



General Assembly

Distr.: General
22 April 2025

Original: English

Human Rights Council

Fifty-ninth session

16 June–11 July 2025

Agenda items 2 and 3

Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development

Intersessional meeting to mark the seventy-fifth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide

Report of the Office of the United Nations High Commissioner for Human Rights

Summary

The present report, submitted pursuant to Human Rights Council resolution 49/9, contains a summary of the proceedings of the intersessional meeting, held on 4 December 2023, to mark the seventy-fifth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide. The panel discussion was focused on the role of social media platforms and their instrumentalization by those seeking to spread hate leading to real-world discrimination and violence.



I. Introduction

1. Pursuant to its resolution 49/9, the Human Rights Council held, on 4 December 2023, an intersessional meeting to mark the seventy-fifth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide.
2. The meeting was organized in three sessions and chaired by the President of the Human Rights Council, Václav Bálek. An opening statement was delivered by the United Nations High Commissioner for Human Rights, Volker Türk. A second opening statement was delivered by the Minister of Foreign Affairs of Armenia, Ararat Mirzoyan. The last opening statement was delivered by the Special Adviser to the Secretary-General on the Prevention of Genocide, Alice Wairimu Nderitu.
3. The panellists for the first session were the Director of the Thematic Engagement, Special Procedures and Right to Development Division of the Office of the United Nations High Commissioner for Human Rights, Peggy Hicks; a member of the Committee on the Elimination of Racial Discrimination, Mehrdad Payandeh; and Senior Political Affairs Officer, at the office of the Special Adviser to the Secretary-General on the Prevention of Genocide, Simona Cruciani.
4. The panellists for the second session were the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Fabián Salvioli; former Prosecutor of the International Criminal Court, Luis Moreno Ocampo; the Chief of the Human Rights Treaties Branch of the Office of the United Nations High Commissioner for Human Rights, Ibrahim Salama; and the Executive Director of the Rohingya Maýafuñor Collaborative Network, Yasmin Ullah.
5. The panellists for the third session were the founder of the Digital Rights Foundation and member of the Meta Oversight Board, Nighat Dad; Senior Human Rights Officer, at the Office of the United Nations High Commissioner for Human Rights, Scott Campbell; Human Rights Officer, at the office of the Special Adviser to the Secretary-General on the Prevention of Genocide, Maria Westergren; and Executive Director of Access Now, Brett Solomon.

II. Opening remarks and statements

6. In his introductory remarks, the President of the Human Rights Council recalled that the panel discussion was being held pursuant to Council resolution 49/9. In that resolution, the Council had requested that an intersessional meeting be held before its fifty-sixth session to discuss the role of social media platforms and their instrumentalization by those seeking to spread hate leading to real-world discrimination and violence.
7. In his opening remarks, the United Nations High Commissioner for Human Rights recalled that the Convention on the Prevention and Punishment of the Crime of Genocide was the inaugural United Nations human rights treaty, adopted on the eve of the adoption of the Universal Declaration of Human Rights. Seventy-five years later, the two documents remained intertwined as foundational elements for the advancement of human rights. The lessons of Cambodia, Rwanda, the former Yugoslavia and others had made it abundantly clear that preventing genocide and bringing its perpetrators to account was essential.
8. The High Commissioner stressed that genocide was always preceded by identifiable and targeted systems of discrimination based on race, ethnicity, religion or other immutable characteristics. Such systemic targeting was often carried out by popular or authoritative figures who dehumanized specific communities. The amplification of the comments of such figures through social media information campaigns tended to normalize violence, discrimination and hostility against those communities, which might ultimately culminate in genocide. Preventive measures were therefore of the utmost importance, but punishment remained essential. Accountability for genocide began with effective, prompt, thorough and impartial investigations and subsequent prosecutions. Accountability might also include non-judicial measures, such as truth-telling, acknowledgement, memorialization, education and reparations.

