

**PROTECTING OUR RIGHTS ?
AMOUNTS TO STRENGTHENING OUR
COMMITMENT TO SOCIAL COHESION, PEACE
AND NATIONAL RECONCILIATION IN CENTRAL
AFRICA**



**HANDBOOK ON HATE SPEECH PREVENTION, PHYSICAL
PROTECTION, DATA AND ONLINE SECURITY FOR YOUNG
PEOPLE AND WOMEN HUMAN RIGHTS DEFENDERS**

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PREFACE

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I have the distinguished honour to write this preface in my capacity as Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa. It should be emphasised that this mechanism acts as a human rights police force for African States. All other things being equal, it plays the role of the Public Prosecutor in charge of defending human rights. Its purpose is to identify violations of the right to the defence of human rights and to find solutions by drawing the attention of governments and seeking their cooperation through the recommendations it submits to them.

In this context, it is therefore a legitimate source of pride for me to preface this Handbook on the Prevention of Hate Speech, Physical Protection, Data and Online Security, a work achieved by the Central African Human Rights Defenders Network (REDHAC), which I congratulate.

After all, human rights are only of value when they can be defended. Otherwise, they remain State benefits, left to the sovereign will of the rulers. Africa must not be allowed to experience involution (regressive development) in this area, as it has for centuries experienced crimes against humanity, in the African sense of Ubuntu and in the sense of Humanity, the Universe, the World.

Humankind is once again at a crossroads. It is on the move. Violence against human beings is resurfacing everywhere. We can notice many forms of anti-human warfare and drastic reductions in our space for the fulfilment of the personal autonomy.

Faced with this, it is imperious to give substance to the notions of promotion and protection of Human Rights, competences that the

African Commission on Human and Peoples' Rights exercises in collaboration with the African Civil Society, of which REDHAC is one of the essential components. However, this raises other fundamental questions such as how can we protect those who, because of their commitment and their conscience, believe they have a duty of humanity to defend all those who, in one way or another, are victims of abuse, violations, arbitrary arrests or detentions, and repression, simply because they want to express their fundamental rights and enjoy their freedoms?

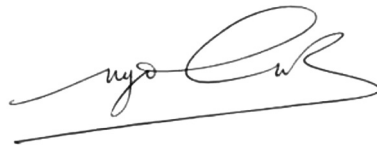
The first rule of the defence of Human Rights Defenders is to denounce the violence they themselves suffer in defending the rights of others. Denouncing also means making public and categorizing crimes against defenders, etc.

In my previous preface, I stressed that the exercise undertaken by REDHAC with this work was merely introducing readers to an area where there are still avenues to be explored. I added that subsequent editions would undoubtedly be holistic from this point of view. Here we are: because this updated manual, taking into account the new target of YOUNG MEN on the one hand, and new themes such as ONLINE AND OFFLINE HATE SPEECH that threatens SOCIAL COHESION AND PEACE, ARTIFICIAL INTELLIGENCE and the protection of Human Rights Defenders on the other, is sufficient demonstration that REDHAC is putting into practice its recommendations to change the narrative for greater inclusion.

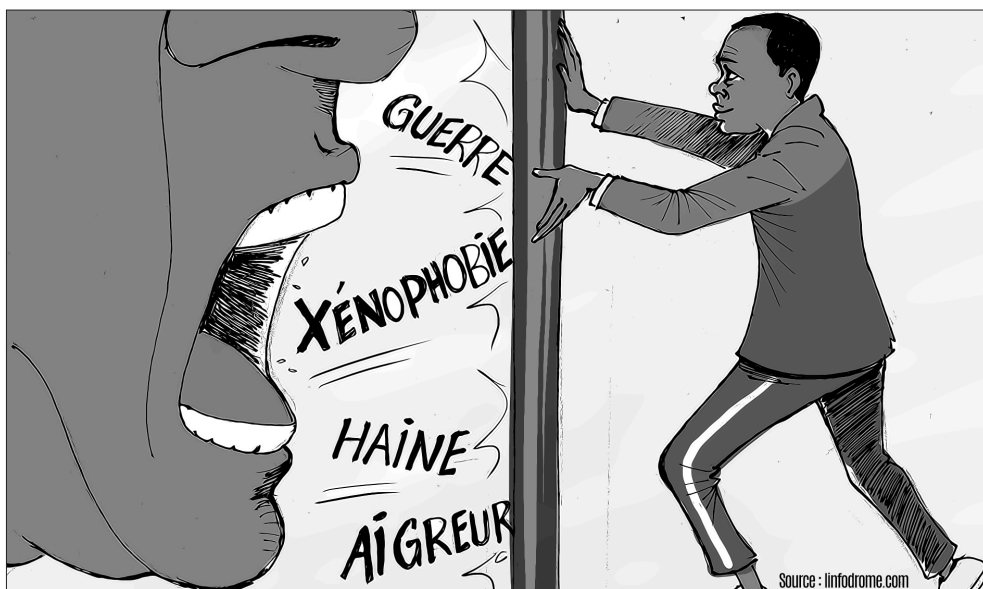
I reiterate my request to the other four African Human Rights Defenders Networks and take this opportunity to ask the other networks to do the same in the next few days so that we can have a snapshot of the defence of human rights across the continent.

In any case, defending human rights will never be a crime. The activity is not enshrined in the penal codes of any country.

The Defenders are regulators, watchdogs responsible for reminding people of their duty to respect humanity, regardless of class, gender, race or religion. Non-violent young men and women defenders are the architects of peace and social cohesion. They deserve the full consideration and respect of all state and non-state actors.



INTRODUCTION



I. BACKGROUND AND JUSTIFICATION

Central African countries, in particular Cameroon, the Central African Republic (CAR) and Chad, have been facing a number of socio-political crises and security challenges for several years, often resulting in open conflicts.

In recent years, these crises and conflicts have led to numerous human rights violations, sexual violence, the influx of refugees into neighbouring countries and internally displaced persons, humanitarian emergencies, the burning of villages, the destruction of public buildings and private property (schools, health centres, police stations, gendarmerie posts, homes, shops, plantations, etc.) and infrastructure (bridges, roads, water points, electrical facilities, etc.).

In addition to this deplorable and distressing picture, there is endemic poverty, widespread misery, widening social inequalities, a resurgence of hate speech, particularly on social networks and in the media, and the rise of tribalism, which has created a divide between nationals of different faiths (in the specific case of the CAR), regions and ethnic groups.

It is in this almost explosive environment that human rights defenders, journalists and other activists operate, suffering threats and reprisals of all kinds and from all parties to the conflict: pro-government forces, armed groups, terrorists, bandits, separatists, etc. Among human rights defenders and journalists, women and young people, both girls and boys, are sometimes the most exposed and often pay the heaviest price.

Generally speaking, women, young girls and boys are more at risk than men because of their physical and financial vulnerability, as well as being "social cadets", inferior beings or not as mature as men. Furthermore, young girls are

also exposed to forced or early marriage, dropping out of school and sexual abuse.

Specifically, while the United Nations Security Council Resolution 1325 of 2000 on women and girls acknowledges the particular and disproportionate effects of armed conflicts on women and girls and calls on "parties to armed conflict to take special measures to protect women and girls from acts of violence during war and to give them the opportunity to participate in peace processes in order to find long-term solutions", Resolution 2250 of 2015 of the same Security Council recognises "the urgent need to mobilise young people as peacemakers in the promotion of peace and the fight against violent extremism".

While the Maputo Protocol of 11 July 2003¹ and the Marrakech Declaration of 12 October 2003² of the African Union go further in emphasising the urgent need to protect women and young people, it has been observed that during these processes, women are given little consideration, both quantitatively and qualitatively, their role downplayed, and very often without at least physical protection. This is what happened in the Central African Republic, in the Khartoum Agreement of 6 February 2019, in Chad during the Political Dialogue of 20 August 2022 and in Cameroon during the Grand National Dialogue of October 2019.

It is in the light of these findings that in 2021, the Network of Human Rights Defenders in Central Africa (REDHAC) has decided to develop a manual on physical protection and online security and data specific to young girls and women human rights defenders, journalists, but also refugees and internally displaced persons to equip this target to engage effectively in peace processes.

Faced with the new challenges posed by the rise in online and offline hate speech and the proliferation of social networks, the scope of this handbook has now been extended to include boys because of their increasing vulnerability, particularly in the face of the rise in hate speech, which affects them in particular, thereby affecting social cohesion and fundamental rights, namely the right to freedom of expression, opinion and thought, the right to privacy and the right to dignity.

In general, this manual aims at creating an enabling environment for girls, boys and women to contribute to and be effectively involved in peace processes and conflict resolution in Central Africa.

Specifically, it is designed to empower young girls and boys and women, including women human rights defenders, in physical protection, data and online security, and to equip them to effectively combat online and offline hate speech in order to ensure social cohesion and sustainable peace in Central Africa.

1 https://au.int/sites/default/files/treaties/37077-treaty-0027_-_protocol_to_the_african_charter_on_human_and_peoples_rights_on_the_rights_of_women_in_africa_f.pdf

2 https://ganhri.org/wp-content/uploads/2020/03/Marrakech-Declaration_FR_-12102018-FINAL-.pdf

II. METHODOLOGY

A dozen volunteer experts were called in to draft the manual, and two hybrid consultations were organised by REDHAC.

The aim of the first consultation was to identify new needs in terms of protecting the rights of human rights defenders, and specifically those of young (girls and boys) and women, in order to better adapt the solutions. It brought together young (girls and boys) and women human rights defenders, without discrimination (both rural and urban).

The purpose of the second consultation was to share experiences and knowledge of the threats, reprisals and hate speech faced by young girls and boys and women human rights defenders online and offline in the course of their work. A number of actors involved in Central Africa were invited: activists for peace, democracy and human rights, human rights defenders, journalists, lawyers, members of institutions for the promotion and defence of human rights, representatives of the administration responsible for human rights, parliamentarians.

REDHAC hopes that this updated and enriched manual, which addresses the issue of hate speech and even artificial intelligence, particularly in relation to the protection of human rights, will contribute to greater commitment by young people and women to social cohesion, peace and national reconciliation in the Central African countries in general, and in Chad, Cameroon and the Central African Republic in particular.

This manual is intended to be easy to read and understand. It aims at helping young (girls and boys) and women human rights defenders and journalists, as well as refugees and internally displaced women, to protect themselves and their relatives, to secure their data and online activities, and to protect themselves from online and offline hate speech in the course of their activities.

The First Part of the manual is devoted to hate speech. It is divided into five chapters:

Chapter I focusses specially on the concept of hate speech, recalling the range of its definitions and characteristics, and the risks of exposure to hate speech, particularly in terms of human rights violations, by compiling the various international, regional and national legal instruments that govern it.

Chapter II demonstrates the extent to which online and offline hate speech is a serious threat to social cohesion, peace and national reconciliation, and to the promotion and protection of human rights in Central Africa.

Chapter III proposes a set of strategies to combat hate speech, focusing on its supposed enjoyment of the freedom of expression.

Chapter IV focuses on the legal framework for combating hate speech, identifying the national, regional and international instruments that structure it.

The section concludes with Chapter V, which calls for a change in the narrative in order to combat hate speech more efficiently.

Part Two is devoted to the physical protection and data, and online security of young girls and boys, women human rights defenders and journalists, and comprises four chapters:

Chapter I updates, in the context of the exacerbation of hate speech, the legal framework for the physical protection and data, and online security of girls and women human rights defenders and journalists at national, regional and international level.

