



unieri

United Nations
Interregional Crime and Justice
Research Institute

LIGHT ON: Cross-community actions for combating the modern symbolism and languages of racism and discrimination

ANTI-RACISM TOOLKIT

LIGHT
your turn to stop racism



LIGHT ON is a project co-financed by the Fundamental Rights and Citizenship Programme of the European Union

**LIGHT ON: Cross-community actions for combating the modern
symbolism and languages of racism and discrimination**

ANTI-RACISM TOOLKIT

Cover & layout design: Cristina Micheletti

DISCLAIMER

This toolkit has been produced with the financial support of the Fundamental Rights and Citizenship Programme of the European Commission.

The contents of this toolkit are the sole responsibility of the authors and can in no way be taken to reflect the views of the European Commission.

The views expressed are those of the authors and do not necessarily reflect the views of the United Nations or the organizations with which the authors are affiliated.

Contents of this publication may be quoted or reproduced, provided that the source of information is acknowledged.

UNICRI would like to receive a copy of the document in which this publication is used or quoted.

The designation employed and presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area of its authorities, or concerning the delimitation of its frontiers or boundaries.



LIGHT ON is a project co-financed by the Fundamental Rights and
Citizenship Programme of the European Union

LIGHT ON Project

The “*LIGHT ON - Cross-community actions for combating the modern symbolism and languages of racism and discrimination*” project, funded by the Fundamental Rights and Citizenship Programme of the European Commission, aims to tackle racism and its related images and habits, providing a set of tools for the community and law enforcement professionals, through a preventive and participatory approach.

Hate speech, especially hate speech online, is the core of the LIGHT ON project as it conveys meaning, intent and significance in a compact and immediately recognisable form and it greatly influences personal and collective behaviors.

LIGHT ON aims to:

- Challenge the normalisation of racism and xenophobia and their acceptance in the dialogue and social dynamics of everyday life, through scientific research that identifies the images that explicitly and implicitly express racism while at the same time analyses how communities perceive them;
- Strengthen the capacity of professionals and authorities against hate crimes and discriminatory behaviours, through a highly specialised training model and a toolbox;
- Encourage citizens to report if they become victims or witness an incident of discrimination.

More information on the project is available at: <http://www.lighton-project.eu/site/main/page/home> and http://www.unicri.it/special_topics/hate_crimes/

Objectives of the Anti-Racism Toolkit

One of the main objectives of the Anti-Racism Toolkit is to raise awareness on visual and verbal racist hate crime, in particular on online hate speech, and to enhance the capacity to report them. The Toolkit includes a set of practical instruments targeted to specific groups, in order to ensure a larger community effect and impact thanks to a contextual multi-layer action. The driving idea at the basis of this tool is that, acting at the same time on the different components of the civil society, it will be possible to improve the current awareness on racism and online hate speech and the effectiveness of fundamental rights in ordinary life.

The Anti-Racism Toolkit thus aims at providing tailored instruments to empower law enforcement and judiciary officials, legal professionals supporting victims of racism and hate speech online, potential victims and citizens in general, to recognize and report visual and verbal racist hate incidents.

In particular, the Toolkit includes:

- a. The mobile phone application “LIGHT ON RACISM”;
- b. The Guidelines for law enforcement and legal professionals;
- c. The forms for the self-reporting of hate incidents and episodes for victims and witnesses;
- d. The cards with the visual database of symbols and images with racist contents (available only on the electronic version of the Anti-Racism Toolkit);
- e. The cards with the glossary of terms and expressions with xenophobic and racist contents (available only on the electronic version of the Anti-Racism Toolkit).



a. The mobile phone application “LIGHT ON RACISM”

The smart phone application (App) called “LIGHT ON RACISM” is conceived to encourage the reporting of hate crime incidents and to promote public awareness on discrimination and racist hate speech. This tool is envisaged to allow citizens and professional target groups to have clear and easily accessible information about racist and xenophobic visual and verbal manifestations in our communities.

The App comprises three main sections: **Reporting, Educational and Informative.**

Through the Reporting section users, victims or witnesses, can report the hate incidents occurred either on physical places or online.

Since different studies show how hate crime often goes unreported, or only reported when things have reached a crisis point, through this tool the reporting act is encouraged and made more immediate.