9. In his opening remarks, the Minister of Foreign Affairs of Armenia, Ararat Mirzoyan, underscored that Human Rights Council resolutions on genocide enjoyed wide cross-regional support and consensus. That reflected an international agreement on the importance of preventing genocide through the protection of human rights and of ethnic, religious, racial and national groups. The world was a perilous place for numerous ethnic and religious groups, because the intention to eradicate them had been demonstrated on a global scale. Misinformation on social media platforms had the potential to spread prejudice, xenophobia, intolerance, negative stereotyping and stigmatization with the aim of dehumanizing those groups.

10. Mr. Mirzoyan noted that numerous mass atrocities could have been averted if early warning signals had been identified. More than 100,000 refugees had been uprooted from their ancestral territory in Nagorno-Karabakh and were now seeking shelter in Armenia. The future of humanity must be devoid of intolerance, racism, hatred and xenophobia.

11. In her opening remarks, the Special Adviser to the Secretary-General on the Prevention of Genocide, Alice Wairimu Nderitu, noted that new technologies played a significant role in the dissemination of hate speech and incitement to violence that could result in genocide. The instrumentalization of hate speech, of discrimination and of “othering” was not a novel concept. Such instrumentalization had preceded the Holocaust, the genocide in Rwanda against the Tutsi people, the genocide in Srebrenica in Bosnia and Herzegovina, and numerous other instances of serious human rights violations that could be considered genocide. Social media platforms and new technologies currently facilitated the proliferation and amplification of hate speech at unprecedented rates.

12. Ms. Nderitu listed United Nations efforts for the prevention of genocide, first recalling how the independent international fact-finding mission on Myanmar had documented hate speech posted on social media and other online platforms that had led to gross human rights violations in Myanmar. The Secretary-General had launched the United Nations Strategy and Plan of Action on Hate Speech in 2019, in which he had prioritized addressing and countering the root causes and impacts of hate speech. The strategy and plan of action had given rise to a policy paper and guide for policymakers and practitioners on how to address online hate speech.

III. Use of social media platforms to amplify hate speech that could lead to genocide

A. Presentations by the panellists

13. In her presentation, Ms. Hicks indicated that social media had initially been praised as a tool that could revolutionize advocacy by uniting people worldwide and shedding light on human rights abuses in the most remote regions. Currently, however, it was also used by political leaders and public figures to undermine democracy, spread disinformation and foster hatred. The current state of social media was characterized by a high volume of offensive content. It was the responsibility of the international community to identify the online platforms that were responsible for the dissemination of hate speech that could result in genocide, to comprehend the issue and to understand how to address it.

14. Ms. Hicks highlighted a report published by the European Union Agency for Fundamental Rights in 2023, in which the Agency had comprehensively examined four social media platforms in four countries and determined that they contained a high volume of misogynistic and racist content. Although social media merely reflected the world around us, the attention they received was well deserved for two reasons: the reach and speed of such media. Reach referred to the fact that social media allowed even local content to have global impact. In terms of speed, the “metabolism” of social media allowed for thousands of clicks to occur in minutes, each one offering the possibility of redistribution and spread.

15. Ms. Hicks indicated that the United Nations had important tools in place to address online hate speech. Governments and companies across the globe used the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes

incitement to discrimination, hostility or violence, including the six-part threshold test outlined therein to identify incitement to discrimination, hostility and violence.

16. Ms. Hicks underlined the importance of not being drawn into false trade-offs when addressing hate speech online. Although some might argue that it was not possible to protect freedom of expression while effectively addressing hate speech, those were complementary aims. Protecting freedom of expression was the most effective way to create a trusted and safe online environment. A binary approach, focused simply on taking down or leaving up content, must be avoided. Evidence showed that increased restrictions and suppression of speech tended to increase mistrust in institutions, which then increased the scope for abuse and polarization. For that reason, a broader range of options for dealing with difficult content, such as de-amplifying harmful content or placing it under warning labels, must be explored and used.

17. Ms. Hicks underscored that responsibility for harmful content on social media platforms fell not only on social media companies but also on governments and end users. Some companies were more responsible than others, agreeing to transparency evaluations and publishing transparency reports, while others had said that they would not moderate content in accordance with international standards. Those who were trained in content moderation must be incentivized to do more, not less. The companies taking positive steps must be recognized, and those who were pushing back must be called out. Researchers needed access to application programming interfaces to be able to figure out what was happening on platforms and how to best address it. Unfortunately, companies were pulling back from that type of cooperation.