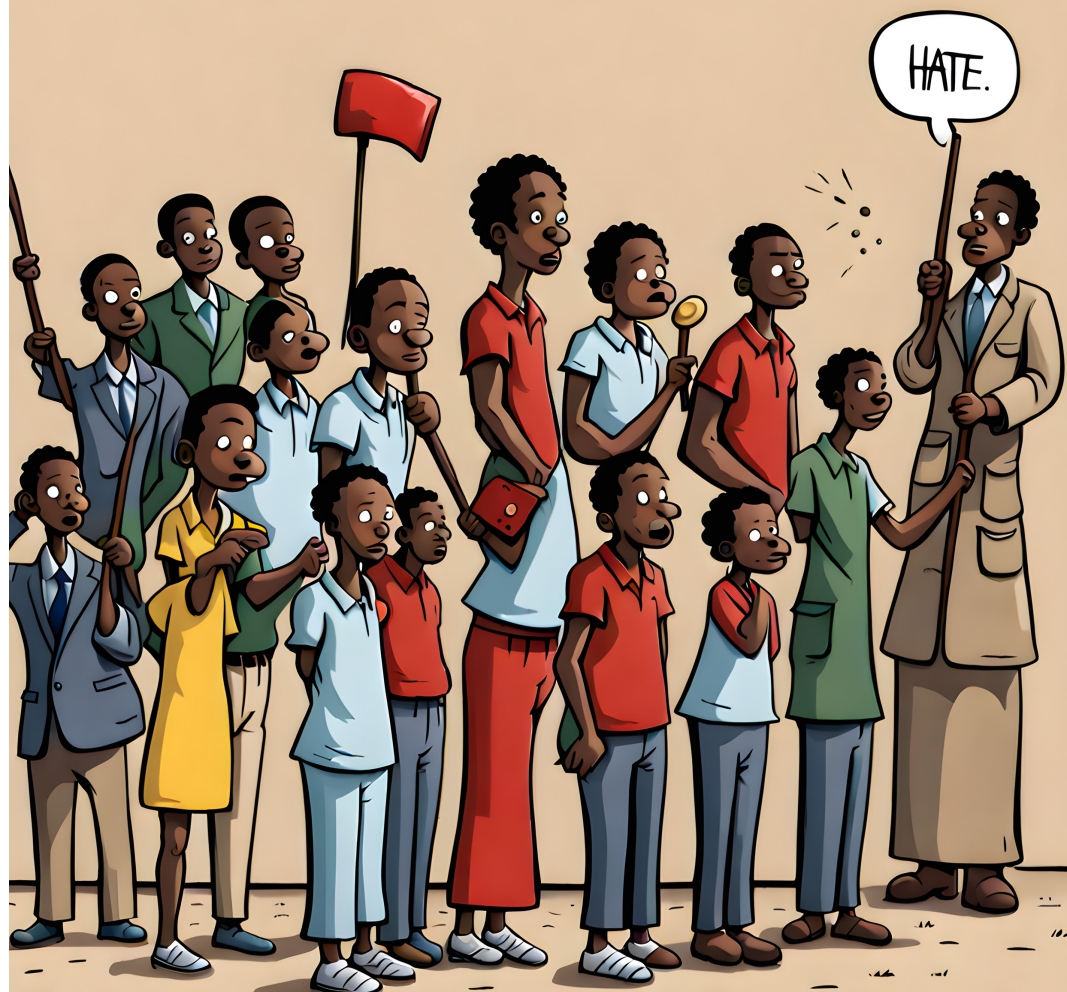
Chapter II addresses the specific data and online safety challenges faced by young people (girls and boys) and women journalists and human rights defenders in the context of increasing hate speech and the use of artificial intelligence.

Chapter III proposes an outline to draw up a safety plan to deal with the risks, threats, reprisals, security incidents and vulnerabilities to which young people (girls and boys) and women journalists and human rights defenders are exposed in the context of increasing hate speech and the use of artificial intelligence.

Finally, Chapter IV presents non-exhaustive strategies that young people (girls and boys) and women journalists and human rights defenders may implement to protect themselves physically and to secure their data and online activities, i.e., in general, to protect their rights and those of their relatives.

PART ONE :

PROTECTING YOUNG (GIRLS AND BOYS) AND WOMEN HUMAN RIGHTS DEFENDERS IN CENTRAL AFRICA AGAINST ONLINE AND OFFLINE HATE SPEECH





CHAPTER I:
The concept of Hate Speech

SECTION I: DEFINITIONS OF HATE SPEECH



In everyday language, hate speech refers to offensive language directed at a group or individual on the basis of an identity such as race, ethnicity, religion or gender, and which may threaten social peace.

The "United Nations Strategy and Action Plan to Combat Hate Speech" launched in 2019 by the Secretary-General of the United Nations defines hate speech as "any type of communication, whether oral or written expression or behaviour, that impugns or uses derogatory or discriminatory language against a person or group of persons on the basis of their identity, in other words, on the basis of religious affiliation, ethnic origin, nationality, race, skin colour, descent, gender or other factors constituting identity".³

Hate speech is a complex and multidimensional phenomenon with profound and dangerous consequences for human rights and the rule of law in democratic societies. Hate speech may refer to scapegoats, create stereotypes, stigmatise and use degrading language. It undermines the dignity and human rights not only of the individual directly targeted, but also of people belonging to the same group.

Hate speech leads to dangerous divisions in society as a whole, impedes diversity, participation and inclusion of all those targeted, undermines social cohesion and living together, erodes shared values and threatens democracy and peace.

People or groups targeted by hate speech are increasingly excluded from society, sidelined from public debate and silenced. Hate speech has sometimes led to suicide. History shows that hate speech has been used intentionally to mobilise groups and societies against each other in order to provoke increased violence, lynchings, explosive attacks, hate crimes, wars, mass shootings, mass crimes and genocidal

³ https://au.int/sites/default/files/treaties/37077-treaty-0027_-_protocol_to_the_african_charter_on_human_and_peoples_rights_on_the_rights_of_women_in_africa_f.pdf

processes.

Hate speech might thus lead to "hate crimes". The genocide of the Armenians committed by the Ottoman Empire during the First World War (1915-1916), the genocide of the Jews (La Shoah) committed by the Nazis during the Second World War (1941-1945), the genocide of the Bosnians at Srebrenica in Bosnia-Herzegovina (former Yugoslavia, 1995), the genocide of the Tutsis committed by the Hutus in Rwanda (1994), are all hate crimes that began with hate speech.

There is no universal legal definition of hate speech enshrined in international human rights law. The concept is still widely disputed, particularly in relation to the rights to freedom of opinion and expression. However, article 20 of the International Covenant on Civil and Political Rights (ICCPR) states that "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law"⁴.

There is therefore a difference between basic hate speech, which is on the borderline of the right to freedom of expression, and hate speech in its most serious forms, which are those that incite discrimination, hostility and violence, these serious forms being prohibited by international human rights law and therefore liable to be judged by the courts and to give rise to penalties.

Hate speech does not, however, cover communications about States, their symbols, state officials and agents, religious leaders or principles of faith.

*

SECTION II: THE CHARACTERISTICS OF HATE SPEECH



Following are the main characteristics of hate speech:

1. Hate speech may be conveyed by any form of expression such as words, speech, images, cartoons, objects, gestures, symbols and it can be disseminated online or offline;

⁴ https://ganhri.org/wp-content/uploads/2020/03/Marrakech-Declaration_FR_-12102018-FINAL-.pdf

2. Hate speech is discriminatory (biased or intolerant) or derogatory (contemptuous or demeaning) towards an individual or group;
3. Hate speech attacks an identity factor of an individual or group such as religious affiliation, ethnic origin, nationality, race, skin colour, ancestry, gender, or a characteristic such as language, economic or social origin, disability, health status, sexual orientation.

Internet, social networking platforms and television are a very widespread and rapid means of disseminating hate speech. These are sometimes harassment campaigns supported by governments and lobbies, often justified by political, religious or ideological conflicts. Internet is also used as an online recruitment and propaganda platform for radical and violent groups preaching hate.

SECTION III : HIERARCHY OF CONCEPTS AROUND THE NOTION OF HATE SPEECH



Stereotypes, prejudice, racism or tribalism, discrimination, hate speech and hate crime are interrelated concepts. From the least to the most serious, they can be defined as follows:

- Stereotypes are generalisations about a group of people that may or may not contain certain judgements. Example : black people are good at sport ;
- A prejudice is a generalisation that contains a negative judgement about other people or social groups. Example: people from such and such an ethnic group are lazy;
- Racism is a prejudice based on the idea of race or ethnicity or tribe or any other correlated characteristic and which leads to unfair treatment of the people targeted. Examples: Whites by nature have a superiority complex in relation to other races. "The black man is not part of civilisation" ;
- Discrimination is any unfair treatment resulting from any form of prejudice, including non-racial prejudice. Example : women cannot hold certain management positions ;

- Hate speech is any negative expression about an individual or group based on prejudice that spreads, incites, promotes or justifies intolerance or hatred. Example: people from one group have taken over the land of another group;
- Hate incident refers to any non-criminal act that affects the sense of security of a person or group of people and that is perceived as a targeted act directed at the person or group because of their race, national or ethnic origin, language, skin colour, religion, sex, age, sexual orientation, gender identity or expression, physical or mental disability or impairment.
- Hate crime is a criminal act punishable by law, and therefore a criminal offence, motivated by prejudice or hatred against a person or group of persons, based on their perceived identity as a result of factors such as race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability or impairment, sexual orientation, gender identity or expression, or any other similar factor. Example : genocide.

SECTION IV : HATE CRIMES AND HATE INCIDENTS



Alongside the concept of hate speech, there are the concepts of hate crime and hate incident. A few examples will illustrate the difference between hate crime and hate incident better than a lengthy explanation.

- Physically assaulting two boys who are kissing in public in reaction to their sexual orientation is a hate crime, while vexatious acts towards them will be a hate incident;
- Threatening someone directly or on social networks because of his ethnic origin or religious faith is a hate crime, while insulting a business owner because of his national origin (foreigner, immigrant) is a hate incident;

- Drawing provocative graffiti on the window of a shop or on the walls of a place of assembly of a group about which there are strong prejudices or stereotypes is a hate crime, while putting offensive leaflets on the windscreens of people's cars because of their ethnic origin is a hate incident
- Vandalising a home or a religious site because of the religion of its occupants is a hate crime; stating to a customer entering a restaurant wearing clothing characteristic of a region: "people from your region are not welcome here" is a hate crime, while preventing him from entering the restaurant when he is not accused of anything is a hate incident;
- Pushing a disabled person down the stairs and insulting him/her because of his/her physical disability is a hate crime, while making unpleasant remarks to someone because of his/her disability is a hate incident.

CHAPTER II :

Hate speech, Social Cohesion, Peace and Human Rights



SECTION I. HATE SPEECH, SOCIAL COHESION AND PEACE



1. Definition of social cohesion

Social cohesion" refers to the state of a society, group or organisation where solidarity is strong and social ties tight.⁵

For Wallonia⁶, social cohesion is the set of individual and collective processes that contribute to ensure opportunities and conditions for all, equity and access to fundamental rights and to economic, social and cultural well-being, and that aim at building together a cohesive and co-responsible society for the well-being of all.

The expression "social cohesion" was first used in 1893 by the sociologist Emile Durkheim (1858-1917) in his book "On the Division of Social Accomplished Work"(appendices) to describe the smooth functioning of a society in which solidarity between individuals and collective consciousness are manifest.

2. Definition of peace

The term "peace" has its origins in the Latin "pax", derived from the Indo-European root "Pag", meaning "to plant firmly". The Latin etymology encompasses several meanings. Although its primary meaning is the absence of war, it also includes ideas such as to assert, to establish solidly and to consolidate. "Pax" means both to make peace and to consolidate it.

⁵ There is no specific reference for this definition, as it is often integrated into academic and institutional discourse on sociology and social sciences.

⁶ Wallonia or the Walloon Region is a federated Region with legislative powers, and own competences within the Belgian federal State. This definition comes from the Directorate of Social Cohesion (DICS) of this Belgian Region.

From a psychological and spiritual point of view, it evokes tranquility, calm and serenity. Today, in everyday language, the word "peace" has three meanings. Firstly, it refers to "relations between people who are not in conflict or quarrelling". It can also mean "the state of a person that nothing disturbs". Finally, it is defined as "the situation of a nation or state that is not at war". In this way, peace is the absence of war.

3. How can hate speech be identified as an indicator of threat to social cohesion and peace?

Identifying hate speech as an indicator of a threat to social cohesion and peace requires in-depth analysis and an understanding of the characteristic signs of such speech. Here are some of the elements to consider when identifying hate speech:

Discriminatory content: hate speech generally contains elements that discriminate against an individual or group on the basis of characteristics such as religion, ethnicity, race, gender, sexual orientation, etc.

