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HATE SPEECH IN THE DIGITAL ENVIRONMENT... **DIAGNOSIS AND POSSIBLE TREATMENTS**

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Digital Rights Project

A non-profit human rights window for SAM with the support of Internews, aims to introduce digital rights, and monitor digital violations against users of the digital space, where it works to advocate for the digital rights of Yemenis with the aim of reaching a safe, fair and free digital space. It allows for the submission of reports of digital violations, contributes to the documentation of violations through the window, and the formation of a database on digital violations. The window works through the publication of studies and research on digital activism, digital rights and digital security, and the planning and management of local and international advocacy campaigns.

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Introduction

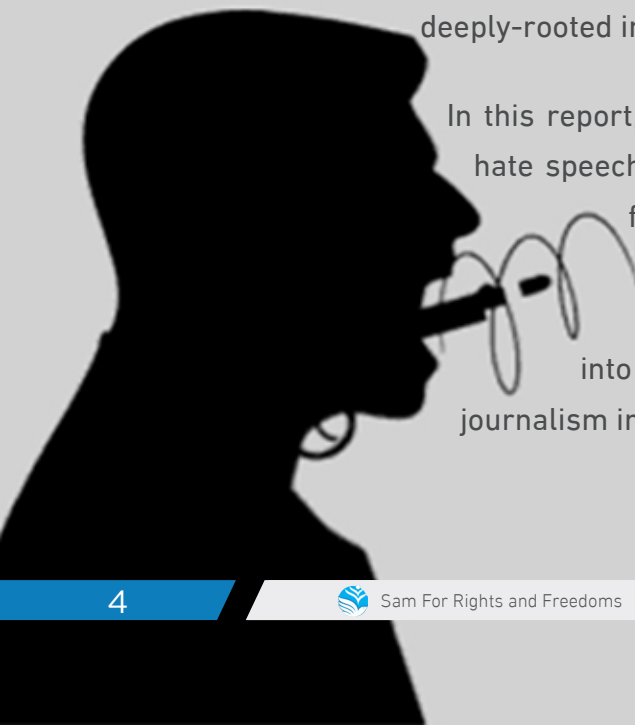
Yemenis have been through verbal fights on social media platforms and electronic arenas in general since 2011 until the present time; and as days pass, these fights are becoming increasingly fierce, to the extent that it becomes impossible to be controlled. The matter in many cases goes beyond the limits of exchanges and verbal insults, but it rather reaches speeches full with hate and fomenting which result in turn in horrible crimes and violent practices on the ground.

Hate speech is not the product of the current war. It is rooted in the collective conscience before the outbreak of the current war, as one of the structural factors of conflict between groups. However, the consequences and effects of hate speech at the present time are more destructive and dangerous than ever, given the role of social media platforms as a major contributor to amplifying and spreading hatred on very widely, as well as worsening social division and ideological fragmentation.

Here, we may refer to a reciprocal relationship between hate speech and war. At a time when the war produced hate speech, this hate speech led to the prolongation of the conflict, or at least contributed to aborting attempts to end the war, and this raises a hypothesis - if not a fact- that "hate speech" is at the same time a cause/ and a consequence of the conflict.

Moreover, the war produced new derogatory terms which had not existed before. It also contributed to bringing into use anew old terms and reinforced their circulation among the the conflicting parties and their supporters (individuals and media organizations) who use them to stigmatize the other with traits which deeply-rooted in negativity and hostility.

In this report, we will address the phenomenon of the spread of hate speech in the digital environment, the parties responsible for it, the repercussions of this hate speech, in addition possible measures to limit the spread of hate speech and mitigate its repercussions, taking into consideration the principles of conflict-sensitive journalism in preparing this report.