18. Ms. Hicks noted that although transparency reports were helpful, they were not enough, because information on challenges and responses was needed in real time. If a transparency report was sent several months after violations had occurred, it did not allow for a reaction in real time. Companies must improve how they addressed contextual and language-specific responses, as evidenced by a study commissioned by one of the large social media companies, which had found that the company had failed to treat Arabic- and Hebrew-language content equally when moderating content relating to Palestine. As hard as contextual and language challenges were for humans to address, automated systems were even less effective at addressing them.

19. Ms. Hicks indicated that States bore the primary responsibility for placing effective guardrails on actions by social media companies, including by requiring them to take steps towards greater transparency and accountability. State regulation, if done precipitously or poorly, could easily consolidate undemocratic and discriminatory approaches that limited free speech, suppressed dissent and undermined a variety of other rights.

20. Mr. Payandeh began by highlighting the interlinkage between racist hate speech and incitement to racial hatred and violence that could lead to mass atrocities, including genocide. Social media platforms could amplify hate speech and contribute to national, ethnic, racial or religious polarization. The characteristics of social media, as compared to traditional media, led to a potential diffusion of responsibility. Responsibility for the spread of hate speech over traditional media implicated the person uttering the speech act, the media company broadcasting it and the State authority failing to regulate or react properly. With social media, the question of responsibility became more complicated, because hate speech was often disseminated through fake accounts.

21. Mr. Payandeh mentioned that algorithms could perpetuate existing racial bias and reinforce structures of inequality and discrimination. The focus on algorithms, however, should not lead to the misconception that the regulation of hate speech on social media was primarily a technological challenge. It remained a human decision and therefore the responsibility for content still lay with individuals and institutions that disseminated hate speech. Algorithms might still be beneficial, because they could contribute to effectively countering negative stereotypes and misleading narratives on social media.

22. Ms. Cruciani began by underscoring the connection between hate speech and genocide, as seen in many situations, including in Bosnia and Herzegovina and in Rwanda. While not all hate speech was the same, speech that led to the incitement of violence, hostilities or discrimination should always be prohibited or restricted in accordance with

article 20 of the International Covenant on Civil and Political Rights. Even hate speech that would be considered protected by the right to freedom of expression could still be dangerous owing to its potential to evolve into more lethal forms of hate speech that could result in offline violence or even genocide.

23. Ms. Cruciani noted that speech involving genocide denial was considered an indicator of the risk of future genocides. Denial of genocide transformed perpetrators and war criminals into heroes and sowed fear, mistrust and hatred. That form of speech divided communities and States and hindered the ability to heal and demonstrate empathy. It also called into question judicial decisions that had been made, thereby undermining justice. That directly opposed the best interest of societies that had experienced genocide and atrocity crimes.

24. Ms. Cruciani indicated that greater investment was needed for proactive strategies to promote education about genocide and related atrocity crimes and about the hazards of denial and distortion online. Genocide denial and distortion could cause revictimization, could lead to historical patterns of discrimination and negative stereotypes being repeated and could incite hostility and violence against communities that had lived through genocide. It was crucial for social media companies and online platforms to adopt the United Nations definition of hate speech. They must also adopt community guidelines on comprehensively recognizing and removing online content that denied or distorted the history of genocide and related atrocity crimes. When moderating content, social media companies must also consult a diverse range of stakeholders, such as civil society organizations and community representatives who had experienced atrocity crimes.

B. Discussion

25. During the interactive part of the panel discussion, the following delegations spoke: Pakistan (on behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation), Costa Rica (also on behalf of the Group of Friends of the Responsibility to Protect), Iraq, the United States of America, Israel, the State of Palestine, the United Kingdom of Great Britain and Northern Ireland, Qatar, Denmark, Ukraine, Türkiye, the Islamic Republic of Iran, Armenia, China, Brazil and the Bolivarian Republic of Venezuela.

26. The following non-governmental organizations took the floor: Independent Commission for Human Rights, United Nations Watch, Meezaan Center for Human Rights, World Jewish Congress, Centre for Global Nonkilling, International Service for Human Rights and Association Ma'onah for Human Rights and Immigration.

