

Milla Aaltonen

5 October 2018

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SURVEY ON MEASURES AGAINST HATE CRIME AND HATE SPEECH

The objective of the project Against Hate is to develop the activities against hate crime and hate speech. The focus in the project is on the development of hate crime reporting, on the strengthening of the capacity of the authorities, especially the police, prosecutors and judges, to act against hate crime and hate speech, and on the development of support services for victims of hate crime. The aim is also to enhance cooperation and coordination between different actors. The project will continue until 30 November 2019. The Ministry of Justice (the project coordinator), Victim Support Finland and the Croatian organisations Centre for Peace Studies, Human Rights House Zagreb and GONG are the partners in the project. Funding for the project comes from the EU.

A survey on the work against hate crime and hate speech was carried out as part of the Against Hate project. The purpose of the survey was to find out what type of work against hate crime and hate speech is carried out in Finland and by whom as well as to determine the gaps in the work and whether there is any need for a national hate crime action plan.

The survey was sent to the members of the project network and to other key stakeholders. The recipients were also requested to forward the survey to other relevant actors. The respondents were asked to provide free-form answers to the questions and describe in them the measures, strategies and action plans against hate crime and hate speech that they have introduced and the way in which their impact is assessed. There were also questions about the definition of hate crime and hate speech, studies known to the respondents and key actors in the field. The respondents were also asked to describe the key challenges and development priorities in the work against hate crime and hate speech. A total of 16 bodies, most of them government agencies, sent answers to the survey. All measures known to the Ministry of Justice are also included in this compilation.



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1. Measures against hate crime and hate speech

1.1. Action plans and reports

[National Action Plan on Fundamental and Human Rights \(2017-2019\)](#): This action plan contains a total of 43 projects in the administrative branches of all ministries and the following projects also concern hate crime and hate speech:

- In-service training for teachers (1.2.1)
- Preventing hate speech as part of the Meaningful in Finland action plan and its follow-up (2.3.1)
- Enhancing combating hate crimes (3.2.1)
- Launching cooperation between the authorities, providers of community services and non-governmental organisations for enhancing the forms of addressing hate speech (4.3.1)

Some of the projects of the National Action Plan on Fundamental and Human Rights are also included in the [Action Plan for Democracy Policy](#) (such as the in-service training for teachers). The Action Plan for Democracy Policy also includes other measures in the field of hate speech, such as *Vapaaksi vihapuheesta* (Eliminating hate speech), a special grant intended for municipal youth services.

The [National Action Plan for the Prevention of Violent Radicalisation and Extremism](#) (2016). The implementation of the plan is steered and coordinated by the Ministry of the Interior and a national working group appointed by the ministry. The purpose of the action plan is to create effective structures and procedures for the prevention of violent extremism and radicalisation. Enhancing competence, expertise and awareness, prevention at community level, early intervention at individual level and supporting groups that are most seriously affected by violent radicalisation are some of the key instruments proposed in the document.

The [Government Report on Internal Security](#) (2016) and the [Internal Security Strategy](#) (2017): It is stated in the first report on internal security submitted by the Finnish Government to Parliament that racism, hate crime and extremist movements have become increasingly visible. According to the report, future focus in the police work should be on activities that will best ensure public security. The report will be implemented on the basis of performance targets.

In the [Government of Finland Human Rights Report](#) (VNS 6/2014 vp), the ways of combating hate speech are examined in conjunction with the freedom of expression and especially from the perspective of population groups that are most frequently subjected to hate speech and/or hate crime (immigrants and girls/women).

Hate speech is extensively discussed in the [Report of the Government on the Application of Language Legislation](#) (2017). Developing information sources so that they would also cover language-related hate speech is one of the proposals presented in the report.



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The [National Crime Prevention Programme](#): the National Council for Crime Prevention has prepared a crime prevention programme enhancing engagement at local level. The programme is titled 'Working Together for Safer and More Secure Communities. National Crime Prevention Programme for 2016–2020'. Information on good practices and projects helping to combat hate speech is collected and disseminated as part of the programme.

[Government Resolution on a Media Policy Programme](#) (2018): The resolution and the measures proposed in it will extend to the year 2023. The programme contains the following measures aimed at combating hate speech and preventing the spreading of illegal content.

