



## European network of legal experts in gender equality and non-discrimination

### NEWS REPORT

<b>Country:</b>	Norway
<b>Title:</b>	First government strategy against hate speech 2016-2020
<b>Date:</b>	6 December 2016
<b>Expert:</b>	Else Leona McClimans
<b><u>Context</u></b>	
<b>Issue at stake:</b>	Addressing and combatting hate speech
<b>Ground of discrimination:</b>	Race/ethnic origin, religion/belief, disability, sexual orientation
<b>Source:</b>	Policy development
<b>Field:</b>	Other
<b>Applicable law:</b>	The penal code

### **Content**

#### **Policy development:**

The first government strategy against hate speech for the period 2016-2020 was presented on 21 November 2016. The strategy aims to create arenas for dialogue, tolerance and awareness about the consequences of hate speech to make sure that everyone may participate in the public dialogue and move freely in public spaces without being subject to hate speech. The strategy has been drafted as a concrete result of dialogues between civil society and the government led by the prime minister since 2014.

The strategy builds partly upon a knowledge base provided by the Norwegian Institute for Social Research that has produced three reports: 1) on the extent of hate speech on the internet: which groups in society that are particularly vulnerable to hate speech on the internet, what media/ platforms that are particularly used to promote hate speech. 2) Research about hate and discrimination. 3) The demarcation between the liberty of free speech and the penal protection against hate speech. A research report on the nature, extent and consequences of hate speech against people with disabilities is forthcoming.

The strategy contains 23 concrete activities, among them to facilitate increased attention by the police and judiciary by ensuring that hate speech will be addressed, investigated and brought before courts. A national guideline will be produced to ensure that the police records and publishes statistics on hate speech. The government will also consider how the correspondence between the penal protection against discrimination and legislation prohibiting discrimination regarding gender, gender identity and gender expression may be improved.<sup>1</sup>

#### **Key points of analysis:**

Criminal law protection against hate speech is found in Section 185 of the General Civil Penal Code (Penal Act of 20. May 2005 no. 28), applicable in relation to discrimination because of skin colour, national or ethnic origin, religion or life stance, sexual orientation,

---

<sup>1</sup> Gender, gender identities, gender expression and age are not covered by the criminal protection in the penal code.

and disability. Apart from ADA section 26, no other Norwegian anti-discrimination legislation contains penalties for discrimination. (ADA section 26 provides penalties in the form of fines or imprisonment for up to three years towards the perpetrators for a gross discrimination based on ethnicity, religion or belief that have been committed jointly by several persons).

**Internet link source:**

[https://www.regjeringen.no/contentassets/72293ca5195642249029bf6905ff08be/hateful-leytringer\\_web.pdf](https://www.regjeringen.no/contentassets/72293ca5195642249029bf6905ff08be/hateful-leytringer_web.pdf) and <https://www.regjeringen.no/no/aktuelt/oker-innsatsen-mot-hatefulle-ytringer/id2520887/> (in Norwegian, accessed on 01.12.2016).