- **Incorporation of negative stereotypes:** it may include negative stereotypes that fuel prejudice and distorted perceptions towards certain groups, thereby reinforcing hostile attitudes;
- **Calls for violence or hatred:** hate speech may contain explicit or implicit calls for violence, intimidation or other forms of hostility towards a specific group;
- **Dissemination of false information:** the deliberate dissemination of false information or misinformation aimed at demonising a particular group may be an indicator of hate speech;
- **Repetition of negative terms:** the repeated use of negative or degrading terms to describe a group may indicate an intention to generate animosity.
- **Tense political or social context:** in a context where political or social tensions pre-exist, hate speech can act as a catalyst to exacerbate divisions.

4. Challenges related to social cohesion and peace

There are many and complex challenges related to social cohesion and peace. Following are some of the commonly identified in these areas:

- **Cultural and ethnic diversity:** the coexistence of different cultural and ethnic groups may sometimes generate tensions, prejudice and conflicts related to differences in traditions, languages and values;

- **Socio-economic inequalities** : Economic and social disparities between different communities may generate feelings of injustice, frustration and discontent, potentially leading to conflicts;
- **Lack of education** : Limited access to education may contribute to the spread of stereotypes, prejudice and misconceptions, fueling tensions between groups;
- **Political polarisation** : deep political divisions may lead to dissension within society, creating rifts and making constructive dialogue difficult;
- **Religions and intolerance** : religious differences may become sources of conflict, particularly when religious tolerance is limited and extremist groups exploit these differences;
- **Limited resources**: competition to access to limited resources, such as water, land or other essential goods, may intensify tensions between communities;
- **Migrations and refugees**: massive population movements, whether due to conflicts, natural disasters or other factors, may create tensions in host areas;
- **Crimes and violence**: the presence of organised crime, armed violence and insecurity may undermine social cohesion and hinder the peaceful development of communities;
- **Lack of governance**: poor governance, corruption and lack of effective institutions may contribute to instability and dissatisfaction, undermining social cohesion;
- **Media and misinformation**: the dissemination of false information and media manipulation may exacerbate tensions and contribute to polarisation within society;
- Resolving these challenges requires concerted efforts at several levels, including educational initiatives, inclusive social policies, conflict resolution mechanisms and active promotion of intercultural and inter-religious dialogue.

SECTION II. HATE SPEECH AND HUMAN RIGHTS



From a legal point of view, certain cases of hate speech, but also some attempts to combat them, have a human rights dimension.

Hate speech is fueled by negative stereotypes that perceive certain groups or individuals as inferior, less worthy of respect, whereas human rights law considers all human beings to be equal in rights and worthy of the same respect. Article 1 of the Universal Declaration of Human Rights provides that "all human beings are born free and equal in dignity and rights". Non-discrimination is therefore a fundamental principle of human rights. Hate speech is therefore a violation of human rights.

Hate speech may infringe human rights such as security and personal safety. When hate speech targets individuals, in the case of cyber-bullying, it violates the right to privacy, which is a fundamental human right. It might even amount to inhuman and degrading treatment. Privacy encompasses the confidentiality of physical, social and psychological life that we do not wish to share publicly, aspects of personal life that are essential to an individual's identity and sense of dignity. On the internet, privacy also encompasses correspondence, including e-mails from the work place, photographs and video-clips of the person.

Promoting respect for human rights is therefore one way of preventing the spread of attitudes that incite hate speech. Article 19 of the Universal Declaration of Human Rights provides that: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".

Freedom of expression covers all forms of human expression including written expression, images, theatre, video and music. Any online activity is a form of expression, potentially covered by this right. Freedom of expression includes the right to freedom of opinion, the freedom to receive and impart information without interference from public authorities.

CHAPTER III : Combating Hate Speech



SECTION I : HATE SPEECH AND FREEDOM OF EXPRESSION



The measures taken to combat hate speech may affect certain human rights, such as freedom of expression or freedom of opinion, freedom of thought and freedom of religion. People who are accused of inciting hatred through their speech often claim that they are doing so by virtue of their rights to freedom of expression, opinion or thought.

But in relation to freedom of expression, a distinction should be made between hate speech and offensive speech. The right to freedom of expression includes the right to broadcast speech that is vigorous, critical or that causes shock or offence.

Speech is hate speech only if it is intended to "incite hostility, discrimination or violence". The key factor in dealing with cases of hate speech is determining whether there is an intention to incite hatred or to advocate hatred. Negligent or careless speech that incites hatred does not therefore constitute hate speech.

Similar, a journalist who conducts and broadcasts an interview with members of a racist group cannot be convicted of propagating racist views, and therefore hate speech, if it is established that his or her intention was solely to expose the views of the racist group and not to promote them.

Human rights conventions recognise, however, that expression is an act that may harm others and even threaten society as a whole. This is why freedom of expression is one of the rights that can be limited "in certain circumstances" and "restricted" if necessary to protect the rights of others or the interests of the society as a whole. These restrictions constitute what is known as the "reservation of the law" principle.

But restricting individuals' freedom of expression also means limiting their ability to participate in society. Participation in public debate in a society is a fundamental human right. It is the backbone of democracy and citizenship.

Article 10⁷ of the European Convention on Human Rights provides that in certain circumstances, where there is an imperative social need, certain restrictions on freedom of expression are authorised. But "any restriction on freedom of expression must be necessary to meet a social need and must be proportionate to that need". In other words, the restriction must not be excessive.

Conversely, rights such as the right to life or the right not to be subjected to inhuman or degrading treatment cannot be restricted

SECTION II : STRATEGIES TO COMBAT HATE SPEECH



The United Nations Hate Speech Strategy and Plan of action⁸ recommends that States take a human rights-based approach to combat hate speech, in particular by safeguarding freedom of expression.

1. United Nations strategies to combat online hate speech:



a) Content moderation: online platforms should strengthen their moderation policies and put in place effective mechanisms to quickly remove hateful content;

⁷ https://www.echr.coe.int/documents/d/echr/convention_FRA

⁸ https://www.un.org/en/genocideprevention/documents/Action_plan_on_hate_speech_FR.pdf

b) Digital education: promote digital education to make users aware of the consequences of hate speech and encourage respectful online behaviour;

c) Easy reporting: facilitate the process of reporting hate content to enable users to quickly and effectively draw attention to inappropriate behaviour;

2- United Nations strategies to combat hate speech offline:



a) Education and awareness-raising: promoting educational programmes that teach tolerance, diversity and respect from an early age;

b) Legislation and sanctions: put in place laws and sanctions against hate speech to deter such behaviour;

c) Community engagement: encourage dialogue and engagement within communities to promote mutual understanding, peaceful conflict resolution and social cohesion;

d) Media responsibility: to make the media aware of their social responsibility and encourage balanced and objective coverage;

e) Support for victims: establish support mechanisms for victims of hate speech, including counselling and protection services.

f) Law enforcement training: train law enforcement to recognise and handle hate speech incidents;

g) Monitoring legislation: ensuring that existing legislation is regularly evaluated and updated to meet contemporary challenges;

3. Other strategies enshrined in the UNESCO and Office for the Prevention of Genocide guide

UNESCO believes that misinformation and hate speech are best combated through education. It states that "the free flow of information on and off the Internet must remain the norm" and that counter-speech is generally preferable to the repression of freedom of expression. UNESCO adds, however, that any restriction on freedom of expression must be carefully considered to ensure that it remains exceptional and that legitimate and informed debate is not impeded.

To this end, UNESCO and the Office for the Prevention of Genocide have produced a guide for policy-makers, teachers and learners, particularly young people, proposing educational responses to the phenomenon of hate speech.

A few questions and significant answers contained in this tool:

a) Where do we then draw the line between hate speech and freedom of expression?

It is worth noting that hate speech violates the fundamental human rights of those targeted. Opinions that offend, shock or disturb remain manifestations of freedom of expression. But if the expression of these opinions incites violence, hostility and discrimination, this is hate speech.

b) What role does media and Information Literacy play?

In what is known as the "attention economy", hate speech is most appealing because it feeds an easy sense of community and offers maximum dissemination of such messages. Learners, especially young people, need to understand the underlying mechanisms of how the media and digital platforms work and identify the persuasive tactics commonly used to spread all forms of misinformation.

Non-legal methods of combating hate speech are also important. One of the most effective of these consists in building a counter-narrative by promoting media and information literacy as a more structural response to online hate speech. US Supreme Court Justice Anthony Kennedy, in his majority decision in *United States v Alvarez*⁹, stated : "The remedy for speech that is false is speech that is true. This is the normal course of events in a free society. The answer to pure falsehood is simple truth"¹⁰.

c) How can hate speech be identified and combated in teaching programmes?

Some subjects and educational programmes include arbitrary statements that fuel hate speech and justify exclusion. Teachers need to facilitate conversations with learners about these stories to decode and demystify the stereotypes and prejudices that fuel hate speech.

d) How can teachers develop an alternative sense of belonging?

⁹ *United States v Alvarez*, 567 U.S. 709 (2012) (accessible in English on : <https://www.supremecourt.gov/opinions/11pdf/11-210d4e9.pdf>).

¹⁰ Same place, page 15-6

They need to instill a caring and inclusive climate in the classroom, invest in building or enhancing a sense of belonging or community among learners both in and out of school, and integrate viewpoints that are absent from the educational process.

4. The global strategy



To effectively combat online and offline hate speech and foster an inclusive environment free from all forms of hatred and discrimination in order to ensure social cohesion within communities, the efforts made in the classroom by educators in all aspects of school life, in terms of policies, extra-curricular activities, sports and social and cultural events, must be backed up by the commitment of parents outside school.

Internet companies must also make their contribution by devoting time and resources to implement secure monitoring and de-amplification policies, and by investing in educational tools that enable users to spot misinformation and respond to it. A holistic approach is also needed to combat misinformation, without restricting the right to freedom of expression.

This global response must include making the fight against hate speech a national priority, countering hate speech in the content of educational programmes at all levels of education, from early childhood through lifelong learning to higher education, putting in place effective anti-discrimination strategies and policies, coordinating improved responses with internet and social media companies.

CHAPTER IV :

The legal framework to combat Speech Hate



Laws to combat hate speech exist at national, regional and international level. They generally have two objectives: to preserve public order and to protect human dignity. The first objective requires that a higher threshold be breached so that the law does not have to be applied too frequently. Legislation designed to protect human dignity has a much lower threshold of violation, so that it is applied more frequently.

SECTION I : INTERNATIONAL LEGAL INSTRUMENTS



Following are the main legal instruments used at international level to combat hate speech:

The Universal Declaration of Human Rights. Na de first international tin fo law wey di force all UN memba kontry dem fo promote “ Universal respect fo an observe human right witty fundamental freedom fo all man, wey no discriminate race, sex, language or religion”. E carry oda tin dem too wey di ova look hate speech, like the International Covenant on Civil and Political Rights (ICCPR, 1966), article 20 wey tok say “ any advocacy of national , racial or religious hatred that constitutes incitement to discrimination, hostility or violence is prohibited by law”.¹¹

2) Convention fo wipe all kana racial discrimination (1965), Article 4(a) wey di ponish “ the dissemination of ideas based on racial hatred and all acts of violence or incitement to such acts directed against any race or group of persons of other ethnic origin”¹². The Convention no si ethnic origin fo de definition for racial discrimination. So too, de convention tok say all kontry dem moss to join dia law.

3) The Convention fo prevent an fo ponish crime fo Genocide (1948)¹³ wey di condem incitement fo genocide.

4) Convention fo wipe all kana discrimination fo woman (1979)¹⁴ wey deny all discrimination fo woman.

¹¹ https://www.eods.eu/library/UN_ICCPR_1966_FR.pdf

¹² https://www.eods.eu/library/UN_International%20Convention%20on%20the%20Elimination%20of%20Racial%20Discrimination_1966_FR.pdf

¹³ <https://www.un.org/en/genocideprevention/documents/Genocide%20Convention-FactSheet-FR.pdf>

¹⁴ <https://treaties.un.org/doc/Publication/UNTS/Volume%201249/volume-1249-I-20378-French.pdf>

5) United Nations Strategy and Plan of Action to fight hate speech were launched on 18 June 2019, as the first global initiative to fight hate speech. The strategy and action plan show how the United Nations can support and complement efforts to combat hate speech. It is a key message that we must fight hate speech together but without respect for freedom of expression and opinion, work like we can even without civil society organisations, media, technology companies and social media platforms...