- Promoting the development of an information-secure fact-checking system meeting international standards and cooperation with social media platforms in collaboration with actors in the sector and the authorities. This will also open up opportunities for participation in the emerging European-wide cooperation. (Actors in the sector; Ministry of Transport and Communications and the Ministry of Justice as experts)
- Measures will be taken to combat hate speech and threats against journalists and other people working in the media within the framework of the National Action Plan on Fundamental and Human Rights. (Ministry of Justice)
- Finland will take part in European-wide action against illegal content and hate speech and will pledge to observe the European Commission recommendation on measures to tackle illegal content. (Ministry of Justice, Ministry of the Interior and the Ministry of Education and Culture)

[Final report of the working group preparing an action plan on preventing hate crime and hate speech](#): On 29 September 2016, the National Police Board appointed a police working group to prepare an action plan on effective prevention of hate speech. The working group has reviewed the current state of the prevention of hate speech and hate crime and prepared proposals for development measures, which are listed at the end of the report. In accordance with the proposals, a team focusing on the prevention of punishable hate speech (VIPU team) was established in the Helsinki Police Department in early 2017.

The [Meaningful in Finland action plan](#) (Ministry of Education and Culture) to prevent hate speech and racism and to foster social engagement. The action plan contains ten measures that cover the ministry's area of responsibility, education and training, science, culture, sports and youth policy. The measures include:

- Tackling of hate speech and racism as well as the strengthening of engagement and non-discrimination will be considered in the steering of the government agencies and other organisations in the ministry's area of responsibility in a cross-cutting manner.
- Special assistance will be granted for municipal youth services to prevent hate speech and promote non-discrimination: In early 2017, the Ministry of Education and Culture granted a total of EUR 913,200 for 14 projects preventing hate speech and promoting non-discrimination in municipal youth work. The duration of the projects is between one and two years. The projects receiving assistance have involved the organisation of guided activities and meetings between young people from different groups, while events and campaigns aimed at encouraging young people to discuss non-discrimination and human rights have also been arranged. The projects involve cooperation with such partners as schools, organisations and reception centres of asylum seekers and the



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material of the Council of Europe's 'No Hate Speech' youth campaign is also used. Young people themselves are involved in the planning, implementation and assessment of the activities.

- A campaign urging people to say no to hate speech (2017-2018): <http://torjunvihapuhetta.fi/en>

1.2. Recommendations issued by bodies supervising compliance with agreements and other human rights mechanisms

International bodies supervising compliance with agreements and other human rights mechanisms have issued a number of conclusions and recommendations to Finland concerning racism, discrimination and xenophobia. The key concerns and recommendations of these bodies are summed up below.

Positive developments:

- The scope of hate crimes is now broader than that of racist offences;
- Under an amendment (511/2011) to the Criminal Code, the provision on ethnic agitation was clarified, a provision on aggravated ethnic agitation was added to the act, and the criminal liability of legal persons and the provision on the grounds for increasing the punishment were broadened;
- The Additional Protocol to the Council of Europe Convention on Cyber Crime entered into force in Finland in 2011;
- More effective police action to combat such phenomena as online racism.

Causes for concern:

- Significant increase in hate crimes based on racist motives against individuals assumed to be of foreign background, such as members of the Roma community, Muslims, Somalis, Russians and Swedish-speakers;
- A relatively small number of hate crimes have led to charges;
- Hate speech against members of ethnic minorities, women and girls in the mass media, including online discussion forums and social media;
- Discrimination and hate speech against members of gender and sexual minorities;
- Increase in anti-immigrant speech by politicians that can be considered racist and xenophobic.

Recommendations:

- Raising public awareness of the legal remedies available against hate crime and hate speech;
- Effective investigation of cases of racist hate speech, incitement to racial hatred and racist violence;
- Prosecuting and sanctioning as appropriate those responsible;
- Providing mandatory and continuous training to law enforcement officials;
- Raising the level of recruitment of persons belonging to minorities in the police;
- Introducing more effective measures preventing hate crime against specific religious



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- communities, ethnic groups and other minorities;
- Introducing more effective measures that also prevent hate speech and harassment against people with disabilities,
 - The Finnish Government has been urged to publicly condemn racist hate speech and xenophobic statements by public officials and politicians on such forums as online media, publicly dissociate itself from such expressions and urge politicians to ensure that their public statements do not promote intolerance, stigmatisation and incitement to hate.
 - The authorities should encourage the media outlets to ensure that the information disseminated by them and the programmes broadcast by them do not contribute to a hostile atmosphere and
 - to defuse the climate of increasing interethnic prejudice and tension by taking more effective action to combat all types of intolerance, racism, xenophobia and hate speech, especially in social media.