Thanks to the cooperation between UNICRI and the Italian Anti-Discrimination Office (UNAR) the App is tested for a period of three months (September-December 2014): during this period all the reports are sent directly to the UNAR Contact Center, in charge of receiving and screening the different warnings and re-contact the users for the follow-up actions. In order to highlight those areas where citizens / officers are more aware about the importance of reporting incidents and to provide a (partial) overview of where online hate speech happens more often, a “Map of Hate” will be also navigable.

The Educational section aims at providing additional knowledge through the “Dictionary of Hate” (glossary of verbal hate expressions) and the “Symbols of Hate” (a database collecting different hatred symbols expressing racism with the relevant explanation).

Finally, the Informative section includes contact details of the Italian national authorities dealing with hate crime. It also provides insight on the LIGHT ON project, including a link to the page related to the relevant authorities in the four other countries of the project (Finland, Hungary, Slovenia, UK).



b. The Guidelines for law enforcement and legal professionals

The Guidelines for law enforcement officials and legal professionals are aimed at providing guidance on how to recognize possible racist hate crimes or discriminatory behaviors through a set of indicators; how to interrogate victims or witnesses in order to get important and specific information; the main legal challenges related to proving a case, determining liability and quantifying the harm, and the practical steps on how to spot and report online hate speech.

c. The forms for the self-reporting of hate incidents and episodes for victims and witnesses



The forms for the self-reporting are to be distributed by the National Watching Points of the project countries to the main civil society organizations dealing with the main issues of the LIGHT ON project: minorities and migrants associations, citizens associations, trade unions, social services, anti-racism and equality networks etc.

The forms are available in all the project national languages.

d. The visual database of symbols and images with racist contents



e. The glossary of terms and expressions with xenophobic and racist contents



GUIDELINES FOR LAW ENFORCEMENT AND LEGAL PROFESSIONALS

Introduction

- ▷ Discrimination in Europe is still considered to be common by many institutions and organizations working in the field of human rights' protection.

“Almost a fifth of Europeans (17%) report that they have personally experienced discrimination or harassment: 13% have experienced discrimination on the basis of one of the grounds analysed in the survey, and 4% on multiple grounds”. Source: (CoE)

- ▷ Not only discrimination and hate are widespread, but they have also been progressively “normalised” in the public opinion, public discourse and in the society at large.

Definition of Hate Crime

- ▷ The term “hate crime” does **not** refer to a specific offence. It can be any criminal offence, such as murder, acts of threat or intimidation, assault or property damage, but its **motivation** makes hate crime different from any other form of crime. Hate crime is also known as bias-motivated crime.
- ▷ As reported by *Legislation Online*, for a criminal act to qualify as hate crime, it must meet two criteria:
 - The act must be a **crime** under the criminal code of the legal jurisdiction in which it is committed;
 - The crime must have been committed with a **bias motivation**.

Crime + Bias Motivation = HATE CRIME

Definition of Hate speech

- ▷ At present there is no universally accepted definition of the term ‘hate speech’, despite its frequent usage.
- ▷ Recommendation (97)20 of the CoE Committee of Ministers provides a simple definition of hate speech.

“The term ‘hate speech’ shall be understood as covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin”.

Bias indicators

- ▷ Hate speech online is committed out of **bias motivation**. An officer investigating an alleged hate crime should focus on the identification of this bias motivation.
- ▷ “Due to the difficulty of ascertaining the offender’s subjective motivation, bias is to be reported only if investigation reveals sufficient objective facts to lead a reasonable and prudent person to conclude that the offender’s actions were motivated, in whole or in part, by bias”. (Source: FBI (2012), “[Hate Crime Data Collection Guidelines and Training Manual](#)”, 19 December)

Several factors are to be considered in determining whether the incident is a suspected bias-motivated crime:

- Is the motivation of the alleged offender known?
- Was the incident known to have been motivated by racial, religious, disability, ethnic, sexual orientation, gender, or gender identity bias?
- Does the victim perceive the action of the offender to have been motivated by bias?
- Is there no clear other motivation for the incident?
- Were any racial, religious, disability, ethnic, sexual orientation,