6) Even at the regional level, the European Convention on Human Rights¹⁵, for example, article 10 on freedom of expression, does not still sanction freedom. The Council of Ministers of the Council of Europe has said that we must fight hate speech.

In 2021, the United Nations General Assembly adopted a resolution choosing June 18 as International Day against Hate Speech.

SECTION II : REGIONAL LEGAL INSTRUMENTS



Following are the main legal instruments used to combat hate speech in Africa:

1) The African Charter on Human and Peoples' Rights. This Charter does not contain any provision referring specifically to the prohibition of incitement to national, racial or religious hatred, but article 28 stipulates that "Every individual shall have the duty to respect and consider his fellow human beings without any discrimination whatsoever, and to maintain with them relations which enable reciprocal respect and tolerance to be promoted, safeguarded and strengthened" ».¹⁶

2) The jurisprudence of the African Commission on Human and Peoples' Rights (ACHPR) does not include any identified case concerning the

¹⁵ https://www.echr.coe.int/documents/d/echr/convention_FRA

¹⁶ https://au.int/sites/default/files/treaties/36390-treaty-0011_-_african_charter_on_human_and_peoples_rights_f.pdf

prohibition of incitement to national, racial or religious hatred, but the Commission is bound by the relevant provisions of the Charter;

3) In Central Africa, the Regional Strategy and Action Plan to prevent and combat hate speech modelled on the United Nations Strategy, was adopted in Kinshasa on 24 June 2022 at a forum bringing together players from communication and media regulatory bodies, media professionals, bloggers and representatives of civil society organisations from member countries of the Economic Community of Central African States (ECCAS)¹⁷.

4) The Yaounde Declaration on the adoption of the above-mentioned Regional Strategy and Action Plan was adopted on 9 July 2023 by the representatives of the Member States of the United Nations Standing Advisory Committee on Security in Central Africa (UNSAC) for the prevention and repression of hate speech. This declaration should lead to the adoption of the Strategy and the Action Plan by the competent



Despite the importance of the right to freedom of expression, not all hate speech is protected by international law. Some forms of speech are or must be banned by States.

The Central African States are increasingly using new hate speech laws, particularly online, to curb the flood of false information and misinformation since the advent of the internet and social media.

Most of such laws are perceived by civil society organisations as a threat to freedom of expression and access to information online because they define hate speech and disinformation too broadly. They also include vague provisions that allow for discretionary interpretation by prosecutors and judges, which can lead to abuses of fundamental

¹⁷ <https://peacekeeping.un.org/fr/lafrique-centrale-dispose-desormais-dun-projet-de-strategie-regionale-et-dun-plan-daction-contre-les>

¹⁸ <https://ceeac-eccas.org/2023/07/07/les-etats-de-lafrique-centrale-veulent-acceler-le-processus-dadoption-dune-strategie-et-dun-plan-daction-sur-la-prevention-et-la-lutte-contre-les-discours/>

rights. They provide for penalties that are often too severe in the event of violation of these provisions. The cases of Cameroon, CAR and Chad are illustrative.

In Cameroon

In his traditional speech on 31st December 2022, President Paul Biya reiterated that "I therefore appeal to the responsibility of everyone, especially parents and educators, to restore basic moral values and respect for public order. I would like once again to appeal to those who make criminal and pernicious use of social networks. By their actions, they are plunging many families into distress and sometimes ruining destinies, in particular by spreading disinformation, defamation and hate speech. Clearly, they jeopardise social cohesion". Cameroon has adopted laws or revised its penal code to criminalise hate speech. These include :

- **Law 90/052 of 19 December 1990 on social communication.** Article 74 states that "the injured parties shall, in the following order, be punished as the main perpetrators of offences committed through press and audiovisual communication organs under the conditions laid down by the Code; (1) publishers, station managers and editors, whatever their profession or designation, as well as authors (2) failing the persons mentioned in paragraph 1 above, printers, distributors, managers of recording or broadcasting companies (3) failing the persons mentioned in the sub-section above, billposters, peddlers and vendors". Article 75 states that "persons to whom article 97 of the Criminal Code applies may be persecuted for the same reasons and in all cases". »¹⁹ ;
- **Law No. 2010/012 of 21 December 2010 on cyber-security and cyber-crime in Cameroon**²⁰. in Article 43 stipulates that content providers are responsible for data transmitted via their information system, particularly if this may lead to an affront to human dignity, an affront to morality or an intrusion into private life ;
- **Law no. 2015/006 of 20 April 2015 regulating electronic communications in Cameroon.** Article 81(1) states that "Anyone who, by means of an electromagnetic, acoustic, mechanical or other device, voluntarily or involuntarily intercepts a private communication and discloses it shall be punished in accordance with the penalties set out in Article 80. »²¹ ;
- **Article 241-1 of the Cameroon Penal Code makes insulting a tribe or ethnic group a criminal offence.** It provides that « (1) Anyone who,

19 <https://mireilletchiako.files.wordpress.com/2015/03/la-loi-de-1990-sur-la-communication-sociale-au-cameroun.pdf>

20 <https://www.afapdp.org/wp-content/uploads/2018/05/Cameroun-Loi-relative-a-la-cybersecurite-et-a-la-cybercriminalite-du-21-decembre-2010.pdf>

21 https://www.fratel.org/documents/2011/12/201012-Cameroun-Loi_communications_electroniques-.pdf

by any means whatsoever, makes hate speeches or incites people to violence because of their tribal or ethnic affiliation shall be punished by one to two years' imprisonment and a fine of 300,000 to 3,000,000 francs". (2) "When the perpetrator of hate speech is a civil servant, a leader of a political party, the media, a non-governmental organisation or a religious institution, the penalties provided for in paragraph 1 above are doubled »²².

- **Law no. 2023/009 of 25 July 2023 on the Charter for the Protection of Children Online.** Article 3 defines cybercrime as "a violation of the law through cyberspace using means other than those usually used to commit conventional offences »²³.

In the Central African Republic

- **Pursuant to article 292, paragraph 1 of the Central African Penal Code**"²⁴

The dissemination by any means whatsoever of propaganda tending to inspire contempt or hatred among citizens or inhabitants of certain categories of people, or to incite them to attack, is prohibited". Paragraph 3, which sets out the penalty, states that: "The perpetrators of the above-mentioned offences will be punished by five to ten years' imprisonment and a fine of 500,000 to 10,000,000 francs".

- **Article 25 of Order no. 05-002 of 22 February 2005 on freedom of communication in the Central African Republic,**²⁵ prohibits the broadcasting by the media of messages inciting hatred, in the following terms : "Journalists must refrain from any behaviour that could directly or indirectly be a source of suffering or humiliation for innocent people, victims or any other person in distress, and must refrain in their writing or broadcasting from inciting tribal, ethnic, racial or religious hatred".

- **The National Plan for the Prevention of Incitement to Hatred and Violence.**²⁶

- **Resolution 2399 (2018)** "strongly condemns [...] incitement to ethnic and religious hatred and violence in the Central African Republic"²⁷.

In Chad

Article 47 of Law No. 029 of 12 August 1994 on the press regime, which deals more formally with incitement to racial or ethnic hatred and

²² <https://www.prc.cm/files/e4/df/69/d0803e347719aa9263eff2afe4c8c158.pdf>

²³ <https://www.prc.cm/fr/multimedia/documents/9699-loi-n-2023-007-du-25-07-2023>

²⁴ <http://www.ilo.org/dyn/natlex/docs/SERIAL/88116/100661/F1881819351/CAF-88116.pdf>

²⁵ <https://www.hcc-rca.org/wp-content/uploads/2017/06/Ordonnance-No05.002-du-22fev2005-Liberte-Communication-en-RCA.pdf>. It should be noted that this text has just been revised by a law on freedom of communication adopted on 30 November 2020 by the National Assembly.

²⁶ <https://minusca.unmissions.org/sites/default/files/plan20national20pour20la20prevention20de-20le28099incitation20a20la20haine20et20a20la20violence-2.pdf>

²⁷ Dans son paragraphe 22

advocacy of violence in the following terms "Defamation committed by the same means against a group of persons not designated by article 45 (*) of this law but who belong to a specific ethnic group, region or religion shall be punishable by imprisonment of between one (1) and three (3) years and a fine of between 100,000 and 500,000 CFA francs, if its purpose is to stir up hatred or incite violence between persons²⁸.

SECTION IV.

OTHER LEGAL INSTRUMENTS TO COMBAT HATE SPEECH AROUND THE WORLD



states that "Congress shall make no law affecting an establishment of religion, or prohibiting the free exercise thereof or abridging the freedom of speech, or of the press", but there is a specific federal legislation against hate crime.

In South Africa, Act 4 of 2000 for the Promotion of Equality and the Prevention of Unfair Discrimination contains the clause that "no person shall publish, broadcast, support or communicate language that could demonstrate a clear intention to injure or incite to injury, promote or incite hatred"

In Germany, incitement to hatred against a minority can be punished by a maximum sentence of five years.

In Australia, the Racial Discrimination Act 1975 prohibits hate speech: "it is unlawful for a person to do any act that is likely to insult, humiliate, injure or intimidate another person or group of persons, where that act is done on the basis of the race, skin colour or ethnic origin of another person or group of persons".

In Brazil, racism and other forms of hate speech linked to race are

²⁸ <https://www.lexadin.nl/wlg/legis/nofr/oeur/arch/tch/Tchad2994.pdf>

crimes for which there is no statute of limitations in the Constitution

In Canada, inciting hatred against "identifiable groups" is an offence under the Criminal Code with imprisonment from 2 to 14 years. An identifiable group is "any member of the public distinguished by colour, race, religion, ethnic origin or sexual orientation".

In Denmark, hate speech is defined in legislation as "any public statement that threatens, ridicules or shows contempt for a group because of its race, skin colour, ethnic or national origin, faith or sexual orientation". Its legislation prohibits hate speech.

Finland and Sweden ban hate speech and define it in the same way as Denmark.

In France, the law of 9 July 2019 against hateful content on the internet enshrines the reporting system: platforms with reported "manifestly unlawful" content must remove it within 24 hours. If they fail to cooperate, the platforms concerned will be fined 4% of the company's worldwide turnover.

In Ireland, the right to freedom of speech is guaranteed by the Constitution, but the law against incitement to hatred prohibits "words which are threatening, abusive or insulting and which are intended or likely to provoke hatred against a group of people because of their race, colour, nationality, religion, ethnic or national origins or sexual orientation".

Iceland has a law against hate speech.

New Zealand bans hate speech under the 1993 Human Rights Act.

Norway prohibits hate speech, which it defines as "public statements that threaten or ridicule someone or incite hatred, persecution or contempt on the grounds of skin colour, ethnic origin, religious orientation or gender or philosophy".