1.3. International working groups and actors

It is clear that all bodies supervising compliance with human rights treaties and other similar mechanisms play an important role (with regard to hate crimes, this applies to such bodies as ECRI, CERD and UPR). OSCE is also an important actor in the field of hate crimes, especially in information collection.

[The European Union Agency for Fundamental Rights \(FRA\)](#) carries out research on fundamental rights and it has also collected good practices applicable in the prevention of hate crimes.

[Code of conduct to counter illegal hate speech online](#): In spring 2016, the European Commission and a number of large IT companies jointly prepared a code of conduct aimed at countering illegal hate speech on the Internet. The document includes guidelines on the review of valid (hate speech) notifications, removal of illegal hate speech or disabling access to such content in less than 24 hours. In May 2016, Facebook, Twitter, YouTube and Microsoft pledged to observe the code of conduct and in January 2018, Instagram and Google+ announced that they would also comply with its provisions. Compliance with the code of conduct has been reviewed during three monitoring rounds. The latest monitoring round showed that the companies have taken increasingly effective action to meet their pledge of removing most of the illegal hate speech within 24 hours. The information technology companies have removed an average of 70% of all illegal hate speech reported to them. Challenges remain, however, because such instruments as systematic feedback to users are lacking. In the latest assessment round, hate speech in Finland was monitored by the Finnish Red Cross and (in accordance with the European average) 70% of the online content that it had flagged was removed (the Finnish Red Cross reported a total of 34 cases). In the next monitoring round, students of the Police University College will be among the groups reviewing online content in Finland.

[High Level Group on combating racism, xenophobia and other forms of intolerance](#): In summer 2016, the European Commission established a high-level group to discuss the countering of racism, xenophobia and other forms of intolerance. The group brings together all EU Member States, a number of international organisations and representatives of non-governmental organisations. In Finland, participation in the meetings of the working group and its sub-groups (such as the sub-group on countering hate speech online) is coordinated by the Ministry of Justice. The High-Level Group receives reports on the compliance with the code of conduct referred to above.



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[Communication of the European Commission on tackling illegal content online and Commission recommendation on more efficient removal of illegal online content](#)

The European Network of Equality Bodies [Equinet](#): two events on hate speech in 2018 (workshop on countering hate speech in social media and a seminar discussing hate speech as a legal and communications issue).

[Freedom Online Coalition](#)

[European Internet Forum](#)

1.4. Material, projects, preventive work, training and campaigns

The National Council for Crime Prevention has compiled [material on the prevention of juvenile crime and intervention in such offences](#), which is intended for teachers, youth workers and other educational professionals and professionals involved in leisure time activities. Asking questions about crime and talking openly about the issue can prevent young people from committing crimes and becoming victims. Crime can be reduced by influencing all parties - perpetrators, victims and bystanders. The information package has a section devoted to hate speech.

[Vihapuheen vastainen verkosto](#) is a network coordinated by the Finnish National Youth Council Allianssi and it is intended for organisations working against hate speech.

[Finnish Government network of contact persons for fundamental and human rights](#): The purpose of the Finnish Government network of contact persons for fundamental and human rights, appointed by the Ministry of Justice, is to help to ensure that fundamental and human rights are fully implemented in Finland. The network monitors Finland's fundamental and human rights situation, compliance with Finland's international human rights obligations and the implementation of the Government's fundamental and human rights policy.

The objective of the project [Against Hate](#) is to develop the work against hate crime and hate speech. The focus in the project is on the development of hate crime reporting, on the strengthening of the capacity of the authorities, especially the police, prosecutors and judges, to act against hate crime and hate speech, and on the development of support services for victims of hate crime. The project was launched on 1 December 2017 and it will continue until 30 November 2019.