- gender, or gender identity bias remarks made by the offender?
- Were there any offensive symbols, words, or acts which are known to represent a hate group or other evidence of bias against the victim's group?
- Did the incident occur on a holiday or other day of significance to the victim's or offender's group?
- Is the victim a member of a specific race, religion, disability, ethnicity, sexual orientation, gender, or gender identity?
- Was the offender of a different race, religion, ethnicity, sexual orientation, gender, or gender identity than the victim?
- Would the incident have taken place if the victim and offender were of the same race, religion, disability, ethnicity, sexual orientation, gender, or gender identity?
- Were biased comments or statements made by the offender indicating offender's bias?
- Were bias-related drawings, images, symbols, pictures or memes publicly posted/ privately sent by the offender?
- Was the victim visiting an online platform where hate crimes on the base of race, religion, disability, ethnicity, sexual orientation, gender, or gender identity have been previously commonly reported and where tensions remained high against victim's group?
- Have several incidents occurred in the same website/blog/social network at or about the same time, and were the victims all of the same race, religion, disability, ethnicity, sexual orientation, gender, or gender identity?
- Does a substantial portion of the community where the crime occurred perceive that the incident was motivated by bias?
- Was the victim engaged in activities related to his or her race, religion, disability, ethnicity, sexual orientation, gender, or gender identity?
- Did the incident coincide with a holiday or a date of particular significance relating to a race, religion, disability, ethnicity, sexual orientation, gender, or gender identity, e.g., Martin Luther King Day, or Rosh Hashanah, the Transgender Day of Remembrance (November 20)?
- Was the offender previously involved in a similar hate crime or is a hate group member?

- Were there indications that a hate group was involved? For example, a hate group claimed responsibility for the crime or was active in the neighbourhood.
- Does a historically-established animosity exist between the victim's and offender's groups?
- Is this incident similar to other known and documented cases of bias, particularly in this area? Does it fit a similar modus operandi to these other incidents?
- Has this victim been previously involved in similar situations?
- Are there other explanations for the incident, such as a childish prank, unrelated online vandalism, etc.?
- Did the offender have some understanding of the impact his or her actions would have on the victim? (Source: UNICRI elaboration of US Department of Justice, FBI (2012), "[Hate Crime Data Collection Guidelines and Training Manual](#)")

Legal challenges linked to hate speech online

- ▷ Establishing the facts lies at the heart of any legal proceedings. Three core matters need to be established:
 1. what facts can support the claim;
 2. how to access these facts;
 3. how to collect evidence to substantiate these facts. (Source: Farkas, L., (2011), "[How to Present a Discrimination Claim: Handbook on seeking remedies under the EU Non-discrimination Directives](#)", European Commission Directorate-General for Justice)
- ▷ It is advisable to consult with equality bodies, administrative bodies, law enforcement authorities and related NGOs, especially fruitful for accessing documents and obtaining witness, or third parties, statements prior to court hearings.
- ▷ One of the greatest challenges arising from the diffusion of hate speech online is assessing the legal liability of the offenders. This difficulty derives from some of the main features of the Internet, such as its virtuality, anonymity and worldwide extension. First of all, several different actors may be involved in the creation

and distribution of hateful content online by:

- a. creating or sourcing it;
- b. publishing it; developing it;
- c. hosting it;
- d. facilitating its dissemination, accessibility or retrievability. (Source: McGonagle, T. (2013), "[The Council of Europe against online hate speech: Conundrums and challenges](#)")

▷ Various degrees of liability could be attributed to numerous actors, as each one may retain a different relationship with the hateful content. In general terms, relevant legal distinctions can be advanced in reference to different types of the so-called *User Generated Content* (UGC). When assessing different levels of liability/responsibility it is useful to account for the different levels of editorial involvement/control. Therefore, it is useful to evaluate if the hateful UGC is:

- 1. prepared by users and then incorporated into otherwise professionally-produced and editorially-controlled content;
- 2. a stand-alone episode, i.e. UGC that exists alongside professionally-produced and editorially-controlled content;
- 3. the product of co-creation by media professionals and users;
- 4. created via and maintained on purpose-built fora and networks and is not incorporated into professional media content. (Source: McGonagle, T. (2013), "[The Council of Europe against online hate speech: Conundrums and challenges](#)")

▷ Moreover, determining liability for hate speech online is a complicated matter from a jurisdictional perspective. Hate speech can be propagated via Internet Service Providers (ISPs) based in different jurisdictions. As previously explained, there is little consistency between national legislations on the matter. Above all, this becomes apparent if we consider the substantially different legal and cultural approach that the various European and the American jurisdictions ascribe to the protection/regulation of free speech.