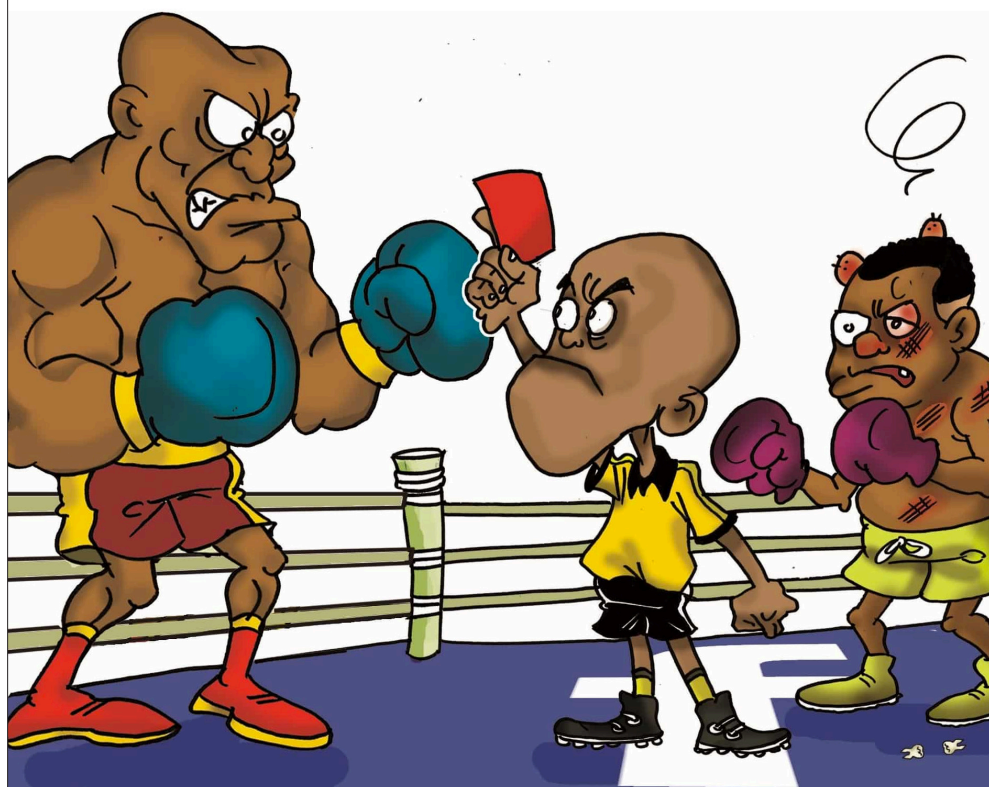
The United Kingdom's Public Order Act of 1986 contains a provision prohibiting expressions of racial hatred. The Racial and Religious Hatred Act 2006 supplements the Public Order Act with a ban on religious hatred and, in 2008, a ban on hatred based on sexual orientation.

Serbia punishes people guilty of hate speech on ethnic, racial and religious issues with up to 10 years' imprisonment.

In Switzerland, « discrimination against persons or groups of persons on grounds of race or ethnicity is punishable by up to three years' imprisonment or a fine ».

CHAPTER V:

Changing the narrative to efficiently combat Hate Speech



Digital technologies and social media play a crucial role in the fight against hate speech, through information, awareness-raising, education and access to information.

The United Nations Hate Speech Strategy and Action Plan recommends that, in order to combat online hate speech successfully, users of digital tools should be equipped with digital citizenship skills so that they can browse the internet safely and responsibly, recognise and be able to counter misinformation, disinformation, extremist and violent narratives, and conspiracy theories.

We need to distinguish between disinformation and misinformation. Disinformation is the deliberate creation or dissemination of false information with the aim of manipulating, misleading, harming or damaging a person, group, organisation or state, whereas misinformation is false information that is not created or shared with the intention of causing harm. Misinformation occurs when information is received and shared without verification or validation. Someone who shares false information because he/she believes it to be true is misinforming.

UNESCO propose strategies and campaigns for media training and online information literacy. It advocates first detecting misinformation before taking action to combat its spread, particularly online. To detect misinformation, one must be conversant with :

- Human rights law, in particular the right to freedom of expression, as human rights education is a powerful tool in the fight against hate speech, particularly online;
- News and informations media, including journalistic standards and ethics;
- Advertising techniques, in particular how online advertising works and how profits are generated in the online economy;
- Computer sciences, understanding the use of information technology, understanding how titles, images and videos can be manipulated to promote a particular narrative;
- Attention economy', i.e. how online copywriters focus on creating

'clickbait' headlines and misleading images to grab users' attention and generate online advertising revenue;

- The right to privacy and interculturality, how privacy norms are developed and how communications interact with induced identity and social developments.

UNESCO requires digital content hosts and users to reject hate speech, particularly in public places such as Facebook or X (formerly Twitter), which make it easy for private speech to find its way into the public arena.

National legal systems are beginning to identify the creators and hosts of digital hate content and to make the granting of licences to providers conditional on a commitment to prohibit access to "hate material" and more generally to what is known as "illegal or harmful material". Legislation is also beginning to criminalise this offence or to define civil liability for visits made by users to prohibited sites.

Private organisations are also beginning to suggest content filtering and labelling software or to identify content creators or hosting providers, by opening sites or hotlines where users can take action against hosting providers or offenders. Many access providers create or adopt a code of conduct or rules for refusing to host illegal or harmful content, and undertake to remove it as soon as it appears on their sites.

PART II :

PHYSICAL PROTECTION AND SECURITY OF ONLINE DATA OF YOUNG GIRLS AND BOYS AND WOMEN HUMAN RIGHTS DEFENDERS IN CENTRAL AFRICA IN THE FACE OF THREATS AND REPRISALS





CHAPTER I :

Legal framework for the physical protection and online security of the data of Young Peoples and Qomen Human Rights Defenders in a context of Artificial Intelligence

INTRODUCTION

Equality between men and women and the elimination of all forms of discrimination against women, as well as children's rights, are fundamental human rights objectives and cherished values of the United Nations and the African Commission on Human and Peoples' Rights. However, everywhere and throughout their lives, women, young people and children continue to be victims of violations of their fundamental rights, and the realisation of these rights has not always been a priority in patriarchal societies.

There are still major inequalities in the world and the realities facing women and young people are constantly changing, with new manifestations of discrimination regularly emerging. Women and young people are also subject to many forms of discrimination, including discrimination based on age, ethnic origin, nationality, religion, health status, marital status, education, disability or socio-economic status. To these forms of discrimination has been added the phenomenon of artificial intelligence, which is becoming a real threat to the self-fulfillment of young girls and boys and women (both rural and urban) who are defenders of human rights.

These multiple and cumulative forms of discrimination must be taken into account when developing measures and responses to discrimination against women and young people.

The United Nations and the African Union, through the African Commission on Human and Peoples' Rights (ACHPR), have set up legal instruments to protect young people and women human rights defenders and journalists in their entirety (physically and online), especially in a context where hate speech is on the increase and the use of artificial intelligence on the rise

SECTION I : NEW RECOGNITION OF THE RIGHTS FOR YOUNG (GIRLS AND BOYS) AND WOMEN



The rights that have gradually been recognised to young girls, boys and women are civil and political rights. Following are some examples :

- Women's right to vote ;
- Lowering of the voting age for young people;
- The women and young people's right to be elected;
- The women and girls' right not to be subjected to sexual violence and various forms of gender-based discrimination;
- The right to get involved in peace processes;
- Freedom of information, expression and movement.

They also include economic, social and cultural rights such as:

- The right for women to have a legal contract;
- The right to accompanied employment;
- The right to equal pay;
- The right to education ;
- The right to property ;
- The right of women to control their reproduction;
- The prohibition of early or forced marriage for young girls;
- The right of children to be protected from all forms of violence, abuse and exploitation;
- The prohibition of child labour and the involvement of children in armed conflict;

The rights of young people and women to be involved and engaged in the processes of conflict prevention and resolution, peace and security;

Until recently, young people (girls and boys) and women did not enjoy most of these rights. Several legal instruments now give women and young people, depending on their age, all the rights accorded to men, as well as

granting them specific rights;

Recognition of the rights for women and young people has also been highlighted by certain legal instruments at national level, notably in the fundamental laws of the Central African States.



SECTION II.

THE ESTABLISHED PROTECTION OF THE RIGHTS OF WOMEN AND YOUNG PEOPLE IN THE CENTRAL AFRICAN STATES

In Central Africa, women and young people enjoy legal protection of their rights. A number of legal instruments are used, including constitutional, legislative and regulatory instruments.

A/ The constitutions of the Central African States generally and specifically enshrine in their preambles the rights of women and young people protected by the main international instruments.

1. In Cameroon:

The 1996 Constitution of Cameroon provides that: *"All men are equal in rights and duties. The State shall provide all citizens with the conditions necessary for their development"*. The preamble goes on to list all the rights to be enjoyed by men, women and young people alike. These rights are civil, political, social, economic and cultural. All social strata are entitled to exercise these rights, regardless of race, religion or gender. The Constitution states in particular that *"The Nation shall protect women, young people, the elderly and the disabled"*.

2. In Gabon:

The Gabonese Constitution of 26 March 1991, as amended by the Constitutional Act of 19 August 2003, states that *"The Gabonese Republic recognises and guarantees inviolable and imprescriptible human rights, which are binding on the public authorities"*. Following the example of the Constitution of Cameroon, the Gabonese Constituent Assembly has also recognised the enjoyment of the same rights by both men and women. This applies, for example, to respect for the rights of the defence and the confidentiality of correspondence and communications.

3. In Congo:

The Congolese Constitution adopted by referendum on 25 October 2015 goes further in the protection of women and girls. It states that *"Women have the same rights as men"*. This is a significant step forward for the protection and safety of young people (girls and boys) and women.

4. In Equatorial Guinea:

The protection of women and girls is also a legal reality in Equatorial Guinea. Article 13(c) of the Constitution of 17 January 1995 states that *"Women, regardless of their marital status, have the same rights and opportunities as men at all levels of public, private, family, political, economic, social and cultural life"*.

5. In Chad:

The new Chadian constitution adopted by referendum on 17 December 2023 retained article 13 of the constitutional law of 14 December 2020, which states that *"Chadians of both sexes have the same rights and the same duties. They are equal before the law"*.

In addition, article 14 states that *"The State shall ensure that everyone is equal before the law, without distinction as to origin, race, sex, religion, public opinion or social position. It has the right to ensure the elimination of all forms of discrimination against women and to ensure the protection of their rights in all areas of private and public life"*.

6. In the Central African Republic

The Constitution of the Central African Republic adopted by referendum on 30 July 2023 and promulgated on 30 August 2023, states in Article 5 that *"the law guarantees equal rights to men and women in all areas"*, and under Article 6, *"the protection of women and children against violence and insecurity [...] is an obligation for the State and other public authorities"*.

7. In the DRC:

The DRC Constitution of 18 February 2006, in its preamble, reaffirms [the DRC's] *"adherence and attachment to the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights, the United Nations Conventions on the Rights of the Child and on the Rights of Women, particularly the objective of parity in the representation of men and women within the country's institutions, as well as the international instruments relating to the protection and promotion of human rights"*.

Article 14 provides that *"the public authorities shall ensure the elimination of all forms of discrimination against women and shall ensure the protection and promotion of their rights. They shall take, in all fields, in particular in the civil, political, economic, social and cultural fields, all appropriate measures to ensure the full development and participation of women in the development of the nation. They shall take measures to combat all forms of*

violence against women in public and private life. Women have the right to equitable representation in national, provincial and local institutions. The State shall guarantee the implementation of parity between men and women in the said institutions”.

All the above constitutions guarantee the rights of women and young people. Consequently, their violation is sanctioned by the judge with material jurisdiction.

The legal framework for the protection of women and young human rights defenders is also supplemented by sub-constitutional texts.

B/ Sub-constitutional texts for the protection of women and young people in Central Africa

1. In Cameroon:

There is a series of texts enabling this mission to be fulfilled. Among them, there are texts of general specific nature.

The general texts include, for example, the Criminal Code, the Civil Code and the Labour Code.

Articles 340, 349 and 350 of the Criminal Code punish cases of physical or mental harm to children.

With regard to women, article 338 of the Criminal Code states that: *“Anyone who, by violence against a pregnant woman or an unborn child, causes, even unintentionally, the death or permanent disability of the child, shall be punished by five to ten years’ imprisonment and a fine of between 100,000 and 2,000,000 francs”.*

The Civil Code penalizes any act that contributes to the exploitation of children (art. 203, 355, 371 to 387).

The Labour Code of 14 August 1992 prohibits forced or compulsory labour (art. 2, para. 3) and excludes the employment of children under the age of 14 and their use in dangerous work or that exceeds their strength (art. 86 and 87). The said Code provides for sanctions against the perpetrators of these offences (art. 167).

2. Chad:

Law No. 2017-01 of 8 May 2017 on the Penal Code ensures the protection of Women’s and children's rights, in Articles 357 and 367 respectively.

Article 52 of the Labour Code prohibits the recruitment of children into any employment before the age of 14.

