



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

USCIRF HEARING SUMMARY:

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COMBATTING ONLINE HATE SPEECH AND DISINFORMATION

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USCIRF's Mission

To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.

On October 21, 2020, the U.S. Commission on International Religious Freedom (USCIRF) held a virtual hearing about [*Combating Online Hate Speech and Disinformation Targeting Religious Communities*](#). This hearing explored how governments use and enable people to utilize social media platforms to sow false information and hate speech that dehumanizes religious minorities and mobilizes violence against faith communities.



USCIRF Chair [*Gayle Manchin*](#) led the hearing, which convened [*four witnesses*](#) with varying perspectives. In her opening remarks, Chair Manchin introduced the challenges presented by social media companies, such as Facebook, Twitter, YouTube, and Tik Tok. "Social media sites can be easily used to amplify hate speech and disinformation about religious communities and mobilize real-world violence, discrimination, and hatred," she stated. "The algorithms that power platforms like Facebook and Twitter reward extremist discourse by incentivizing users to post provocative content that will receive attention through likes and reshares." While states are required by international human rights standards to prohibit the most severe forms of hate speech, there is little to no formal accountability for social media companies.



Vice Chair [*Tony Perkins*](#) highlighted the problems social media platforms face in their content moderation, which can lead to grave consequences, such as the amplification of government-sponsored hate speech and disinformation fostering religious intolerance. "As identifying hate speech involves a great deal of nuance, context, and linguistic expertise," he said, "relying on machines to recognize it remains a challenge." These weaknesses are exploited by governments, such as the Russian Federation, Ukraine, and Iran that use social media to depict religious minorities as a threat to society.



Additionally, Facebook recently rejected a request by the Gambia to provide evidence relevant to a pending case against Burma for genocidal charges at the International Court of Justice (ICJ). Vice Chair [*Anurima Bhargava*](#) emphasized that, "those who spew hate online, whether governments or non-state actors, may think twice if they know that social media companies are prepared to share their statements for use in future criminal proceedings."



David Kaye, Clinical Professor of Law at the University of California Irvine, and former United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, outlined and examined four key areas of focus

regarding online hate speech: the source of law, the decision making of companies, the decision making of governments, and suggestions for U.S. policy:

- Article 18 of the International Covenant on Civil and Political Rights (ICCPR) protects everyone’s right to thought, conscience, and religion. Article 19 protects everyone’s right to seek, receive, and impart information regardless of frontiers, including the type of media. These two rights, along with the permissible limitations on expression, are the essential principles to consider when forming policies around content moderation for social media companies that are not bound by the first amendment of the United States’ constitution and operate globally.
- In addition to international human rights standards, we should focus on transparency in hate speech rules. Social media companies are opaque both in the adoption and enforcement of their rules. One of the challenges researchers and policymakers have is gaining insight into how the rules are made and implemented.
- Policymakers need to examine whether governments are using laws to promote or undermine religious freedom. In some instances, governments will make demands of social media companies to take down content or take action against user accounts, which can be deeply problematic. Part of our effort should be focused on the governments that create a hostile environment for religious freedom and freedom of expression.
- Given its historic protection of religious freedom and the freedom of expression, the United States has a strong role to play in promoting these values internationally and with respect to social media companies.

“Human rights are interdependent: freedom of expression depends on freedom of religion, depends on freedom of assembly, depends on non-discrimination,” said Kaye. “All of these rights are connected to one another.” Kaye closed his testimony with the following recommendations for the U.S. government:

- Re-engage with the institutions of international law and governance to regain international credibility that has been lost;

- Engage domestically, by making the human rights conversation not only about what countries are doing abroad, but about what we are doing domestically; and
- Determine how social media companies should prioritize international human rights throughout their content moderation process.



Susan Benesch, Founding Director of the Dangerous Speech Project, identified the strong and striking trends in the rhetoric used against religious minorities across multiple countries, cultures, and languages. Benesch identified this rhetoric as

“dangerous speech” for its capacity to inspire violence.

- In some cases, this rhetoric suggests that there is something inherently wrong with a religion and therefore with its followers. There is also a closely related tendency to conflate criticism of a religion with criticizing or dehumanizing its followers. This kind of content tends to surge in the aftermath of a news event like the murder of French high school teacher, Samuel Paty, or the Christchurch massacre.
- Another important trend is that rhetoric against religious communities often overlaps with xenophobia and the language of invasion. With the help of disinformation, this language suggests that one group of people poses an existential threat to another group.

Dangerous speech has been used all too effectively against a myriad of groups. This language “is defined at least as much by fear as by hatred, since it is designed to generate a violent fear of other people. Violent fear in turn makes a violent reaction seem defensive or morally justified.” Benesch closed her testimony with the following recommendations:

- Understanding individual examples of dangerous speech requires an understanding of the local context. In order to act with efficacy and precision, social media companies must work preventatively to build ties with reliable sources of high-quality information before there is a sudden search of content online;
- It is important to choose the right means of responding to harmful content. Since taking down content may not be the most sufficient or effective strategy, companies should consider demoting or downgrading content;
- A proactive system of oversight must be developed to gain transparency into the internal policies and processes social media companies use to determine which content they deem harmful;

- Counterspeech, or countering harmful content with truthful information, can be effective if counter speakers are influential within the relevant community; and
- The robust study of the effects and efficacy of various interventions must be implemented, so that future methods of monitoring and removing dangerous speech can be chosen on the basis of data.