▷ Frequent challenges:

- **Forum-shopping.** Hate websites are often hosted in jurisdictions more tolerant of hate speech. Websites that have been blocked

or banned in one country are sometimes relocated to another jurisdiction.

- **Different ISPs**, even within a single jurisdiction, have often different policies on hate speech. It is very important to be fully aware of the characteristics of the jurisdiction of the ISP or Social Network service hosting the racist content, and relevant hate speech policies.

More detailed information in the full Training Manual available at: www.lighton-project.eu

How to report an incident

When reporting an incident, include as much information as possible:

- When did this happen? Noting the time and date is important because some online content, such as discussion threads in chatrooms, can quickly disappear.
- How was the content delivered? Was the victim sent something directly through email, SMS, text message, instant message, or private messaging? Did the victim come across something while browsing the Web?
- If the message was sent directly to the victim:
 - Make sure the victim keeps the original email or save the chat/text log.
 - If possible, save the username or email address of the person sending the hateful message.
- If the victim has encountered the content on a website:
 - Copy and paste the address of the site by clicking your Web browser's address bar, highlighting the full Web address and copying and then pasting it into a word processor.
 - Take a screenshot of the content in question to give to police. (On Windows computers, hit the "Print Screen" key, then go to a graphic or word processing program and select "Paste" from the "Edit" menu; on a Mac, hitting Command-Shift-3 will save the current screen image as a graphic file on your desktop). (Source: MNet (2012), "[Responding to Online Hate](#)", p.13).

Always have a backup of the content of the hate speech incident!

- ▷ There are five different strategies to report hate speech online, which can be different according to the content of the 'verbal attack'. (as suggested by CoE: UNITED, (2012), "[Step in! Be active against racist propaganda and hate speech online](#)") The first step to be undertaken is therefore to evaluate the content of the speech and then select one of the main strategies accordingly.

The most appropriate option is dependant on whether the content is hosted in your own country and is therefore subject to national legislation, or internationally. Fundamental criteria to guide the decision is whether the content in question is on the Internet as a web page, blog, audiovisual recording or a post on the social network and if it is on a domain hosted in your national state or abroad.

- ✓ **Criminal complaint** - when dealing with cases that store extensive materials (website), is a repeated action of individuals (blogs), or the activity of an organised group.
- ✓ **Request for removal of content to the author**, stating what criminal law was violated in their statements and warn them of the potential legal consequences of their actions. The anonymous nature of the Internet, however, reduces the real impact of such action.
- ✓ **Notification of illegal/hateful content to Administrator of site.** It is essential to restate the quote, provide a link to the place where it is and refer to the part of their legislation or terms of service that was breached.

To find the contact of the administrator:

- Open <http://whois.domaintools.com/>
- In the search field on the page, write the name of the website
- The results should now show who the domain registrar is, who are the operators, their contacts and other data

- ✓ **Notification of illegal/hateful content to Internet Service Provider (ISP)** hosting such objectionable content. In most cases however, administrators fulfill requests for content removal if it is illegal.
- ✓ **Notification of complaints bureau** – [INACH](#) – [INHOPE](#), a network of national offices tasked with collecting and dealing with complaints related to hate-inciting or illegal content on the Internet.

Steps for reporting to ISPs

- ✓ Find the web site's ISP, for instance by entering the name of the website into a service such as www.Domaintools.com, which lists the ISP as the "IP Location". Verify the conditions imposed by the ISP: look at the Terms of Service, Community Guidelines or Acceptable Use Policy.
- ✓ When complaining to an ISP of hosting company you must be specific about the relevant offensive material ⇒ supply the web site's name, URL and screen image. If possible also indicate the policy violated.
- ✓ Provide all relevant information to make it as easy as possible for the ISP to understand and respond the complaint quickly. Clarity is essential: explain carefully, analytically and with references if possible. Precision and economy of words can go a long way to communicating your point.
- ✓ Complaints should be calm, polite and to the point. Use the format of form specified by the ISP if one is provided. Be clear and tell exactly what you are asking them to do to remedy the situation. Specifically request a response.
- ✓ If the website has anonymous registration: web site owners can use anonymous registration service (ARS) to hide their identity to avoid taking responsibility for hateful, inflammatory, misleading or distorted content. In these cases the company providing the anonymous registration should be contacted. To do this, identify the registration privacy service, proxy registration or anonymous registration service. Go to www.whois.com or www.betterwhois.com to determine the registrant of the web site. Then go to the ARS's website and see if its own Terms of Services were violated.