Conceptual framework

The United Nations Hate Speech Strategy and Plan of Action defines hate speech as... “any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor”

The strategy identifies three main features of hate speech as follows:

1. Hate speech can be conveyed through any form of expression, including images, cartoons, memes, objects, gestures and symbols and it can be disseminated offline or online.
2. Hate speech is “discriminatory” - biased, bigoted, intolerant - or “pejorative” - in other words, prejudiced, contemptuous or demeaning - of an individual or group
3. Hate speech makes reference to real, purported or imputed “identity factors” of an individual or a group in a broad sense: “religion, ethnicity, nationality, race, colour, descent, gender,”

legal framework

There is no article in Yemeni law that addresses/bans hate speech on the Internet, and deals with it specifically and explicitly. Still, there are general texts that dealt with hate speech in general, as Article 56 of the new draft constitution issued in January 2015 (which emerged from the outcomes of the National Dialogue Conference but was not implemented) states: “The state works to consolidate the values of brotherhood, tolerance, and coexistence, rejecting the culture of hatred and rejecting glorifying wars and sectarian fomenting. It criminalizes the blasphemy of Muslims, whether individuals or groups, as well as contempt and insult to the Islamic religion and all divine religions, and criminalizes insulting the prophets and messengers.”

In addition, Article (136) of Law No. (12) of 1994 AD regarding crimes and penalties stipulates the following: “Whoever spreads false or deceptive news, statements or rumors or any fomenting propaganda with the intent to disturb public security, or sowing terror among the people, or causing harm to the public interest shall be sentenced to imprisonment not exceeding three years ...” Article 194 further states: “A penalty of imprisonment not exceeding three years or a fine ... for whoever



publicly foment the contempt of a group of people or the preference of a group which would disturb the public security.”

Article (103) of Law No. (25) of 1990 on the press and publications stipulates that all those working in the printing, audio and visual press, in particular those responsible for radio and visual radio, and each of the newspaper owner, the responsible editor-in-chief, the owner of the printing press, publishing houses and journalists are obligated to refrain from printing and publishing, circulating and broadcasting all “what leads to fomenting to tribal, sectarian, racial, regional or dynastic strife and the spirit of discord and discrimination among members of society or their infidelity. In addition to “what leads to a breach of public morals and what affects the dignity of people and personal freedoms with the aim of people defamation as well as “fomenting to use violence and terrorism.”

Legal Counsel Dr. Saleh Al-Jahuri stated: “Although Yemeni legislation does not contain a special law for information crimes, especially (crimes committed on social media), the increase in the volume of these crimes committed via the Internet requires the application of the texts mentioned in the Yemeni penal code in force to deter the perpetrators of these crimes, but this does not mean abandoning the issuance of a special law to combat electronic publishing crimes, “ADEN HURA” website - August 2022.

On the part, lawyer Heba Aidarous told “Menasati 30” (February 2022): «Considering the reality, it became clear to us the extent of the widening gap between Yemeni criminal laws on the one hand and the development of crime on the other hand. Therefore, we need to make necessary amendments to the criminal law, both procedural and substantive, and to criminal legislation to combat information technology crimes so that the legislature and the judiciary can protect the rights and interests of citizens by legally defending their original rights guaranteed in accordance with Sharia and law.

Hate speech terms

Hate speech often arises from the “we versus them” conceptual framework, where individuals distinguish between the group they believe they belong to, or “the in-group”, from the “out-group”. Hate speech towards the out-groups is classified into three main categories in this analysis. The first, often associated with hate speech, involves the dehumanization and demonization of the out-group and its members. The second category moves from the conceptual to the materialistic dimension and includes fomenting to violence and even murder against the out-group. However, prior to these two more intense categories, out-groups are often exposed to different types of negative speech, referred to here as the early-warning category, in which an in-group (“we”) versus the out-group (“they”) dynamic is established, and a distinction to “Them” as a separate group with different ideas and beliefs, according to the Social Science Research Council (an independent international non-profit organization) - November 2020.

The war contributed to the spread of hate speech, and generated unfamiliar derogatory and pejorative terms, as well as reviving old terms and brought them back to the forefront of the conflict scene.

In this context, we have collected some of these terms used by the conflicting parties and their supporters against their opponents in a derogatory context, and some of them are used in a discriminatory and condescending context.