27. Several delegates from States, representing a range of legal systems, traditions, cultures and religions, expressed their agreement that social media platforms represented new and augmented avenues for increases in hate speech and dehumanization. Delegates agreed that it was evident that genocides had been preceded by campaigns of hate speech, ideas of racial superiority and the marginalization of the target communities, and that those patterns had served as precursors to genocide. Delegates agreed that it was the responsibility of each individual State to safeguard its population from genocide.

28. Two delegates stressed that the monitoring of hate speech and incitement to violence needed to be stronger, and that prevention tools should be better implemented to prohibit atrocity crimes and reduce the misuse of online speech. Delegates expressed concern that the propagation of hate speech had become increasingly common on social media platforms.

29. A majority of delegates who took the floor considered that better international cooperation on the moderation of online speech was needed. They stressed that it was of global importance to promote online and offline equality for all and concurred that the promotion of truth, justice and accountability was critical to prevent the commission of genocide. They agreed that more global efforts were needed to ensure that social media was used as a key component in the promotion of human rights.

30. Many delegates expressed disappointment about the role of social media in promoting and spreading misinformation and hateful content about parties to a conflict. They agreed that it was imperative to remain dedicated to the prevention of genocide and other atrocities,

since violence always ensued when hatred was left unfettered. Delegates agreed that all mass murders in history had been initiated by discrimination, hate speech and the dehumanization of specific groups, such as when the Tutsis in Rwanda had been compared to cockroaches, the Jews in Germany to rodents and parasites and the Rohingya in Myanmar to fleas, thorns and invasive species. Some delegates commended certain online platforms for having already taken action to address hate speech and similar concerns.

31. Many delegates who took the floor expressed concern about the use by Israel of social media to propagate hate, incitement, discrimination, misinformation, deepfakes, censorship, harassment and shadow-banning, which contributed to violence, hostility and genocide against the Palestinian people in Gaza. Other delegates shared their concerns that social media was being used to promote antisemitism and the eradication of Jews and Israel.

32. Several delegates acknowledged that the right to freedom of expression should not be unduly restricted by efforts to monitor hate speech.

33. Ms. Cruciani responded by stating that the United Nations aimed to combat hate speech with the United Nations Strategy and Plan of Action on Hate Speech, which included a directive on how to combat hate speech and incitement to political or civic violence. The tool served as a guideline for stakeholders, identifying discourse that amounted to hate speech and the moment at which hate speech constituted incitement. The United Nations also combated hate speech through its Working Group on Hate Speech, comprising 17 United Nations entities mandated with examining the underlying causes of hate speech and its effects on society and with formulating pertinent recommendations for engaging with information technology and social media companies.

34. Mr. Payandeh replied by highlighting general recommendation No. 35 (2013) on combating racist hate speech, of the Committee on the Elimination of Racial Discrimination, and the same Committee's general recommendation number No. 36 (2020) on preventing and combating racial profiling by law enforcement officials, which included a discussion of algorithms and artificial intelligence. In those general recommendations, the Committee had highlighted measures to be taken, including with regard to transparency, oversight, evaluation of the human rights impact of algorithms and regulation of social media by States on a regional and international scale. The Committee had also emphasized the importance of ensuring that laws were not implemented against specific marginalized communities to suppress their freedom of opinion.

35. In her response, Ms. Hicks indicated that the increasing trend towards human rights due diligence had a significant impact on companies' obligations to safeguard against online hate speech. The voices of political leaders must be closely monitored to ensure they were not amplifying harmful content. Content moderation efforts must incorporate the perspectives of those who were most directly affected by harmful content, such as women, members of minority groups, victims of racial discrimination and marginalized groups. Collaboration between the United Nations and stakeholders should also increase, utilizing the human rights framework and the Rabat Plan of Action to address hate speech on social media.