Source: CEJI (2012), "[Make Hate Crime Visible. Facing Facts](#)", p.25.

Steps for reporting incidents on most used social media

- ▶ All the main social networking sites as well as the platforms for posting online videos have their specific policies and rules of functioning which define what content can be posted and spread online and, on the other side, how illicit contents can be reported by the users with the final aim to possibly remove them.
- ▶ The Anti-Defamation League compiled a full and exhaustive list of the policies and reporting options of the main companies acting online, to facilitate the direct access of the online users to consult the standard and submit a complaint in real time. The full list is accessible at: <http://www.adl.org/combating-hate/cyber-safety/c/cyber-safety-action-guide.html>

Facebook

- ▶ In its [Community Standards](#), Facebook provides an idea of what type of expression is acceptable and what type of content may be reported and removed, including hate speech and bullying and harassment.
- ▶ The Facebook Safety Center page provides information and direct links to the different organizations working on discrimination at national level: <https://www.facebook.com/safety/tools/>
- ▶ A specific form that can be compiled whenever one encounters a violation of the Facebook standards:

Report a Violation of the Facebook Terms

Please use this form to report violations of the Facebook Terms.

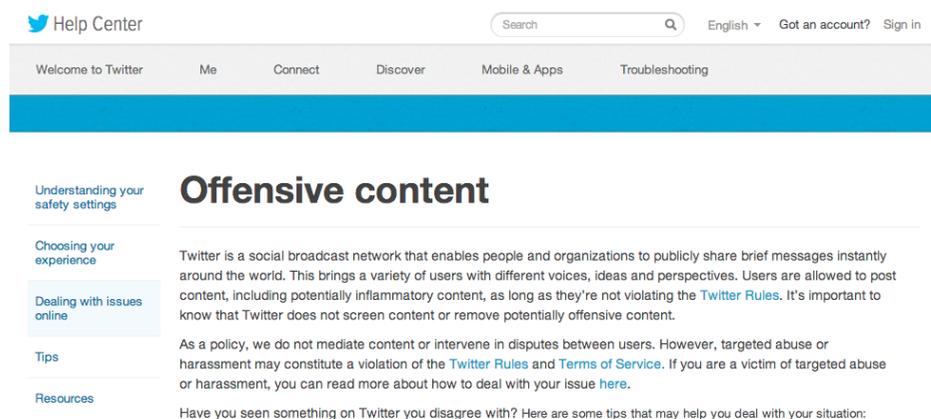
- What issue are you trying to report?
- My account is hacked
 - Someone is pretending to be me
 - Someone is using my email address for their Facebook account
 - Someone is using my photos or my child's photos without my permission
 - Something on Facebook violates my rights
 - I found an underage child on Facebook
 - Other abuse or harrasment

Send

- ▶ The social network offers a dedicated page to explain how to report things both as Facebook user and in case you do not have an account. In particular, on the [Facebook Page on Social Reporting](#), the staff encourages users to utilize the report buttons located across the site, in order to inform if the content found violates the terms of use and to take it down. At the moment, report flows are in place for Facebook users for photos and wall posts. The social network plans to extend the functionality to Profiles, Groups, Pages and Events soon.

Twitter

- ▶ Twitter's general policy surrounding User Generated Content is that it does not mediate content or intervene in disputes between users.



The screenshot shows the Twitter Help Center interface. At the top, there is a search bar and navigation links for 'Welcome to Twitter', 'Me', 'Connect', 'Discover', 'Mobile & Apps', and 'Troubleshooting'. The main heading is 'Offensive content'. Below this, there are sections for 'Understanding your safety settings', 'Choosing your experience', 'Dealing with issues online', 'Tips', and 'Resources'. The 'Tips' section contains the text: 'As a policy, we do not mediate content or intervene in disputes between users. However, targeted abuse or harassment may constitute a violation of the Twitter Rules and Terms of Service. If you are a victim of targeted abuse or harassment, you can read more about how to deal with your issue here.'