Term	Target
Mercenary / Agent / Traitor / ISIS / expiatory / Remnants of Al-Ahbash / Remnants of the Turks	Terms used by the Houthis against their opponents and opposers of their opinion and belief
Hashhashi (from Hashemite)/ dynasty supporter/ Rafidah (Shiites)/ Mutawarrid/ Majās / mare	Terms used by some against those belonging to the Hashemite dynasty, and used in a derogatory context
Al-aqial/ Hamyari/ Qahtani/	Terms used to distinguish Yemenis on the basis of their inherent belonging to the Yemeni land
Southern / Harkashi / Separatist / Jarabi / Emirates agent / Al-Lahouj	Terms used by some residents of the northern provinces against others from the southern provinces
Dahbashi/ Barghali/ Northern/ Zyoud	Terms used by the residents of the southern governorates against others from the northern governorates
Arabs of 48/ Doum Triangle/ Monkeys/ People of the village/ Saqaliba / Saqalib	Discriminatory terms used by some residents of the southern governorates against others within the southern geographical areas
People of the Plateau /Matla" people / Manzal people	Discriminatory terms on the basis of geographical affiliation, used by some residents of the northern governorates, against others of the same framework
/ Ekhwanji/ Ekhwanj/	Terms used by the «Reform Party» and sometimes used against those who are not part of the party
'Afashi/'Afafish/Danaq	Derogatory words used against supporters of former President Ali Abdullah Saleh
coal-hod / Akfi	It refers to tribes supporting the «Houthi group»

In a report by Al-Mushahid website (February 2022), the journalist Tawfiq Al-Jund cited examples of media “materials” - some of which included derogatory terms - describing them as regionally oriented and demonizing the other, which serve to stimulate conflicts and taking them from the controllable political level, to the broadest, most dangerous and also uncontrolled social level.

According to a survey prepared by Dkkh (a platform concerned with combating hate speech) in mid-August 2021, with the participation of 246 people, 75.6% of respondents reported that racist words are the most widespread forms of violence and hate speech, and 63.8% said that regional behavior and words are the most common forms of violence and hate speech, while 41.9% answered that insults are the most prominent manifestations and forms of violence and hate speech.

It is noteworthy that the PeaceTech Lab (an American institution that aims to reduce conflicts using technology) issued in February 2022 a “lexicon of hate speech terms” to understand the dynamics of the conflict in Yemen, in partnership with the “Peace Path Initiative” and the Development Transformations company (concerned with providing services in the international development sector).

Hate speech and freedom of expression

Speech that provokes sensitivities and promotes hate is often confused with speech that falls under “freedom of opinion and expression,” which makes it difficult to address hate speech. Moreover, governments justify their suppression of “opposing opinion” by considering it hate speech that threatens societal peace; and therefore, a distinction must be made between what constitutes hate speech and what falls within the context of freedom of expression.

Freedom of expression involves building knowledge through the exchange of ideas and opinions. Creating a space for open discussion and dialogue allows us to build an understanding of each other and realize the value of what we have in common and what sets us apart and makes us different from each other. At the same time, some use their right to freedom of expression to promote misinformation about a group and create mistrust and misunderstanding, which can lead to discrimination and violence. Unfortunately, this discourse

may gain great popularity. It usually provides simple explanations and solutions to complex problems; that is, it gives people an easy target to blame and fear. This discourse can also confer a sense of security and solidarity within a dominant group where feelings of common righteousness and hatred are reinforced, according to the “Challenge Hate Project, which is an article 19 project to challenge “hate speech”.

Mansour al-Qudsi, a professor of media at the University of Hodeidah, believes that there is a problem for Yemeni media professionals, in an interview with the “Khuyut” platform, as there is no differentiation between freedom of opinion and expression and hate speech that is defined by international laws. The opinion is to communicate the truth to the public, and an opinion can be expressed, but a journalist has no right to confuse the truth with his opinion and try to use it to foment in favor of one party against another, as is the case now in the media loyal to the conflicting parties.