IV. State obligations with regard to preventing direct and public incitement to genocide in the digital space

A. Presentations of the panellists

36. Mr. Salvioli began by reiterating State obligations with regard to preventing incitement to genocide and the importance of establishing processes and mechanisms to ensure accountability and promote peace online and offline. He stated that it was imperative to adhere to international standards of truth, justice, reparation and guarantees of non-repetition and memory, as outlined in the report submitted to the Human Rights Council

in 2023 by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.¹

37. Mr. Salvioli emphasized that genocide must be investigated and documented, and its perpetrators brought to justice. States must try to punish those who committed genocide with sentences that reflected the severity of their offences. Public apologies must also be offered to victims and their families, along with rehabilitation and compensation. Institutional measures to prevent genocide were directly and profoundly related to memorialization and non-repetition.

38. Mr. Salvioli underscored that the absence of adequate punishment for the crime of genocide sent the message that that most egregious crime was tolerable, thereby denying justice and leading to impunity. Institutional and legal frameworks should be revised and suitable vetting procedures and legislation should be implemented to guarantee that domestic law was consistent with international obligations.

39. Mr. Salvioli indicated that new technologies should not be used in a way that propagated hate speech or concealed it under the guise of freedom of expression. History demonstrated that in an environment devoid of discrimination, crimes against humanity would never flourish. The early introduction of human rights education as a subject in schools could serve as a means of fostering a human rights culture and societal mindset in which hate speech and discrimination were marginalized and rejected by society.

40. In his presentation, Mr. Ocampo asserted that preventing direct and public incitement to genocide in the digital space was as much the responsibility of the State as it was of social media companies. More needed to be done to improve States' oversight of online hate speech and its relation to genocide. There was often a refusal by States to acknowledge genocide in progress or the risk of genocide when it had been brought to their attention, as evidenced by the minimization of atrocities in Rwanda by the Security Council in 1994.

41. Mr. Ocampo also suggested that the United Nations amend its position insisting that a decision from the International Court of Justice or the International Criminal Court was required to classify a situation as genocide. The requirement was necessary for the purposes of punishment, but it did not take into account the necessity of prevention. As a result, the capacity to implement preventive measures was affected by the delay in receiving the decisions from the courts, and personnel were unable to take any definitive action to prevent genocide, even if there were obvious risks.

42. Mr. Ocampo underlined that in its 2007 judgment in the case entitled *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, the International Court of Justice had declared that the obligation to prevent and act arose when a State became aware of or should have reasonably become aware of the existence of a serious risk that genocide would occur. That implied that the obligation to prevent did not arise only when genocidal acts were being committed, but rather when existing information satisfied the threshold of reasonable grounds to believe that a genocide would be committed. Once that standard of proof was met, criminal investigations as a means of prevention should be initiated.

43. Mr. Ocampo maintained that warnings on social media might meet the requisite standard of proof to satisfy that a country had sufficiently learned of a serious risk of genocide. That in turn was sufficient to trigger preventative or deterrent actions by States. States must implement prevention in accordance with the findings of the International Court of Justice in its 2007 judgment in the case brought by Bosnia and Herzegovina against Serbia and Montenegro.

44. Mr. Salama began his contribution by highlighting three primary challenges to the enforcement of State obligations. The first was the question of how to define incitement to violence in a way that guaranteed the utmost respect for freedom of expression. The second, how to manage non-State actors and influence them to take legal responsibility for their conduct, communication and engagement. The third challenge was how to enforce State

¹ See [A/HRC/54/24](#).

obligations within the technically complex digital space, where social media could rapidly inflame and escalate situations.

45. Mr. Salama highlighted some remedies contained in the Rabat Plan of Action, including the threshold test for distinguishing between incitement to violence and legitimate freedom of expression. Audiovisual authorities in certain countries, the European Court of Human Rights and the Meta Oversight Board employed that threshold to differentiate between freedom of expression and censorship.

46. In her presentation, Ms. Ullah referred to a social media post made by the office of the United Nations High Commissioner for Refugees in Indonesia discussing sustainable solutions to the Rohingya genocide. On the post, there were approximately 80 likes in support and about 1,500 comments by purported nationals of Indonesia expressing their opposition to the Rohingya presence in Indonesia. It was observed that certain accounts had been created mere hours prior to the posting of the comments, seemingly for the purposes of anonymously conveying extreme opinions about the supposed unruliness, problematic nature and lack of civility of the Rohingya. The identical sentiment had been disseminated throughout Myanmar, illustrating that genocidal action was inextricably linked to genocidal culture.

