, Budapest, March 31-April 1, 2006.

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Ladies and Gentlemen, dear colleagues,

let me first thank Miklos Haraszti and the Central European University in Budapest for organising this important discussion on a topical theme. I am glad, that at our session I have a support of my Ambassador to Hungary and that the Hungarian Permanent Representative to OSCE is also among us.

We came to Budapest to speak and discuss the question of hate speech, but let me start with the topic which I, as my colleagues, can not avoid – the so called cartoon crisis.

Freedom of expression is one of the basic principle of our democracy and we will not change anything on this axiom. But it is also to be said, that it must be exercised with responsibility. All relevant international human rights documents – UN International Covenant on Civil and Political Rights, Council of Europe Convention for Protection of Human Rights and Fundamental Freedoms – have a provision about the relation between freedom of expression and responsibility.

Our fundamental rights – above all the right to freedom of opinion - are non-negotiable. At the same time we must be aware of the fact, that each of the fundamental rights has so called inherent limits, which are based on the law and fundamental rights of other people.

On the one hand, it is not acceptable to us to identify terrorism with any religion, culture or race and we can understand the religious feelings. On the other hand we strongly condemn all acts of violence, which were prepared and misused.

Last remark to the cartoon. There was a discussion in my country if our newspapers should published them or not. There was a clear decision for publishing them with an explanatory note of the editor. Especially we, from the former totalitarian countries, remember only too well the times, when we spoke about things and even denied them without knowing them or reading them in original. We would not like to come back to such conditions.

Now to the main theme of our deliberations. Slovakia definitely belongs to those countries, where the hate speech is punished according to the provisions of the penal code.

More than that. Slovakia seems to be one of the few countries, if not the only one, where the denial of holocaust is concretely mentioned in the penal code.

Par. 422 says, that who publicly denies, questions, supports or tries to justify holocaust will be sentenced up to three years.

Par. 423 says that who publicly defames nation, its language, race or ethnic group or group of individuals for their belief or because they are without belief will be sentenced up to one year.

Par. 424 says, that who is publicly threatening an individual or a group for their belonging to a nation, nationality, race or ethnic group or colour of their skin, limiting their rights and freedom will be sentenced up to three years.

These provisions speak clear language and they are applied strictly. Let me in conclusion bring you a concrete example from recent time. There was a political party openly supporting views concerning holocaust not in conformity with our legislation. Despite of the fact that we will in some months face general elections, the party was prohibited by court.