In most democracies, hate speech is not considered a form of freedom of opinion and expression that is protected by laws nor does it take a specific form, which is direct and clear speech; rather, it may be through behavior, suggesting, writing or even pointing. We can differentiate between freedom of expression and opinion on the one hand and hate speech on the other by answering questions such as: What effects and actions can this speech have? Who is making this speech? What is its influence? Whom it affects? And what are the extents of its influence? according to a report prepared by researcher Balqis Alwan for The Yemeni American News - May 2022

Online hate speech is at the intersection of several tensions. It is an expression of conflict between different groups from within and across groups, and it is a vivid example of how transformative technologies such as the Internet can present both opportunities and challenges; it presupposes creating a complex balance between human rights and principles, including freedom of expression and the defense of human dignity, (UNESCO, 2015)



Social media and hate spread

The relative continuity of online content is a problem when hate speech can resurface and re-gain popularity over time. In such a context, understanding and monitoring the dynamics of hate speech across diverse online communities and platforms is a key to shaping new responses; however, efforts are often stymied due to the phenomenal scope and diversity of the phenomenon, the current technological limitations of automated monitoring systems and the opacity of online businesses, according to the United Nations.

Social media risks creating new hierarchies rooted in contradictions, and often creates isolation, with many users interacting mostly with like-minded people, exacerbating the polarization of event stories and societal divisions. It can also be a breeding ground for extremist views and hate speech (Peacebuilding Response Fund - September 2020). While “Facebook, YouTube, and Twitter have hired thousands of new moderators, or “News Feed Integration Data Specialists,” as Facebook calls them, to filter content they consider to be inconsistent with their standards, the moderators are inconsistent. This

discrepancy puts minority social media users at a disadvantage”
The Wharton School of the University of Pennsylvania - September 2018.

In addition, “a lack of local language expertise and cultural knowledge has made it difficult, if not impossible, to crack down on online sectarianism and other forms of harmful content targeting local vulnerable groups”; as an undated internal Facebook document – titled “Opportunities to making high-impact changes to the Arab system”—from not having people speaking Yemeni Arabic on the content moderation team even as the civil war escalated in that country.” In other documents, the company’s engineers discovered that more than three-quarters of Arabic-language content that was automatically removed from the platform for allegedly promoting terrorism was wrongly classified as harmful content, as Facebook’s first line of defense in its fight against hate speech is complex algorithms which automatically detect and remove harmful content, according to an investigation prepared by journalist “Mark Scott” for the American newspaper “Politico” as published in October 2021.

“The lack of direct engagement and efforts to avoid offline harms on the part of social media companies stems not only from the fact that they are often exempt from secondary liability in relation to the content they host, but also from the lack of a direct obligation to respect human rights. In international law, state actors are the only entities allowed to become parties to human rights treaties and thus subject to obligations, while social media companies are not constrained by the need to protect human rights, according to a study for the Internet Policy Review - June 2021.

Who is pouring fuel on the fire of hate?

According to the questionnaire prepared by “Dkkh Platform”, 71.5% of the participants stated that political parties are responsible for the increase and spread of hate speech, regionalism and social division, while 65% attributed the reason to the media, and 60.2% to social media. 53.3% reported that clerics are the reason behind the increase in the level of hate speech and regionalism, while 13% attributed the reason to the organizations operating in Yemen. Others answered that the family, culture, wrong upbringing, tribe culture and society are other factors responsible for the increase in hate speech and regionalism.

Mansour Al-Qudsi, professor of media at the University of Hodeidah, states that hate speech came due to the media's political and sectarian affiliations; and this hate speech has grown due to the ongoing conflict in the country, where the media was used as a tool to inflame the conflict by the conflicting parties to undermine each other in a terrifying way, Khuyut (Ibid)

According to the Media Freedoms Observatory report for the year 2021, “The Yemeni media has been directly affected by the war in Yemen, as its role has recently been characterized as provocative, inflammatory, and biased, with some simple examples whose performance was supportive of peace and coexistence. The Yemeni media has witnessed a state of polarization by the conflicting parties, where it often makes speech that foment hatred, treason, and the absence of different opinions. Many media outlets in Yemen are under the control of the conflicting parties, which makes them entrench themselves against each other according to the trend of events in the theaters of armed military operations. And with the increase in the frequency of armed conflict, the pace of the media discourse is also inflamed and fomented, as the media owned by

the conflicting parties have turned into means of mobilization and polarization, which contributes to prolonging the war and complicating the scene.