47. Ms. Ullah recalled that Senior General Min Aung Hlaing of Myanmar had incited the Rohingya genocide through Facebook, in post in which he had blamed the previous Government for the protracted situation of the Rohingya and Bengali in Myanmar, and stating that his new Government would take great care to resolve the issue. Amnesty International emphasized that Facebook had been aware of the algorithmic damage against the Rohingya as early as 2011, as it had been documented in numerous internal studies; however, the risks for human rights that the damage posed were not promptly addressed. On the contrary, the Facebook algorithm emphasized content that expressed animosity toward the Rohingya. Owing to the lack of human rights protection in the conflict, the State – Myanmar – had been able to use social media as a weapon to perpetuate violence.

48. Ms. Ullah stated that it would be essential to maintain States' involvement and cooperation in the execution and implementation of measures to prevent and address mass atrocities, since genocidal culture was invariably replicated in other countries. In Bangladesh, Indonesia, Malaysia and Thailand, the Rohingya are perceived as national security threats in part owing to hate campaigns. States must refer to Human Rights Council resolution 16/18 and take action to prevent intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons based on their religion or belief.

B. Discussion

49. During the interactive part of the panel discussion, the following delegations spoke: Libya (also on behalf of the Arab Group), Ukraine, Greece, the Russian Federation, Armenia, Iraq, the State of Palestine, Denmark, Algeria, Azerbaijan, Jordan, Tunisia and the Islamic Republic of Iran.

50. The following non-governmental organizations also took the floor: International Service for Human Rights, Association Ma'onah for Human Rights and Immigration, Al-Haq, Law in the Service of Man and Center for Global Nonkilling.

51. Many delegates expressed deep concern that the misuse of social media platforms in the Israel–Palestine conflict, mostly by Israel, had exacerbated hate speech and contributed to polarization. Many delegates agreed that it was the primary responsibility of States to guarantee that international human rights norms and standards were implemented in the digital realm to prevent the dissemination of harmful ideas. Many delegates conveyed disappointment at how falsehoods had been used to dehumanize Palestinians online and justify the commission of atrocity crimes.

52. Several delegates noted that the Government of Israel had silenced the voices of Palestinians online through digital repression, which included disinformation, censorship, online harassment, doxing and shadow-banning. Several delegates called for a ceasefire and judicial measures to prevent atrocity crimes and to provide guarantees of non-repetition.

53. Some delegates noted that misinformation could be generated, disseminated and amplified using digital technology. They urged States to refrain from conducting or sponsoring disinformation campaigns for political or other purposes, either domestically or internationally. One delegate highlighted that the Russian Federation had continuously used modern technology and disinformation as a lethal weapon against Ukraine to publicly plan a war of aggression, incite genocide and deny the right of Ukraine to exist as a nation. One delegate called upon the Office on Genocide Prevention and the Responsibility to Protect to address the digital dimension of prevention in the revision of the Framework of Analysis for Atrocity Crimes.

54. Some delegates acknowledged the potential for new technologies to serve as an amplifier for the dissemination of hate, including the denial of genocides such as the Holocaust, raising serious concerns about the future of the digital era. The role of artificial intelligence and synthetic media, along with their potential risks and advancements, remained uncertain. It was the collective responsibility of States to act decisively and clarify their obligations to prevent incitement to genocide in the digital space in a manner that respected the right to free speech and expression.

55. One delegate referenced the Yerevan Declaration of Joint Action, adopted in December 2022 at the fourth Global Forum Against the Crime of Genocide, to emphasize that effective genocide prevention was contingent upon the strengthening of early warning mechanisms, the preservation of historical memory, the right to truth and the assurance of accountability. There was a need for the establishment of new human rights, specifically online rights.

56. Several delegates observed that more States needed to adopt and ratify the Genocide Convention. They also urged those States which have already ratified the Convention to comply with their obligations thereunder and endeavour to prevent any form of incitement to genocide. Several delegates also implored States to take the measures necessary to combat any conduct, whether offline or online, that could lead to genocide.