Article 9 of Law no. 006/PR/2002 of 15 April 2002 on the promotion of reproductive health states: *“Everyone has the right not to be subjected to torture or cruel, inhuman or degrading treatment of their body in general*

and of their reproductive organs in particular. All forms of violence such as female genital mutilation (FGM), early or forced marriage, domestic violence and sexual abuse of the human person are prohibited”.

3. In the CAR:

These include:

- Law No 20.016 of 15 June 2020 on the Child Protection Code of the Central African Republic;
- Law no. 10.001 of 16 January 2010 on the Criminal Code of the Central African Republic;
- Law no. 06.032 of 27 December 2006 on the protection of women against violence in the Central African Republic;
- Law no. 06.005 of 20 June 2006 on reproductive health, Article 16 of which states: *“Everyone has the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment of their organs in general, and in particular their reproductive organs”.*
- Decree no. 20.077 of 13 March 2020, which sets up a National Committee to combat human trafficking in the Central African Republic and an operational action plan (2022-23);

The authorities of the Central African countries in general, and the CAR, Chad and Cameroon in particular, are determined to protect vulnerable groups, especially women and young people (girls and boys).

In addition to national legal instruments, people, women and human rights defenders use instruments that fulfil the same mission.



SECTION III : THE PROTECTION OF YOUNG PEOPLE AND WOMEN HUMAN RIGHTS DEFENDERS AT THE REGIONAL LEVEL

The African Union, through the African Commission on Human and Peoples' Rights (ACHPR) has adopted several texts relating to the promotion of human rights in general and the protection of human rights defenders, journalists and activists in particular. These can be divided into charters, declarations, resolutions, principles and guidelines.

The charters include the following:

- a) The African Charter on Human and Peoples' Rights of 27 June 1981, which entered into force on 28 October 1986, in particular Articles 2, 4, 6, 9(2) and 18(3)²⁹ ;
- b) The African Charter on the Rights and Welfare of the Child of 1st July 1990³⁰, which entered into force on 20 November 1999, in particular Articles 3, 4, 7, 8 and 10;
- c) Articles 4 and 6 of the African Youth Charter of 2nd July 2006³¹, which protects and ensures respect for the rights of young girls;
- d) The Maputo Protocol (Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women) of 11 July 2003³².

The following are among the declarations protecting human rights defenders:

- a) The Kigali Declaration of 2003 and the Grand Bay (Mauritius) Plan of Action of 16 April 1999³³ ;
- b) The Declaration of Principles on Freedom of Expression in Africa 2002³⁴ (Banjul Declaration, Gambia) ;
- c) The recommendations of the report by the Women Human Rights Defenders of the African Commission on Human and Peoples' Rights (CADHP)³⁵.

Paragraph 8 of the first declaration states that human rights violations in Africa are caused by the lack of freedom of the press and association. Paragraphs 6, 19 and 21 not only recognise the importance of the media and human rights defenders, but call on the various States to do more to protect them;

29 https://au.int/sites/default/files/treaties/36390-treaty-0011_-_african_charter_on_human_and_peoples_rights_f.pdf

30 <https://www.african-court.org/wpafc/wp-content/uploads/2020/10/12-CHARTRE-AFRICAINE-DES-DROITS-ET-DU-BIEN-ETRE-DE-LENFANT.pdf>

31 https://au.int/sites/default/files/treaties/7789-treaty-0033_-_african_youth_charter_f.pdf

32 https://au.int/sites/default/files/treaties/37077-treaty-0027_-_protocol_to_the_african_charter_on_human_and_peoples_rights_on_the_rights_of_women_in_africa_f.pdf

33 <https://www.ceja.ch/images/CEJA/DOCS/Bibliotheque/Legislation/Africaine/Textes%20Continental/CA/CA29.pdf>

34 <https://www.article19.org/data/files/pdfs/igo-documents/declaration-of-principles-ua-french.pdf>

35 https://ishr.ch/sites/default/files/documents/situation_des_femmes_defenseures_des_droits_de_lhomme_en_afrique-2.pdf

As for the second declaration (Banjul), it generally highlights the principles of freedom of expression and access to information in Africa;

The ACHPR's recommendations on the protection of women human rights defenders (WHRDs) are specific;

Several of the declaration's principles govern the protection of human rights defenders in the context of freedom of expression :

N°	PRINCIPLES	SUBJECT FRAMED BY THE PRINCIPLE
1	Principle 2	Protection of journalists and other media professionals;
2	Principle 19	Protection of journalists and other media professionals;
3	Principle 20	Safety of journalists and other media professionals;
4	Principle 21	Safety of journalists and other media professionals;
5	Principle 40	Protection of privacy ;
6	Principle 41	Protection of personal data
7	Principle 42	Prohibition of communications surveillance

The legal framework for the protection of personal data is quite illustrative of the scope of protection for human rights defenders, journalists and activists. The Declaration forms part of the corpus of non-binding legal standards in Article 9 drawn up by the African Commission;

The resolutions of the ACHPR are not to be outdone. Among them can the following be mentioned:

- a) Resolution 69 on the protection of Human Rights Defenders in Africa of 2004 ³⁶. This Resolution has the double merit, on the one hand, of emphasising the important contribution of human rights defenders to the promotion of human rights, democracy and the rule of law in Africa and, on the other hand, to request Member States to take all necessary measures to ensure the protection of Human Rights Defenders and to include in their periodic reports information on the measures taken to ensure the protection of Human Rights Defenders and to invite Member States to mainstream the issue of Human Rights Defenders in their activities;
- b) Resolution 104 on the situation of Human Rights Defenders in Africa of 2007³⁷ ;
- c) Resolution 275 on the protection against violence and other violations of the Human Rights of persons on the basis of their sexual identity or sexual orientation or assumed sexual orientation 2014³⁸ ;

36 <https://www.chr.up.ac.za/images/publications/centrepublishations/documents/French-CHRD.pdf>
37 <https://achpr.au.int/fr/adopted-resolutions/104-resolution-sur-la-situation-des-defenseurs-des-droits-de-lhomme-en-afrique>
38 <https://achpr.au.int/fr/adopted-resolutions/275-resolution-sur-la-protection-contre-la-violence-et-dautres-violations-des>

d) Resolution 336 on measures for the protection and promotion of the work achieved by Women Human Rights Defenders in Africa from 2016³⁹ ;

e) Resolution 362 on the right to freedom of information and expression on the Internet in Africa from 2016⁴⁰.

As part of the protection of human rights defenders in the fight against terrorism in Africa, the African Commission on Human and Peoples' Rights adopted the Principles and Guidelines on Human and Peoples' Rights in the Fight against Terrorism in Africa in Banjul in 2015. In the tenth part of this text, it is recommended that States take all necessary and useful measures to guarantee the full protection of human rights defenders in the exercise of their functions⁴¹.

The Guidelines on Freedom of Association and Assembly are also of great importance for the protection of human rights defenders in Africa.

At European level, we can mention:

- the Charter of Fundamental Rights of the European Union of 18 December 2000;

- the European Union Guidelines on the Protection of Human Rights Defenders (2008);

Regional legal instruments are
human rights defenders. Interr



**SECTION IV :
PHYSICAL PROTECTION
OF YOUNG PEOPLE AND
WOMEN DEFENDERS BY
INTERNATIONAL LEGAL
STANDARDS**

There are several legal instruments, both general and specific aiming at protecting women and young human rights defenders.

39 <https://achpr.au.int/index.php/fr/adopted-resolutions/336-resolution-sur-les-mesures-de-protection-et-de-promotion-du-travail-des>

40 <https://www.caidp.ci/uploads/cde12820535ee68056105ea12cf22c93.pdf>

41 <https://reliefweb.int/report/world/principes-et-directives-sur-les-droits-de-l-homme-et-des-peuples-dans-la-lutte-contre>

Among them are the following:

- Articles 1, 2, 5 and 7 of the Universal Declaration of Human Rights of 10 December 1948⁴² ;
- Article 6.1 of the International Covenant on Civil and Political Rights 1966⁴³ that states that : *"The right to life is inherent in every human being. This right shall be protected by law. No one may be arbitrarily deprived of his life"*. Article 7 also states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation;
- The International Convention on the Rights of the Child (CRC) of 20 November 1989⁴⁴ ;
- The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which was adopted on 18 December 1979⁴⁵ , and entered into force on 3 September 1981 (articles 4, 7 and 10) ;
- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women of 6 October 1999⁴⁶ (articles 2 and 5) ;
- The United Nations Declaration on Human Rights Defenders of 1998⁴⁷ in articles 2(2), 9(1) and 14(3) ;
- United Nations Resolution 68/181 on the promotion of the December Declaration on Human Rights Defenders 1998⁴⁸ ;
- The United Nations Human Rights Council Resolution of 5 July 2012 on the promotion, protection and fulfilment of human rights on internet⁴⁹ ;
- United Nations Security Council Resolution 1325 of 31 October

42 https://www.un.org/fr/udhrbook/pdf/udhr_booklet_fr_web.pdf

43 https://www.eods.eu/library/UN_ICCPR_1966_FR.pdf

44 <https://www.ohchr.org/fr/instruments-mechanisms/instruments/convention-rights-child>

45 <https://www.un.org/womenwatch/daw/cedaw/text/fconvention.htm>

46 https://www.ohchr.org/sites/default/files/Documents/Issues/Defenders/Declaration/declaration_fr.pdf

47 <https://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=55f285fa4>

48 https://legal.un.org/avl/pdf/ha/opceafdw/opceafdw_f.pdf

49 https://ap.ohchr.org/Documents/E/HRC/d_res_dec/A_HRC_32_L20.pdf



CHAPTER II :

Data and online security challenges for Young (girls and Boys) and Women Human Rights Defenders in a context of increasing Hate Speech and the use of Artificial Intelligence (AI)



SECTION I: CONCEPTS OF DATA SECURITY AND ONLINE SAFETY



Data security: data security is the process of protecting data from unauthorised access or corruption (by viruses or hackers, for example).

Online security or internet security: online security refers to the protection of software against hackers and cyber-attacks, preventing access to sensitive information.

SECTION II: DATA SECURITY AND ONLINE SAFETY CHALLENGES

The principles of data security and online safety for young people and women human rights defenders and journalists follow the same logic as those of their physical protection. However, due to the rapid development of information and communication technologies, increasingly sophisticated online surveillance, data hacking and cyber-security, we are witnessing more attacks targeting the mobile devices and online data of human rights defenders and journalists.

Digital security covers everything connected with the use of computer equipment: desktops, laptops, tablets, mobile phones, software, USB

sticks, etc...



Malware and viruses are software programs made by hackers or malicious programmers. Their purpose is to penetrate computer hardware software, read its contents, delete information, damage it or steal (hack) it. Viruses generally originate from USB sticks, unwanted downloads from websites, e-mails, Bluetooth, memory cards, social media such as Facebook, X, Instagram, etc. The best-known malicious

software are computer worms and phishing.

SECTION III : ONLINE AND DATA SECURITY THREATS

The most common online and data security threats are:

1. Harassment: harassment consists of publishing sensitive personal information online. Examples: jokes denigrating a person, personal insults, racial or ethnic slander, mockery, intimidation, threats, sexual harassment, administrative harassment;

You may harass someone without making threats, telling lies or telling truths. As soon as the message is unwanted and repeatedly posted online, it is harassment...

2. Pornography: Pornography refers to the depiction of sexual behaviour in text, images or other media, sometimes for the purpose of revenge or blackmail.

3. Online violence based on gender (online insults and contempt) is any type of insult or contempt made online in consideration of gender. It can occur anywhere online, particularly in social networks and messaging applications...

We may therefore have:

a) Cyber-harassment: when the Internet is used to stalk or harass a woman or a group of women. Examples : false accusations, insults, defamation, slander ;

b) Leaks of personal content ;

c) Cyberbullying: insults, emotional abuse online;

4. Spam: A spam is a messaging system used to send unwanted or unsolicited messages to a large number of recipients for advertising purposes.

5. Trolling: Trolling is the process of generating disorder on the Internet by instigating quarrels, stirring people up and posting polemical, controversial or inflammatory topics in an online community. A troll is an Internet user who seeks to ignite controversy, attack or challenge people on a discussion forum or on social networks. The word troll also refers to the message published by this Internet user. It is a deliberately controversial message intended to arouse anger or controversy and provoke a reaction from other users of the discussion platform.