In an interview with the “Yemeni Institute for Media Freedom” (December 2021), writer and journalist Ali Al-Saqqaf accuses political parties of spreading a culture of hatred in society, pointing out that the media played a prominent role in fueling the civil conflict. Al-Saqqaf believes that the parties’ media machines practiced fomenting and provoking “blatantly to demonize their opponents,” considering that some of these partisan platforms “clearly called for the need to eradicate their political opponents from parties and individuals, under claims and slanders away from the truth.”

Dr. Samia Al-Aghbari, head of the Journalism Department at the Faculty of Mass Communication, Sana’a University, adds - to the same source – some examples of the environments of hatred and violence that the media is a reflection of, there is religious institutions “whose discourse support the use of violence and hatred of the other and confronting the other by force of arms through the pulpits of mosques,” in addition to the educational institutions “which establish a culture of violence and hatred, whether through its educational curricula or teaching methods;” while the most dangerous thing, in her opinion, is that the discourse of political and military leaders, parties and organizations is not devoid of a tone of violence and hatred towards the other. Even at the popular level, “hate speech and violence” is reflected in the media through its various means.

On his part, journalist “Taha Saleh” believes that “the war produced hate speech that did not exist before, as the war led to the division of the people, every penalty supports one of the parties, and social media has become a fertile environment for the spread of hatred and mutual fomenting among everyone. Everyday, social media pages are full of hate speech, and the state of political polarization is one of the main reasons for the spread of hate, as the media has become a specific trend with political goals; and these trends use hate speech to try to control specific groups and undermine other groups, Yemen Monitor, December 2020.

Consequences of hate speech

Hate speech played a pivotal role in deepening the division and creating a state of extreme disharmony between the conflicting parties in Yemen, in addition to leading to violence, fragmenting the social fabric, and prolonging the war.

Lawyer and political activist “Yasser Al-Maleki” in an interview with “Yemen Monitor” (December 2020) believes that “hate speech had a major role in bringing the Yemeni situation to this level of tension and the social division. If hate speech is not a cause of conflicts, it is the biggest factor contributing to fueling it and increasing its flame.” Al-Maliky continues: “This speech almost blinds the conflicting parties to listening to peace or sitting at the dialogue table. This is what fuels the parties with tension, lack of submission and increased fomenting, whether in the media or on communication platforms, and contributed to this congestion that we see, for example, in Taiz or the southern governorates, or between the political and social components.”

Researcher Belqis Alwan adds to “The Yemeni American News” (May 2022) that “hate speech can lead to negative emotional, mental and physical consequences, which may include low self-worth, anxiety, fear and even self-harm or suicide, but in the broader areas it leads to conflict. The danger of hate speech lies in its ability to mobilize its addressees against individuals or groups by exploiting the weaknesses and social precariousness that they often have, as well as its ability to transform false descriptions into certainties by distorting their reputation and defaming them.

According to the academic, “Al-Qudsi”, hate speech will eliminate groups and components, and regional fomenting will end to the lives of individuals and minorities, if the promoters of this speech are not prosecuted; therefore, - according to his speech - those responsible for fomenting must be held accountable so that Yemen situation will not become like many countries, like Rwanda for example where one million was killed because of hate speech adopted by the media. He adds: “The conflicting parties will reach a political settlement, but it will be difficult to convince the supporters of the conflicting parties who have been mobilized wrongly to accept the other, as the parties to the conflict - as Al-Qudsi asserts - will come them together with their interests according to a political settlement, while the members of society will be victims of the fomenting done by the media affiliated with these parties, Khuyut (Ibid).