57. Mr. Salvioli responded by stressing that the international community must incorporate the Genocide Convention and the Rome Statute of the International Criminal Court into their domestic laws. States were required to eliminate any double standards in their actions with regard to preventing and punishing genocide and other atrocities, regardless of the individuals who committed the infractions.

V. Role of social media platforms in responding to content that incites violence and discrimination

A. Presentations of the panellists

58. In her presentation, Ms. Dad underscored that in numerous regions across the globe, human rights abuses and atrocities continued to occur, especially against Indigenous populations and minority groups. In regions that had been the subject of systemic repression and genocide, the impact of social media was exacerbated by the growing global influence of such media. The 2019 peoples under threat index served as an illustration of the prevalence of social media's role in inciting violence. Hate was being intensified at an unprecedented rate by media generated through artificial intelligence and by deepfakes.

59. Ms. Dad indicated that social media companies had not done enough to adequately recognize their role in the promotion of violence and divisions in unstable and conflict-prone regions. However, they had also played a positive role in disseminating valuable information, providing public services and monitoring military and insurgent movements, as demonstrated in Facebook groups during the Libyan civil war.

60. Ms. Dad noted that social media companies faced complex tasks when moderating content. They must balance compliance with national laws and uphold international human rights standards while maintaining their commitment to freedom of expression for their users. More social media platforms should implement oversight boards and apply contextual

approaches to resolve cases where content matter was in dispute. Linguistics were equally important to consider when moderating content, because slang or expressions could be detrimental in a particular context while remaining inconsequential in another. Social media companies must also monitor for overenforcement and underenforcement of content policies, particularly when enforcement policies might have specific biases against content published in a specific language or within a specific region.

61. In his presentation, Mr. Campbell underscored that social media had played positive and negative roles in society. Social media companies had a significant responsibility to respond appropriately to content that incited violence and discrimination. They must review their policies and make them compliant with the Guiding Principles on Business and Human Rights. Businesses were required to respect human rights, refrain from causing or contributing to adverse human rights impacts through their activities and resolve any adverse impacts in which they were involved.

62. Mr. Campbell indicated that social media companies should strive to gain a profound understanding of the threshold of incitement and familiarize themselves with the Rabat Plan of Action and the six-part test outlined therein. It was imperative for social media organizations to take all appropriate measures to guarantee that their policies, operations, notice procedures and remedies were understood by all parties and implemented consistently in all regions of the globe. That included transparency on their approach to content curation, use of artificial intelligence and practices regarding data-sharing with States and external parties.

63. Ms. Westergren began her presentation by stating that in 2023, the office of the Special Adviser to the Secretary-General on the Prevention of Genocide, in collaboration with the Human Rights, Big Data and Technology Project of the University of Essex, released a policy paper entitled “Countering and addressing online hate speech: a guide for policy makers and practitioners”. The paper contained several key recommendations, including on the need to guarantee that the business model, content, moderation and policies of technology and social media companies were guided by human rights standards. Another recommendation in the paper underlined the need for increased investment by social media companies to combat online hate speech in all languages in which their platforms could be used. The investment should be rooted in a comprehensive understanding of local contexts, and increased attention should be paid to the perspectives and voices of the communities that were targets of hate speech. In addition, it should include the implementation of policies and tools to address situations of heightened concern regarding incitement to violence or genocide. Such measures included de-amplification, user warnings, the promotion of alternative and positive narratives and the implementation of digital literacy and other awareness-raising programmes. The measures should be transparent and consistent with human rights law, and include specific indicators for the risk of genocide and how such indicators manifested online, including their potential to lead to real-world violence.

64. Mr. Solomon began his presentation by emphasizing that social media companies had a significant responsibility to prevent and mitigate human rights injuries that resulted from the use of their platforms. Technological and social media companies had been urged to improve human rights because social media had, while prioritizing excessive profits, played a role in the global dissemination of content that encouraged genocide, discrimination and violence. Social media companies should use their profits to allocate resources towards their most vulnerable users in Ethiopia, India, Myanmar, the Sudan, the State of Palestine and other areas to facilitate the development of an urgent response matrix in advance of a conflict or genocide, thereby avoiding the necessity of assembling one during a crisis.