The aim of the [PROXIMITY](#) project has been to ensure more effective combating of racism, xenophobia and other forms of intolerance (including hate crime) at local level. The focus in the project has been on strengthening the capacity of local-level authorities (in particular local and community police) against racism and hate crime through training, sharing of good practices and mutual learning as well as through developing local-level action plans. The project was launched on 2 October 2017 and it continued until 31 March 2019.



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The <http://eivihapuheelte.fi/> website (the Finnish No Hate Speech site) contains material (information and exercises) for such actors as teachers and youth workers. The Bookmarks publication of the Council of Europe's No Hate Speech campaign has been translated into Finnish and it can be viewed on the website. The Finnish No Hate Speech campaign was coordinated by Plan International Finland between 2013 and 2015. After this, Allianssi continued the passive maintenance of the pages and some of the material is now being transferred to the Allianssi website.

[#WeWillNotBeSilent - What is hate speech and what has it got to do with gender?](#) A guide for young people providing information on gender-based hate speech and instructions for situations involving hate speech. The publication has been produced by the Centre for Gender Equality Information of the National Institute for Health and Welfare and the Ministry of Social Affairs and Health. To market the guidebook, Allianssi carried out a social media campaign for young people in which the aim was to empower young people to act against hate speech and silencing. Funding for the project came from the Nordic Council of Ministers for Gender Equality.

[Rakentavaa vuorovaikutusta](#) The purpose of the online publication produced by the Finnish National Agency for Education is to serve as a guide for strengthening democratic engagement and countering hate speech and violent radicalisation in schools. The publication contains articles written by Finnish experts, links to source material and good practices as well as translations from guides produced by UNESCO and the Council of Europe.

[Vihapuheesta dialogiin – koulutusmateriaali vihapuheen vastaisille oppitunneille](#) The educational material, produced by Plan International Finland, is intended for educators working with young people, especially in schools. The material also contains tips on how to counter hate speech in everyday life. [Link to hate speech stories written as part of the project.](#)

[Vihapuhe ja sananvapaus](#) The material, produced by Koulukino, is intended as teaching material for 7th, 8th and 9th graders and for upper secondary level but it can also be used in youth work. The aim is to help young people to identify hate speech in different environments (especially on the Internet) and learn constructive ways of countering hate speech. The exercises provide material for discussing the consequences of hate speech and the responsibility arising from the freedom of expression.

[Vihan ja inhon internet](#) A campaign and a toolkit for combating online hate, allowing you to counter hate speech and offer support to victims of online violence. The material has been produced by Hattu, a feminist think tank. On the campaign website, you will find images that can be used as memes and that are taken from the comic book *Vihan ja inhon internet*, produced by Johanna Vehkoo (director of Hattu) and Emmi Nieminen. The publication provides a journalistic comic-oriented perspective on online hate against women and those assumed to be women.

[A brochure on hate crimes in 11 languages:](#) The Finnish League for Human Rights, in cooperation with Victim Support Finland and the Ministry of the Interior, has produced a brochure on hate crimes in 11 different languages: Arabic, Dari, Chinese, English, Finnish, French, Kurdish, Northern Saami, Russian, Somali and Swedish. The purpose of the brochure is to encourage hate crime victims and witnesses to report the offences to the police.



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Vihapuheesta vapaa nuorisotila, an operating model for youth work <http://eivihapuheelle.fi/nuorisotila/>

Help.some application: Information and support for dealing with bullying and harassment as well as criminal cases directly to your mobile phone.

Media education (such as media literacy school, media literacy week and media education forum)

Equality planning and monitoring it

Publications of the discrimination monitoring group

Police training - TAHCLE: The National Police Board has concluded a memorandum of understanding with the OSCE Office for Democratic Institutions and Human Rights (ODIHR) on the implementation of the TAHCLE programme (Training Against Hate Crimes for Law Enforcement).

- A half-day-long workshop on hate crimes for commanding officers and police chiefs was arranged in the Police University College in January 2017.
- Two similar two-day instructor training events were held in spring 2017 and in them, 40 police officers received instructor training.
- According to a survey carried out at the end of 2017, approximately 800 police officers had received such training. The training had been provided in different ways: for example, for specific groups or departments and through video links. The training events continued during 2018.

