

The Haifa Center for German and European Studies

Hate Speech and Related Phenomena: Improving Law Enforcement in Social Networks

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Germany is currently witnessing a fundamental shift in public discourse on the internet, especially in social networks. These phenomena are often described with terms such as "fake news" and "hate speech". Propaganda and a massive increase in hate crime – if not suppressed and prosecuted effectively – may seriously threaten our peaceful society as well as our liberal, open and democratic way of life. The right to freedom of expression is a precious asset. It is the safeguard for open discussion in a lively democracy. However, freedom of expression ends at the point where criminal law begins. Criminally punishable hate speech, defamation and slander should have as little place in social networks as they do on our streets. Corporations that make huge profits with their platforms cannot continue to absolve themselves of their responsibility towards society.

In order to compel social networks to process complaints of hate crime and associated criminal content faster and more rigorously, the German Federal Government's "Act to Improve Enforcement of the Law in Social Networks" (*Netzwerkdurchsetzungsgesetz*, NetzDG) aims to introduce statutory compliance rules for social networks. The Act foresees a statutory reporting duty for social networks on how they handle complaints about hate crime and associated criminal content; it stipulates that social networks must have an effective complaints management system, and foresees a duty for social networks to name a person authorised to receive service in the Federal Republic of Germany. Violations of these duties are punishable with regulatory fines to be imposed on the companies and individual managers. Furthermore, the Act allows victims of infringements of personality rights on the Internet to receive subscriber data on the infringer from service providers on the basis of a court order.

Thursday, June 15th, 2017

14:30 – 16:00

Room 101 (Auditorium), 1st floor, Student Building

The lecture will be held in English and will be open to the public