65. Mr. Solomon added that it was also important for social media companies to establish internal teams comprising persons who possessed strong language skills and local and regional expertise, given that hate speech and online conflicts often occurred in languages that most social media companies were unfamiliar with. That would better support the prevention of genocide and other atrocity crimes and would be an improvement over the use, with insufficient human oversight, of context-blind automated tools and stop-gap solutions that yielded calamitous results.

66. Mr. Solomon urged social media organizations to comprehend the life cycle of conflict and hatred. Access Now, with other organizations, had published a declaration of principles for content and platform governance in times of crisis. The declaration included recommendations with respect to, among other things, monitoring early warning systems for impending conflicts and ensuring that there were proper processes for the removal of content and appeal mechanisms to evaluate whether content had been incorrectly removed. Social media could also be employed for the purpose of peacebuilding and political participation, which could de-escalate conflict and prioritize communities. It was important to recognize that States were typically the actors that perpetuated hate speech, and that States should not restrict lawful speech to exert their own political control online.

B. Discussion

67. During the interactive part of the panel discussion, the following delegations spoke: Germany, France, Ukraine, Armenia, Switzerland, Türkiye and Azerbaijan.

68. One regional intergovernmental organization, the European Union, took the floor. The following non-governmental organizations also took the floor: World Jewish Congress, Al-Haq, Law in the Service of Man, International Service for Human Rights and Meezaan Centre for Human Rights.

69. One delegate, speaking on behalf of 27 States, asserted that States were obliged to prevent and punish genocide and must respond resolutely whenever warning signs were present. Technological companies must also intensify their efforts in that area, as they were essential in the establishment of a digital sphere that was based on human rights. Efforts to combat hate speech could not serve as an excuse for excessive restrictions on the right to freedom of expression. Many delegates aligned themselves with that statement.

70. One delegate suggested that since cyberspace had become the new global agora, there needed to be a global digital order that would bring together stakeholders, States, academics, non-governmental organizations and those most affected by social media and networking platforms.

71. Several delegates noted that it was imperative to implement proactive measures in the digital sphere, where social media platforms wielded extraordinary power and influence. Additional delegates underscored the significance of transparency, accountability and cooperation among States and social media companies to effectively prevent and address the dissemination of content that threatened human rights.

72. One delegate, representing a non-governmental organization, indicated that the organization worked with social media companies, the United Nations system and civil society organizations to combat holocaust denial and distortion. In collaboration with the United Nations Educational, Scientific and Cultural Organization, the organization had launched www.aboutholocaust.org, which had been incorporated into Meta to ensure that users who were searching for terms related to the Holocaust would be directed to a reliable source of information. There was also an interactive experience powered by artificial intelligence that recounted the narrative of a Holocaust survivor, allowing children worldwide to engage with the causes of the Holocaust and acquire a more profound understanding of the concept of prevention.

73. Many delegates who took the floor expressed concern that content advocating for Palestinian rights was consistently subjected to substantial and disproportionate censorship, which included content deletion, restriction, takedowns and the concealment of hashtags. Those delegates underscored that the Government of Israel continued to exert pressure on social media companies to censor the Palestinian narrative and silence voices critical of Israeli policies. The restrictions imposed on civil society and human rights defenders were a significant threat to freedom of expression, access to information, political participation and freedom of assembly. The delegates called on social media companies to address those issues.

74. Mr. Campbell responded by highlighting that social media companies allocated fewer resources to certain markets worldwide that were less profitable but frequently experienced conflicts, when those companies should be increasing their efforts to invest their profits in

human rights due diligence and context-specific research of political situations. That included ensuring that the appropriate language skills were acquired and employing national-level analysts who possessed a deep understanding of the local context and who could respond to it effectively. States should do more to counteract the instrumentalization of social media to promote violence, while taking great care to avoid overreach.

VI. Concluding remarks

75. Ms. Nderitu reiterated that expressions of hatred could serve as both a precursor to and a catalyst for genocide. Hate speech had preceded every genocide throughout history and had been a predominant factor in their commission. States and social media companies must familiarize themselves with the Framework of Analysis for Atrocity Crimes to analyse genocide, war crimes, crimes against humanity and other atrocity crimes.