1.5. Guidelines

The Office of the Prosecutor General:

- Menettely sananvapausasioissa (Procedures in cases involving freedom of expression) VKS: 2017:2
- Paikallisen syyttäviviranomaisen ilmoitusvelvollisuus (Notification obligation of local prosecutors) VKS 2014:1.
- Rangaistavan vihapuheen levittäminen Internetissä (Dissemination of punishable hate speech on the Internet; reg. no. 17/34/11), which contains guidelines for police investigation and consideration of charges.

National Police Board

- Categorising a suspected hate crime or an offence that has features of a hate crime in the Police Information System (2011).

Finnish Immigration Service

- A broad range of different-level guidelines for reception activities (such as equality plans, reception centre house rules and a strategy for the reception activities).



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2. Studies and reports

According to the respondents, they have made comprehensive use of studies and reports. Legal literature, gender research literature and social-psychological research findings are extensively used. The annual hate crime monitoring reports produced by the Police University College are also widely used as are hate crime reports and academic research produced in other countries.

In October/November each year, [the Police University College](#) publishes a compilation of the hate crimes reported to the police in the previous year. The project produces basic information on racist and other hate crime and trends in it each year and it is based on the hate crimes reported to the police and entered in the Police Information System (Patja).

OSCE collects information on hate crimes from the authorities and [non-governmental organisations](#) each year. In Finland, at least [Seta](#) has collected and supplied information in many years (including 2018).

A [compilation](#) of the hate speech cases considered by the European Court of Human Rights.

A study is under way on the processing of cases classified as hate crimes by the police in 2013 in the criminal process (the police, prosecutors and the courts). The study is carried out by Malin Fredriksson from the Åbo Akademi University.

Publications of the Ministry of the Interior:

- [Situation overviews of violent extremism in Finland](#)
- [Nordic multi-agency working models in promoting adolescents' well-being and preventing crime](#)
- [Onko Suomi maailman turvallisim maa kaikille? Turvallisuuden toteutuminen eri sukupuolten ja väestöryhmien kannalta](#)

["I often find myself thinking how I should be or where I shouldn't go"](#) Survey on hate speech and harassment and their influence on different minority groups (2016) Owl Group Oy, Ministry of Justice, Finland, Publications 7/2016.

FRA [reports](#) on hate crimes and [compendium](#) of practices

[Reports of the discrimination monitoring group](#)

[Gender Equality Barometer](#)

Fundamental rights barometer (will be carried out in autumn 2018, Ministry of Justice)

[School Health Promotion Study](#): The School Health Promotion Study is carried out every second year and the next survey will be conducted in 2019. Information for the study has been collected from 8th and 9th graders in basic education since 1996, from general upper secondary students since 1999 and vocational



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institution students since 2008. Children in 4th and 5th grade in basic education and their guardians have taken part in the study since 2017. New questions will be added to the study in 2019 when the emphasis will be on violence experienced by children. The new question have been formulated on the basis of international recommendations and indicators, the Child Victim Survey and questions on the same topic in the previous School Health Promotion Studies. The purpose of the new questions is to produce regular monitoring information on the frequency of children's and young people's experiences of violence, an objective laid out in the programme to address child and family services (2016-2018).

Rangaistava vihapuhe internetissä – miten kansaryhmän suoja eroaa yksilön suojusta? Marko Forss, 2018, Edilex-sarja 2018/23. The main purpose of the article is to define what is meant by punishable hate speech online. The types of crime concerning punishable hate speech intended to protect certain population groups and the corresponding types of crime intended to protect individuals are briefly described in the article. After this, the essential elements of the penal provisions in question are compared and the differences between them discussed. Not all differences are considered in the comparison as the focus is on highlighting the most important and illogical court decisions with regard to hate crime motivation between the protection of population groups and of individuals. Finally, the author gives de lege ferenda recommendations on how the penal provisions on punishable online hate speech concerning the protection of population groups and individuals could be harmonised. (Edilex-toimitus) Mika Illman (2005), Hets mot folkgrupp.

VIHAPUHE / HATE SPEECH / DISCOURS DE HAINE: <https://blogs.helsinki.fi/hatespeech/>

[EU Kids Online survey](#) (Online hate speech experienced by children and young people is also included). In Finland, the survey is carried out by the University of Tampere and it is coordinated by Professor Sirkku Kotilainen.