6. Sharing nude photos: this consists of sharing photographs of a nude or almost-nude person on the Internet.

7. Online propaganda or online hate speech, online fake news, online disinformation (knowingly modifying information in order to mislead readers). This propaganda may be carried out by identity theft or through false profiles that hide the real identity of the Perpetrators.

8. Online scams or unethical piracy.

Confronted with these risks, we need to find ways of protecting the privacy and security of women and young people when they use community platforms (group discussion forums, social networks, etc.). Generally speaking, they do not protect their personal data from being exposed to third parties. What is more, some digital rights activists are therefore up to each individual to take measures for their protection, over and above the measures taken by the state.



SECTION IV: ARTIFICIAL INTELLIGENCE AND HUMAN RIGHTS DEFENDERS:

Definition

Artificial intelligence is a logical, automated process that is generally based on an algorithm and is capable of carrying out well-defined tasks⁵¹.

The European Parliament defines artificial intelligence as any tool used by a machine to "reproduce human-related behaviours, such as reasoning, planning and creativity".

⁵¹ <https://www.cnil.fr/fr/intelligence-artificielle/glossaire-ia>

A. Artificial Intelligence Benefits for Human Rights Defenders



Artificial Intelligence (AI) is proving to be a valuable tool in the work of Human Rights Defenders (HRDs), offering innovative solutions to the complex challenges they face. Thanks to its advanced surveillance capabilities, AI can detect potential threats to HRDs by analysing vast datasets, including social media, quickly identifying emerging trends. At the same time, it enhances digital security by contributing to cryptography, detecting cyber-attacks, and securing communications, thereby ensuring the protection of defenders' sensitive information in an increasingly complex digital environment.

B. Artificial Intelligence Risks For Human Rights

Although artificial intelligence is an effective tool for protecting young people and women human rights defenders, there are a number of threats on the horizon.

The risk of constant surveillance of HRDs by States and other groups seeking to harm them may compromise their safety and the confidentiality of their work.

The expansion of AI may restrict the operational space of HRDs in the field, with automation liable to take the place of human action and the essential advocacy of HRDs.

Finally, the recovery of HRDs' data by AI is also a risk, as the extensive collection of information by AI systems may become a target for malicious actors.

C. Recommendations

To overcome these challenges, a number of recommendations have been made, amongst which the following:



CHAPTER III :

Drawing up a security plan to address Risks, Threats, Reprisals, Security Incidents and Vulnerabilities to which young people and women Human Rights Defenders are exposed in the context of increased Hate Speech and the use of Artificial Intelligence



INCIDENT, VULNERABILITY, CAPABILITIES

Risk : Risk is defined as a more or less foreseeable possible danger. In human rights terms, it is the probability of occurrence of an event that could cause harm to a person. For example: the risk of being physically attacked as you leave a meeting in the evening, the risk of your online data of being hacked.

Threat : By threat, we mean the sign by which we show what we should fear about something. It is the manifestation by which we show our displeasure to someone, with the intention of making them fear the harm we are preparing for them. In human rights terms, it is the indication that an action may occur

that will infringe a fundamental human right. The threat may result from criminal activity or armed conflict, or be directly related to the human rights defender's work.

Reprisals : Reprisals mean any measure inflicted on a person in retaliation for harm caused or likely to be caused to you by that person, or to prevent that person from making a disclosure of wrongdoing or from cooperating as a witness in an investigation into a disclosure of wrongdoing.

Harmful measure means an omission or an act, threat or intimidation of a physical, economic, social or disciplinary nature.

Therefore, reprisals are any measure inflicted on a person in retaliation for damage caused or likely to be caused to you by that person.

Security Incident: A security incident is any event that could affect your personal safety or that of those around you or your organisation. All threats are security incidents, but not all security incidents are threats.

Examples of security incidents :

- Someone threatens, harasses or speaks hatefully to you on the phone but when you pick up he/she stops talking;
- Your house is burglarised;
- A vehicle parks near your office every evening about an hour before your departure.
- You are told that a stranger has been enquiring about you.
- You are being harassed or subjected to hate speech on social networks by someone using a false profile.

However, a security incident may become a threat if it is possible to establish a connection between the incident and the intention to violate your fundamental rights. So, if it transpires to you that someone has requested information about you (security incident) and that it is with the intention of ensuring that you are no longer able to denounce human rights violations, the security incident has become a threat.

Vulnerability : Vulnerability is defined as a factor that can make it more likely the occurrence of an event or the aggravation of damage as a result of the event. Thus, the vulnerability of a human rights defender will be greater if he does not have an effective and secure means of communication, immediate and safe transport to get away from danger, a secure security system for access to her offices or home, and a network of people who can be alerted quickly in the event of a threat or attack.

Capabilities : By capabilities we mean the assets or resources available

to a person to counter a threat or aggression or to improve his or her security. The measures taken to reduce vulnerabilities are capabilities: having effective and secure means of communication, secure means of



WOMEN HUMAN RIGHTS DEFENDERS ARE EXPOSED

1. Specific Situations

Women and young people have always been important players in the defence and protection of human rights. But their role is not always recognised at its due value. They work alone or in association with men to defend human rights. Unfortunately, they often have to deal

with violence relating to their status as women or young people outside their organisation (association, company or administration), but also with social and cultural prejudice, customary practices and discrimination within human rights organisations.

It is in this context that the special provisions for defending the rights of women and young people must be articulated, and a specific strategy for protecting women and young human rights defenders be developed.

Women and young people are exposed to specific risks, threats and reprisals:

- Discrimination against women who have turned down unwelcome advances made by men, particularly their superiors;
- Inequality of pay or consideration or promotion for equal work or performance;
- Refusal to pay the service due;
- The stigmatisation of pregnant women or women and young people with albinism or disabilities...;
- Marginalisation (women journalists who refuse to join groups or sects to which their superiors belong, LGBT people, etc.);
- Les violences physiques, psychologiques et économiques (y compris le harcèlement de tous ordres, les appels anonymes à toute heure en vue de menaces...);
- Cruel, inhuman and degrading treatment such as acts of gender-based violence, in particular rape and other forms of sexual abuse during detention;
- Sexual exploitation
- Sexual harassment and blackmail of defenders and journalists and members of their families;
- Specific vulnerabilities linked to the weight of traditions and culture that make women inferior to men or turn young people into "social cadets".

2. Situations common to all defenders

But like all human rights defenders, women and young human rights defenders are particularly exposed:

- Invasion (intrusion) of privacy;
- Kidnappings (abductions) with ransom demands
- Arrest and detention;

- Fear, threats (including death threats) and reprisals from their relatives;



- New vulnerabilities linked to this forced removal (isolation, joblessness, risk of repatriation if they leave the country without proper papers).

SECTION III. DRAWING UP A SECURITY PLAN FOR YOUNG PEOPLE AND WOMEN HUMAN RIGHTS DEFENDERS

By speaking out, women and young girls and boys who defend human rights will always be the targets of those who violate people's rights. Although the nature of the threats they face may vary according to individual contexts, all human rights defenders are exposed to risks.

There are a number of emergency protection mechanisms for women and young human rights defenders (girls and boys) who face imminent threats. However, by taking prudent steps, human rights defenders themselves can do a lot to mitigate the risks they face.

Context analysis

The analysis of the context is the basis of any decision taken in terms



CHAPTER IV :

Online and Physical Data Protection and security strategies in a context of increased Hate Speech and the use of Artificial Intelligence



Here are a few strategies to apply when your physical safety or your online data or activities as a young person (girl or boy) or woman human rights defender are threatened or attacked.

SECTION I. STRATEGIES TO ENSURE PHYSICAL SECURITY

- You are a young girl, boy, woman, human rights defender or journalist. To protect yourself properly, you need to:
- Reduce threats;
- Reduce vulnerability factors;
- Increase your protection capabilities.
- In general, you will strengthen your protection capabilities and, at the same time, reduce your vulnerabilities:
- By taking steps to avoid being attacked. For example: tighten your guard,

don't go out alone, don't go into unsafe areas at night;

- By observing the behaviour of members of your neighborhood. For example: does the owner of the mobile phone kiosk near your home always call someone when you arrive or leave?
- By keeping an eye on suspicious people around you;
- By making sure you have safe and effective means of communication;
- By making sure you have a safe means of transport to move quickly away from an area that is at risk or that is becoming at risk;
- Ensuring that you have a reliable security system for access to your home or office;
- Ensuring that you have a network of people to alert quickly in the event of a threat or attack or people to inform before you leave for a high-risk area (a lawyer, a doctor, the police, family, etc.).

But reducing vulnerabilities and increasing protection capabilities does not reduce threats. You can only have an immediate impact on threats by carefully analysing all the security incidents happening around you that could constitute threats.

It can be difficult to have a direct and immediate impact on certain types of threat, since reducing certain threats may take a long time: for example, developing ties of trust with the authorities or the police in order to get them to understand the usefulness and role of human rights defenders and journalists for the balance of society, or advocating in favour of strengthening the protection of human rights, the rule of law, social cohesion, peace and national reconciliation are long-term battles.

SPECIFICALLY, FOLLOW THE FOLLOWING RECOMMENDATIONS:

Recommendation No. 1:

If you have been physically harassed in the course of your work, start looking for a way out and leave the work environment for good. In short, think about resigning and handing in your resignation to your employer as soon as you have found work elsewhere. If possible, try to set up your own business, as it is not excluded that the same type of harassment may also occur with your next employer.

Recommendation No. 2:

Young people (girls and boys), women human rights defenders and journalists should, as far as possible, be economically self-supporting in order to prevent or cope with threats and attacks, the various violations of their rights, and to have the courage to continue their actions, including whistleblowing.

Recommendation No. 3:

Women and young people (girls and boys) who defend human rights and who are journalists must denounce the perpetrators of violations of their rights, even if they are close to them.

Recommendation No. 4:

Women and young people (girls and boys), human rights defenders and journalists who take whistleblowing action should see it through to the end, despite the obstacles they may encounter.

Recommendation No. 5:

Women and young people (girls and boys) who defend human rights and who are journalists must be better informed about their rights, but they must also train themselves to deal effectively with threats and attacks, in particular by knowing their rights as guaranteed by legal instruments and by learning self-defence techniques.

Recommendation No. 6:

Women and young people (girls and boys) human rights defenders and journalists must document all security incidents, threats and other possible reprisals in order to support legal action. To this end, human rights defenders should set up a collective system to collect, document and follow up cases of violations of their rights.

Recommendation No. 7:

Women and young people (girls and boys) who are defenders of human rights and journalists must break down stereotypes through awareness-raising and education in the family, at school, in places of worship in short, in all places of socialisation.

Recommendation No. 8:

Women and young people (girls and boys) human rights defenders and journalists should put in place a personal safety plan including an emergency contact list and people who can sound the alarm or set up a search system (to find out where you are) and protection.

Recommendation No. 9:

Women and young people (girls and boys) human rights defenders and journalists must adopt a system to be identified in any circumstances where they are likely to be under attack. Human rights defenders must have a membership card for a human rights organisation and/or a protection card from an organisation with a mandate to protect defenders. Journalists must hold a press card. Other activists (lawyers, women doctors or nurses, etc.) must be in possession of their professional card.

Recommendation No. 10:

Women and young people (girls and boys) who are defenders of human rights and journalists must develop mentoring, i.e. be willing to learn from

those who have been in the field before them and who thus have experience that can be shared by acknowledging them clearly as their mentors.

Recommendation No. 11:

Women and young people (girls and boys) who are defenders of human rights and journalists should create or join networks of people working in the protection and safety of human rights and journalists.

Recommendation No. 12:

Women and young people (girls and boys) defending human rights and journalists must ensure that networks of defenders or journalists are inclusive, i.e. that they do not discriminate.

Recommendation No. 13:

Women and young people (girls and boys), human rights defenders and journalists should always have a small first aid kit at hand whenever they travel in the field.

Recommendation No. 14:

Women and young people (girls and boys) who are defenders of human rights and journalists must be instinctive, able to sense and warn of danger, identify those around them and be wary of people whose role is not clearly established as having an official link with the activity covered.