- ▶ On a initial step, Twitter's Safety and Security Centre contains articles on how to deal with potentially offensive content, such as "considering the context" and "blocking and ignoring" the user who published the potentially offensive post. Furthermore, if offensive content violates certain Twitter Rules it may fall under the category of **targeted abuse or harassment** and it thus might be subjected to removal and block.
- ▶ For reporting abusing content on Twitter there are two options: (A) visiting the online [Twitter Help Centre](#), or (B) directly reporting the abusive tweet and account by clicking on "Report Tweet".

You Tube

- ▶ The [Policy and Safety Hub](#) of You Tube dedicates a specific section to Hate Speech. A definition of hate speech is provided, together with some practical indications for reporting hateful content.
- ▶ Regarding the reporting options, different modalities are suggested. One of the options is blocking the user.

Here's how to block someone on YouTube

1. Visit their Channel page, which should have a URL similar to www.youtube.com/user/NAME
2. On their "About" tab, click the **flag icon** 
3. Click **Block User**

You can also block someone through your [Address Book](#) . If the person you're trying to block is one of your contacts, select the checkbox next to their name and click the Block button. If they're not in your Contacts, you can add them as a contact by clicking the Add New button.

- ▶ Another option is flagging the video: since "it would be impossible to review [...] [the] 72 hours video charged every minute", basically YouTube relies on community members to flag content that they find inappropriate.

How to flag a video:

1. Below the video player, click on the "Flag" button
2. Click on the reason for flagging that best fits the violation within the video.
3. Provide any additional details that may help the review team make their decision.



Flagging videos is anonymous - Users cannot tell who flagged a video. However, we do require you to be logged in to use our flagging tools.

- ▶ It is also possible to submit a more detailed complaint through the Reporting Tool in cases where there are multiple videos, comments or a user's entire account that may require further investigation.

Wikipedia

- ▶ Wikipedia deals with hate speech through its Policy on **Civility**, which is part of Wikipedia's Code of Conduct and one of Wikipedia's five pillars. The policy broadly describes the standards expected of users when interacting and sets out a series of suggestions to deal with "incivility".

- ▶ If all the more "soft" measures fail to halt uncivil behaviours, then editors are left with two options:
 - Referring to the **Dispute resolution noticeboard (DSN)**.
 - Bringing the matter before the attention of the **Administrators "Incidents" noticeboard**.
- ▶ At the very end of the spectrum of all the available options, Wikipedia in cases of major incivility, including personal attacks, harassment and hate speech prescribes the immediate blocking of the uncivil content and editor.

More detailed information in the full Training Manual available at: www.lighton-project.eu

SELF-REPORTING FORM

This form has been designed to report any incident of hate crime that has been directly experienced, witnessed or it is reported on behalf of someone else.

Reporting hate crime has a twofold importance:

- providing information on the hate crime incident will enable a better understanding on the phenomenon of hate crime within the community, and will allow the authorities/associations working in this field to highlight the main areas of concern and identify the main behavioural patterns.
- providing details on the victim/witness will contribute to the investigations and possibly to the arrest and/or prosecution of the perpetrator/s.

Even when the incident may seem minor to bother the authorities, it is always important to tell what happened!

ABOUT THE INCIDENT

Are you victim or witness?

- victim
- witness
- third party

What is, according to you, the motivation behind this incident?

- racism
- religion
- homophobia / transophobia
- gender
- domestic abuse
- disability
- Other (please specify)

WHERE did the incident happen?

▷ Physical place

Street Name/ Location

Town / City

▷ Online

Specify on which website/social network

DESCRIBE the incident with your own words, providing as much details as possible:

WHEN did it happen – what date / what time?

Were other people involved in the incident?

If the incident happened online, you can attach to this description any **useful material**, such as pictures, screenshots, address of website etc). Specify also how the content was delivered - direct email, text message, message on social network, material encountered on a website etc.

ABOUT THE VICTIM

Age

Gender

First Language

ABOUT THE OFFENDER

How many offenders were involved? (If you know them please provide names/addresses)

Please provide a description of the offenders (sex, age, ethnicity, clothing etc.) by highlighting any distinguishing marks or features about the person/s

Personal Details

Name:

Address:

Phone Number:

E-mail:

How would you prefer to be contacted?



unieri

United Nations
Interregional Crime and Justice
Research Institute



LIGHT ON is a project co-financed by the Fundamental Rights and
Citizenship Programme of the European Union