Polarisation and how to reduce it through mediation are studied in the [depolarize](#) project of the Community Mediation Centre.

[Citizen Mindscapes](#) (University of Helsinki) Study of Suomi24 material

<https://vihanpitkatjaljet.net/> (University of Turku)

[Racisms and public communications in the hybrid media environment](#) (University of Tampere) The project explores how racism is constituted, defined, circulated and challenged in today's transnational and hybrid media circuits and practices. The goal of the project is to understand the new forms of information production, public engagements and affective experiences concerning racism. The project will produce new information on how the forms of racism and anti-racism have become part of daily media practices.

[Lyömäase vai oire dialogin puutteesta? Vihapuheen sosiaaliset representaatiot Ylen Vihapuheilla ja Suomi24-foorumien verkkokeskusteluissa](#), Maarit Suhonen, 2018, Master's thesis.

[Vihapuhe ja toimittajien selviytymiskeinot](#), Suvi-Tuulia Nykänen, 2018, Master's thesis



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Markus Kaakinen (2018): [Disconnected online: A social psychological examination of online hate
Hate Communities: A Cross-National Comparison](#)
<https://www.eryica.org/news/2018/5/24/liaisons-available-now-in-french-and-english>

3. Terminology

Quite a few of the respondents said that they have not defined hate crime or hate speech.

In their view, the concept of hate crime is easier to understand. Many of the respondents said that they rely on the following definition used by the police (as such or in a slightly modified form): 'Finnish legislation does not contain any separate definition for hate crime. Hate crime is an offence committed against an individual, a group, someone's property, an institution or a representative of the above, which is motivated by prejudice or hostility towards the victim's assumed or actual ethnic or national background, religious convictions or beliefs, sexual or gender identity, gender expression, or disability. For the definition to be met, it is enough that the victim is perceived by the offender as belonging to any of the groups mentioned above. Thus, the actual reference group of the victim does not play any role'.

According to the answers, hate crimes can be divided into acts that are directed against groups (such as national, racial, ethnic and religious groups or similar population groups) or individuals (or such matters as their property) on the basis of the individuals' (assumed) membership in the group.

In hate speech, most of the respondents used the definition of the Council of Europe Committee of Ministers: 'The term "hate speech" shall be understood as covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, antisemitism or other forms of hatred based on intolerance'. Some of the respondents also used the provisions contained in the Criminal Code and the harassment provision of the Non-Discrimination Act.

Not all definitions make any explicit distinction between punishable and other types of hate speech. The wording of the definitions used by some of the actors is largely in accordance with the wording of the ethnic agitation provision of the Criminal Code (making available or otherwise spreading among the public or keeping available for the public information, an expression of opinion or another message where a certain group is threatened, defamed or insulted). However, the definitions that are derived from the definition of the Council of Europe Committee of Ministers do not make any explicit distinction between punishable and other types of hate speech. At the same time, it should be remembered that the purpose of these definitions is not to serve as instruments for legal assessment but to increase awareness.



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4. Challenges and making the activities more effective

The respondents were also asked about the challenges concerning the combating of hate crimes and hate speech and how the activities could be made more effective.

Statistics and monitoring

Inadequate statistics and monitoring were deemed a challenge, especially in issues concerning the courts and the prosecution service. It would be particularly important to be able to monitor the progress of the hate motive from the police to the prosecutor and from the prosecutor to the court. The systems of the police, prosecutors and the courts should be developed so that they could 'discuss' matters with each other.

There should also be more efforts to make the victims' experiences better known (for example, by means of the reports produced by independent organisations).

Legislative changes

Furthermore, in connection with the Non-Discrimination Act, the respondents also highlighted a number of legislative changes that would provide a basis for more effective intervention.

- The practices of an education institution should be defined as discriminatory if it fails to take action when a pupil or a student is subjected to harassment.
- Each early childhood education and care unit should have an obligation to promote equality and prepare equality plans in the same way as education institutions.
- The provision under which the Non-Discrimination Ombudsman can submit a discrimination matter to the National Non-Discrimination and Equality Tribunal without naming the victim should be reinstated.
- Changes in the wording of the harassment provision and removal of the 'population group' from the essential elements has led to a situation where it may be necessary to specify a complainant even if it was a question of clear and serious harassment.