Measures to combat hate speech

The Secretary of the Freedoms Committee of the Yemeni Journalists Syndicate Ashraf Al-Rifi, in an interview with "Mansa" - February 2022, believes that the moral responsibility of the media requires them to take into consideration the public interest of the country, and the essence of this interest is the peace in the light of which other interests are achieved. Al-Rifi added that the media should play an important role in building peace by directing a committed and professional discourse, searching for common ground between the different parties, focusing on humanitarian issues, and avoiding fomenting strife and widening the gaps of disagreements.

Based on the role of the media in establishing peace, specialists unanimously agree on the importance of including media policies within the agenda of the ongoing political negotiations in Yemen under international auspices, and that the efforts of the UN envoy to Yemen include urging the parties to rationalize the media discourse as a prelude to more general and comprehensive settlements, given that the word is the first bullet. In addition, the media scene in Yemen needs a code of honor to promote peace journalism and contribute to alleviating the intensity of the war raging in the country, according to a report by "Mansa" - February 2022.

Experts in the field of communication and media believe that there should be an observatory that specializes in monitoring all forms of hate speech promoted by the means of the conflicting parties, as there are international standards that must be respected and followed to control the media discourse to follow in these circumstances in Yemen; that is, the approach of peace



journalism instead of violence and hatred. It also requires the solidarity of society, civil society organizations, opinion leaders and cultural elites to confront hate speech, and to confront everything that provokes and nurtures violence and the fragmentation of the social fabric, Khuyut (Ibid).

Journalist Adel Abdel-Mughni, CEO of the Mansa Foundation for Media and Development Studies, stated: “The media, in these difficult circumstances, has a great task in establishing peace and laying its foundations. This starts with abandoning hate speech and fomenting, and substituting conflict-sensitive journalism in media coverage instead of ditching behind the conflicting parties...” Abdel-Mughni further asserts, in an interview with IJNet (on June 2021), the need to strengthen the presence of peace journalism to transform into curricula for students of media colleges and institutes in Yemeni universities, holding more consultative meetings and workshops for Yemeni media leaders, adopting ethical principles that criminalize hate speech, and adopting positive speech that search for possible solutions to bring peace instead of continuing to fuel conflict and violence, promoting the values of dialogue, coexistence and peace, and rejecting hate speech.

The Platform for Media, in partnership with UNESCO and the International Program for the Development of Communication (December 2019), issued a “Declaration on Confronting Hate Speech and Incitement to Hatred Violence.” The declaration was approved after consultative meetings and workshops which included leaders of a number of different Yemeni media and activists in social media in Sana’a and Aden. The declaration calls for a commitment to professionalism and ethics in journalistic work in all media engagements and the consolidation of the values of freedom, diversity and pluralism, in addition to avoiding offending any group of society, and avoiding everything that feeds and spreads a culture of hatred and violence, and rejecting all claims of bias, discrimination and intolerance.

Here, it can be stated that the existence of a law regulating cybercrime, in general, is an important step - with its caveats and fears - to mitigate the severity of violations taking place on the digital space, including “hate speech” and “incitement/fomenting.” In this regard, the lawyer Yasser Al-Maliky sees that the existence of a law governing abuse and misuse has become an urgent and persistent matter, taking into consideration individual and public freedoms from any attack on them during the establishment of the law, Minasati 30 (Ibid).

Conclusion

Bottom line, it has become evident that there is a close link between hate speech that is broadcast through cyberspace, and violence that is exercised on the ground, as much of the hostile and discriminatory behavior that target some groups/individuals was the result of accumulated grudges and hatred fueled by hate speech.

Hate speech represents a real threat to coexistence and social stability, which necessitates all actors, social groups and segments, media organizations, governmental authorities, individuals, and civil society among other actors to combat it by all means, based on the opinion that “the more we can undermine hate speech with friendly words, logical arguments, and telling the truth, the less the influence of hate speech becomes.”

As stated by the United Nations Secretary-General Antonio Guterres: “Hatred is a danger to everyone – and so fighting it must be a job for everyone.”



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