

On-line hatespeech in Slovenia

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Penal Code of the Republic of Slovenia

Inciting hatred, strife or intolerance based on
violation of the principle of equality

Article 300

- (1) Whoever provokes or stirs up ethnic, racial or religious hatred, strife or intolerance or disseminates ideas on the supremacy of one race over another, assists in racist activities or denies, reduces the significance of, approves of or advocates genocide shall be sentenced to imprisonment for not more than two years.
- (2) If the offence under the preceding paragraph has been committed by coercion, maltreatment, endangering of security, desecration of national, ethnic or religious symbols damaging of the movable property of another, desecration of monuments or memorial stones or graves, the perpetrator shall be sentenced to imprisonment for not more than five years.
- (3) Material and objects bearing messages from the first paragraph of this Article, and all devices intended for their manufacture, multiplication and distribution, shall be confiscated or their use disabled in an appropriate manner.

Hate speech on the internet

- Unfortunately very expanded in on-line forums. It could be easy found, sometimes even by nicknames (for instance "hitlerjugend", "slo-nacist", etc.).
- The problem of on-line hatespeech has been fully presented by study of Roman Kuhar in 2003 titled "UGH, FILTHY FAGOTS (Homophobic discourse about undefined human degenerates)".
- There are some unmoderated webpages provoking hatespeech with refering to (unlimited) freedom of speech. Ombudsman warned about them in september in 2005.

Hate speech on the internet

- Blood & Honour Slovenia website, online probalby from 2001.
- It is supposed to be neonazi or. skinhead website, but publicly they do have almost no offending material.
- The reason could be they have been banned on several hosting servers and also publicly critized by media.
- Information are presented in a hidden way, e.g. they are inviting to a concert of group J. M. from Slovakia in public undisclosed location, which stands for Juden Mord (for competents).
- Probably they have more explicit information on-line for verified members.

Criminalisation of hate speech on the internet in Slovenia

- First case of criminalisation of on-line hate speech in Slovenia.
- In June 2004, someone calls to violence against Roma people and crying for “new Hitler”.
- In the december of 2005 one of the members of the discussion was found guilty for offending Article 300 and 171 of Penal Code and the other was tried on a court.

Good practices

- Owners of forums must take care of their forums.
- On-line forum is not just a computer code, it is on-line community.
- Moderated on-line forums.
- Qualified and responsive moderators.
- Always seeking for a good balance: freedom of speech vs. hate speech.
- Warning, guiding, preventing, removing the roots of hate speech - not just punishment.