It was also pointed out that the opportunities to tackle gender-based hate speech under the existing legislation should be reviewed.

The respondents also drew attention to the fact that a large number of changes have taken place in the operating environment (social media, targeted online attacks, trolling and cyber influencing), as a result of which online hate speech has assumed new forms. Ethnic agitation as a type of crime should be assessed in the light of these changes in the operating environment.



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Legal challenges

There is little case law on hate speech and it involves the understanding of the limits of the freedom of expression and its relationship with the consideration of fundamental rights. It seems that the sentences for hate speech have not been particularly harsh.

Only the Office of the Prosecutor General has the right to bring charges in cases involving ethnic agitation. This means that resources cannot be focused on freedom of expression offences in the core area of the freedom of expression as all cases of ethnic agitation in which charges may be brought must be considered.

Preventive work and increasing awareness

Adequate resources should be channelled to preventive work and its importance should be recognised so that the resources will also become available. Highlighting the matter in public debate makes people more aware of it as does the emphasis on diversity in all illustrations and communications. Hate crimes and hate speech should be mainstreamed and not outsourced.

There should be more focus on preventing hate speech (including harassment) in schools and in early childhood education and care. Funding for preventive work (such as media education) is fragmented and often on a short-term basis, which negatively affects the continuity and impact of the work. There should also be inputs into the continuity of education in all professional groups.

The measures aimed at increasing awareness should be directed at a maximum number of target groups (including bystanders).

Intervention

More good practices and guidelines are needed, especially in the action against hate speech and in the countering of hate speech on the Internet and in social media.

Media self-regulation and codes of conduct on hate speech should also be enhanced.

In order to ensure effective action against hate speech, the hate speech against different population groups should be examined from an intersectional perspective and expert knowledge should be used in a coordinated manner in issues concerning different population groups.

Changes taking place in the operating environment should also be considered and the seriousness of the new phenomena (such as attacks against journalists) should be understood.



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Underreporting and developing victim services

Enhancing trust between the authorities and different population groups was considered necessary. More targeted information on services and legal remedies available to the victims is also needed.

Improving local-level cooperation structures (including preventive work) would also have an impact on underreporting.

For victims, the processes are often long and difficult and the victims should be provided with more protection against hearing the statements of the opposite parties.

Enabling and institutionalising unofficial reporting (for example, through shadow reporting) would increase awareness of the phenomenon and its nature and would thus also have an impact on underreporting.

Lack of research information

According to the respondents, there is a particularly severe shortage of research information on hate speech as a gender-based phenomenon and hate speech from an intersectional perspective.

There should also be more attention on the threats experienced by researchers.

Developing coordination

More extensive cooperation between the authorities was considered necessary. A national action plan to counter hate speech and hate crime was seen as one way of achieving better coordination.

The range of cooperation methods used should also be broadened. According to the respondents, effective action would require a broad range of different measures (such as teaching/education, promotion of equality, more information on legal issues and training of private actors) and a large number of actors.



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5. Observations

According to the answers to the survey, actions against hate crime and hate speech are very diverse and involve a large number of different actors.

Hate crime is discussed or at least mentioned in many action plans but there is no specific action plan focusing on hate crime. A number of measures are being taken to prevent and identify hate crime and to tackle it but overall coordination is lacking. Many of the respondents called for better coordination. They also pointed out that the current actions are not fully in line with the recommendations issued to Finland by the monitoring bodies of human rights treaties and other human rights mechanisms.

In addition to improving coordination, a range of different development targets from legislative amendments to increasing awareness were mentioned in the responses.

The current material dealing with this topic focuses on hate speech, and many the publications are intended for children/young people or people working with them.

Not all organisations working against hate crime and hate speech have defined what they mean by these concepts. Especially the definitions of hate speech differ from each other. Depending on the actor, the measures focus on hate speech as a punishable act or as a broader phenomenon. Focus in the measures taken by actors responsible for legal assessment/oversight of legality is on punishable or illegal hate speech, whereas organisations engaged in preventive measures see hate speech as a broader phenomenon.

It seems that few of the measures taken have been subjected to impact assessment. This needs to be developed so that more information can be obtained on which measures would bring the best results.

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