[Shakuntala Banaji, PhD.](#), Professor of Media, Culture, and Social Change, Department of Media and Communications, at the London School of Economics, provided a framework of the socio-political context of hate speech, harmful

content, and violence in India.

- Social media has been introduced into a context where there is a deep and widespread prejudice against groups, such as Muslims, Christians, and Dalits. Hundreds of thousands of malicious, orchestrated disinformation, including speeches, memes, gifs, long videos, and blogs, circulate on social media and messaging apps daily.
- The conversation around hate speech and disinformation on social media must acknowledge the role of mainstream news outlets, such as Republic TV and Sudarshan News, in normalizing hate speech. A variant of any stereotype or hateful narrative containing misinformation will often appear on social media and in the news at the same time, reinforcing and legitimizing hateful content. This occurrence is called “transmediality”.
- The political ties of those who spread hate speech and disinformation are central to the allowance of attacks against Muslims, Dalits, and Christians in India. The same perpetrators of hateful speech often have overt or concealed ties to the Rashtriya Swayamsevak Sangh (RSS) or the Bharatiya Janata Party (BJP) and flout the regulations on incitement. This calls legal representatives and enforcement into question.

Dr. Banaji provided the following suggestions to reduce hate speech and violence:

- International bodies, including the U.S. government, governing bodies in the EU, and international corporate organizations, should acknowledge and inform themselves about the links between authoritarian regimes, government-allied vigilantes, corporate platform executives, and hateful disinformation;

- There needs to be a meaningful social and economic incentive for governments to take action against hate speech, including an early warning system about impending violence against religious minorities;
- Powerful business incentives for corporations and platforms must be put in place to ensure swift action. Companies are currently more incentivized to ignore hate speech;
- Twitter, Alphabet, and Facebook should join with local and international human rights organizations that know the local context, and require their employees to undergo rigorous human rights training as to what constitutes hate speech; and
- A database of Islamophobia and anti-Dalit content similar to databases for misogyny and pornography should be created to monitor instances of violence internationally.



[Waris Husain](#), Adjunct Professor at Howard University, and former USCIRF Policy Analyst, discussed regional developments in South and Southeast Asia. “The already existing issues related to religious minorities continue to impact all countries in the

region as they have for generations,” he said. The expansion of internet access allows for “misinformation, disinformation, and hate speech to be proliferated and cause real world harm to religious minority communities.” As internet access has blossomed in Asia, we have seen the following:

- There is a lack of proper digital education, making it difficult for users to distinguish information from disinformation or misinformation.
- Fake news going viral through various social media platforms often leads to targeted killings and mob violence on religious minority neighborhoods and communities.
- Persistent inauthentic behavior targeting religious minority communities can be connected to “troll farms” often thought to be propagated by institutions within the state.
- Social media platforms are taking a passive role in content moderation.
- Traditional legal tools and methods are either unable or unwilling to keep pace with technological advancements. There is a need for innovation in law and legal paradigms.

Dr. Husain closed his testimony with the following recommendations for governments, social media companies, and the human rights community:

- Bolster the use of artificial intelligence with human intelligence, when identifying hate speech;
- De-prioritize content and inhibit its potential virality as an alternative to removing content that straddles the line of hate speech and free speech;
- Use early warning mechanisms and existing paradigms, such as heat maps, to determine the religious freedom context in different countries. Given the diverse social and cultural settings of different countries, a sweeping global standard cannot be applied to managing hate speech on social media. For example, a post in Pakistan might cause violence at a much faster rate than a post in France, based on the social regional context; and
- The adversarial relationship between companies and governments must be changed to become more collaborative. Social media companies are rushing to make regulations to avoid government policies rather than proactively collaborating with government authorities.

Chair Manchin concluded the hearing by emphasizing the need to shift the relevant courses of action amongst policymakers and online platforms, from reactive to proactive. USCIRF recommends the U.S. government:

- Highlight the abuse of social media by foreign governments that create a hostile environment to religious freedom and freedom of expression in bilateral dialogues and multilateral forums, along with including pertinent examples in the State Department's annual International Religious Freedom report;
- Work with other governments to consider and define the responsibility of social media companies to abide by international human rights law on their platforms;
- Engage in and promote counterspeech on U.S. government social media accounts to assist in combatting disinformation and hate speech directed at religious communities; and
- Fund programs that develop and utilize early warning mechanisms in countries with widespread hate speech and misinformation directed at religious communities to better develop tools and processes to monitor harmful speech on social media and prevent offline violence and discrimination.



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The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan federal government entity established by the U.S. Congress to monitor, analyze, and report on threats to religious freedom abroad. USCIRF makes foreign policy recommendations to the President, the Secretary of State, and Congress intended to deter religious persecution and promote freedom of religion and belief.