Recommendation No. 15:

Women and young people (girls and boys) who defend human rights and



journalists in difficult areas should always identify an emergency escape route if the situation deteriorates and the main or normal exit is difficult to access, blocked or risky.

SECTION II. ONLINE STRATEGIES TO ENSURE DATA AND ON-LINE SECURITY

A. Online strategies

Strategy 1:

Women and young people (girls and boys) who are human rights defenders and journalists should carry out research to find out more about online service providers.

Strategy 2:

Women and young people (girls and boys) who defend human rights and journalists should not give their home address to online retailers. Online sales, online marketing operations and deliveries organised online are often bait to obtain information about you or to find out where you live. You always have to go or send someone else to collect your parcel from the depot indicated by the online seller. If you have no choice but to be delivered to your home, make sure you are not alone at the time of delivery, don't let the deliveryman into your house but receive him at the doorstep.

Strategy 3:

Women and young people (girls and boys) who defend human rights and journalists should not share their photos on social networks, especially those in which they are naked or half-naked.

Strategy 4:

Women and young people (girls and boys) defending human rights and journalists must:

- systematically delete dubious electronic messages;
- refuse friendship requests from strangers and ignore or delete their messages and invitations;
- protect their privacy by not publishing non-professional information about themselves or their family members;
- protect their identity by not creating several e-mail accounts and profiles.

Strategy 5:

Women and young people (girls and boys), human rights defenders and journalists should avoid being attacked by hackers by not responding

to requests or by not succumbing to the temptation to open links (on the Internet, Facebook, Instagram, X, YouTube on your phone) whose origin is unknown. Delete them instead. You do not lose much if you don't know what they contained. If the deleted information was important, you will get it in a different and safer way.

B. Protection against malware

- Maintain your computer equipment regularly;
- Use a long password (6 to 8 characters) for your e-mail accounts, preferably alphanumeric (containing letters, numbers and punctuation or linking characters);
- Avoid long, strategic conversations outside encrypted applications;
- Give preference to physical meetings and notebooks for recording and communicating sensitive information;
- Back up sensitive information in different places, including on paper.

C. Data protection Strategy

Strategy 1 :

Install firewalls and antivirus software such as:

- Araser, to permanently erase message and call history;
- Master Clean, to clean up temporary files;
- Orbot, to prevent others from seeing what you are doing on your device;
- Psiphon, to keep your phone safe from anonymous intruders;
- Avast or Norton or Kaspersky, to prevent viruses from entering your hardware;
- App lock, to block all applications and require a password to open them.

Strategy 2:

- Encrypt your e-mails:
- Download the Thunderbird-fr.exe software to hide your e-mails and make them inaccessible to third parties.

Strategy 3:

- Alert quickly in case of danger:
- Download the Panic Button software to automatically alert three contacts if you feel in danger. Once it is installed and you have entered the names and numbers of the three contacts, all you have to do is to press its power icon repeatedly and the phone will instantly send the distress message to the three contacts.

Strategy 4:

- Secure your data on public computers (business centres, hotels, offices, shopping centres, homes, etc.)
- Never tick the "remember me" box, as this option keeps your e-mail account active even when you have closed the browser window.

As with physical security, violations of the rights of women and young people (girls and boys) defending themselves online should be documented as fully as possible to support legal action. To this end, women defenders should set up a collective (networked) system for collecting, documenting and monitoring cases of violations of their rights, including an early warning system.

For advice, recommendations and strategies proposed above to be followed successfully, young people (girls and boys) and women defenders and journalists must be sure to have:

- a GSM connection (normal mobile telephony, as there is no network in some areas);
- a good internet connection (Wi-Fi or mobile data in areas covered by the network);
- electricity for your desktop computer or sufficient battery life for mobile devices (laptops, tablets, mobile phones).

CONCLUSION

The challenges of dealing with hate speech are particularly important in online hate speech cases, where intent can be more complicated and court remedies more difficult to pursue.

The need to comply with human rights must, however, oblige governments to take positive steps to ensure that the rights of individuals are protected. They can do this by passing laws that prohibit and punish hate speech, including discrimination, violence and hostility, by ensuring that all online and offline hate speech is prosecuted and punished, and by ensuring that potential victims receive appropriate protection to ensure social cohesion between communities, lasting peace and a positive social contract.

The physical and security protection of the data and online activities of young people (girls and boys), women human rights defenders and journalists is a living reality from a legal point of view. As we have seen, several legal instruments at national, regional and international

APPENDIX:
**UPDATED TABLE INTERNATIONAL AND REGIONAL HUMAN
RIGHTS INSTRUMENTS**

<i>Category</i>	<i>Legal Instrument</i>	<i>Place and date of adoption</i>	<i>Date of entry into force</i>
I. INTERNATIONAL HUMAN RIGHTS INSTRUMENTS			
A. Basic texts: <i>International Charter of Human Rights</i>			
	1. Universal Declaration of Human Rights	New York, EU 10 December 1948	
	2. International Covenant on Civil and Political Rights	New York, USA 16 December 1966	23 March 1976
	2.1. Optional Protocol to the International Covenant on Civil and Political Rights	New York, USA December 16 1966	23 March 1976
	2.2. Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty	New York, USA 15 December 1989	11 July 1991
	3. International Covenant on Economic, Social and Cultural Rights	New York, USA 16 December 1966	3 January 1976
	3.1. Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	New York, USA 10 December 2008	5 May 2013
B. Treaties relating to specific groups			
Children's rights	1. International Convention on the Rights of the Child	New York, USA 20 November 1989	2 September 1990
	1.1. Optional Protocol to the Convention on the Rights of the Child concerning the sale of children, child prostitution and child pornography	New York, USA 25 May 2000	18 January 2002
	1.2. Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	New York, USA 25 May 2000	12 February 2002
	1.3. Optional Protocol to the Convention on the Rights of the Child establishing a communications procedure	New York, USA 19 December 2011	14 April 2014
	Convention No. 138 of the International Labour Organization concerning Minimum Age for Admission to Employment	Geneva, Switzerland 26 June 1973	19 juin 1976
	Convention 182 of the International Labour Organisation on the worst forms of employment of children	Geneva, Switzerland 17 June 1999	19 November 2000
Women's Rights	1. Convention on the Elimination of All Forms of Discrimination against Women	New York, USA 18 December 1979	3 September 1981

	2.1. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	New York, USA 6 October 1999	22 December 2000
Rights of people with disabilities	3. Convention on the Rights of Persons living with Disabilities	New York, USA 13 December 2006	3 Mai 2008
	3.1. Optional Protocol to the Convention on the Rights of Persons living with Disabilities	New York, USA 13 December 2006	3 May 2008
Rights of migrant Workers	4. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	New York, USA 18 December 1990	1st July 2003
Asylum and refugee rights	United Nations Convention relating to the Status of Refugees	New York, USA 28 July 1951	22 April 1954
	Protocol on the Status of Refugees	New York, EU 16 décembre 1966	4 October 1967
C. Treaties on specific phenomena			
Combating discrimination	International Convention on the Elimination of All Forms of Racial Discrimination	New York, USA 21 December 1965	4 January 1969
	Convention No. 100 of the International Labour Organisation on Equal Remuneration	<i>Geneva, Switzerland</i> 29 June 1951	23 May 1953
	Convention no. 111 of the International Labour Organisation concerning discrimination on employment and profession)	Geneva, Switzerland 25 June 1958	15 June 1960
Fight against torture	2. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	New York, USA 10 December 1984	26 June 1987
	2.1. Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	New York, USA 18 December 2002	22 June 2006
forced Disappearances	3. International Convention for the Protection of All Persons from forced Disappearance	New York, USA 20 December 2006	23 December 2010
Human trafficking	Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	New York, USA 2 December 1949	25 June 1951
Slavery, forced labour and similar practices	Convention No. 105 of the International Labour Organisation concerning the Abolition of Forced Labour	Geneva, Switzerland 25 June 1957	17 January 1959
	Convention No. 87 of the International Labour Organisation concerning Freedom of Association and Protection of the Trade-Unions Rights	Geneva, Switzerland 9 July 1948	4 July 1950
Labour Law and Social Security	Convention 144 of the International Labour Organization on tripartite consultations concerning international labour standards	Geneva, Switzerland 21 June 1976	16 May 1978

Good Governance	United Nations Convention against Corruption	New York, USA 31 October 2003	14 December 2005
The right to a healthy environment	Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention)	Basel, Switzerland 22 March 1989	5 May 1992
Climate change	United Nations Framework Convention on Climate Change	New York, USA 9 May 1992	21 March 1994
	Climate Agreement (Paris Agreement)	Paris, France 12 December 2015	4 November 2016
Protection of specific groups through Declarations and Resolutions (non-binding)			
Minorities Groups	1. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities	New York, USA 18 December 1992	
Indigenous peoples	2. United Nations Declaration on the Rights of Indigenous Peoples	New York, USA 13 September 2007	
Human rights defenders	3. United Nations Declaration on the Protection of Human Rights Defenders (correct name : Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms)	New York, USA 9 December 1998	
	United Nations Resolution 68/181 on the promotion of the Declaration on Human Rights Defenders in Conflict Situations	New York, USA	
	UN Security Council Resolution 1325 on the rights of women and girls in times of conflict and the role of women in conflict prevention and resolution and in peace processes (concluding peace agreements, peacekeeping and peacebuilding).).	New York, USA 31 October 2000	
Human rights online	United Nations Human Rights Council resolution of 5 July 2012 on the promotion, protection and enforcement of human rights on the internet.	New York, USA 5 July 2012	
II. REGIONAL HUMAN RIGHTS INSTRUMENTS		Place and date of adoption	Date of entry into force
1. Basic Texts			
	Constitutive Act of the African Union	Lomé, Togo 11 July 2000	26 February 2001
	African Charter on Human and Peoples' Rights	Nairobi, Kenya 27 June 1981	21 October 1986

	Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights	Ouagadougou, Burkina Faso 10 juin 1998	25 janvier 2004
	European Union Charter of Fundamental Rights	18 December 2000	December 2009
2. Protection of specific groupe			
Rights of the Child	African Charter on the Rights and Welfare of the Child	Addis Abeba 1st July 1990	21 November 1999
Youth law	The African Youth Charter	Banjul, Gambia 2 July 2006	11 February 2011
Women's Law	Protocol to the African Charter on Human and Peoples' Rights relating to the Rights of Women in Africa (Maputo Protocol)	Maputo, Mozambique 11th July 2003	25 November 2005
Refugees	Convention Governing the Specific Aspects of Refugee Problems in Africa	Addis Ababa, Ethiopia 10th September 1969	20 June 1974
Combating human trafficking	Multilateral regional cooperation agreement to combat trafficking of persons, especially women and children, in West and Central Africa	Abuja, Nigeria 6th July 2006	
Protection of displaced persons	Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)	Kampala, Uganda 23rd October 2009	6 December 2012
3. Protecting cultural diversity			
	Charter of the African Cultural Renaissance	Khartoum, Sudan 24 January 2006	
4. Protection of the environment			
	Convention on the Prohibition of Import into Africa of Hazardous Wastes and on the Control of Transboundary Movements and Management of Hazardous Wastes within Africa (Bamako Convention)	Bamako, Mali 30th January 1991	22 April 1998
5. Right to take part in the management of public affairs			
	African Charter on Democracy, Elections and Governance	Addis Ababa, 30th January 2007	15 February 2012
6. Good governance			
	African Convention on the Prevention and Fight against Corruption	Maputo, 11th July 2003	5 August 2006
7. Fight against terrorism			
	African Convention on the Prevention and Fight against Terrorism	Algiers, Algeria 14 June 1999	6 décembre 2002
	Protocol to the African Convention on the	Addis Ababa,	

	Prevention and Fight against Terrorism	Ethiopia 1st July 2004	
8. Declarations, Resolutions, Principles, Directives, Guidelines (non-binding)			
	Grand Bay Declaration (Mauritius)	16 April 1999	
	Declaration of Principles on Freedom of Expression in Africa	Banjul, Gambia 2002	
	The Kigali Declaration	Kigali, 2003	
	ACHPR Resolution 69 on the protection of human rights defenders in Africa	2004	
	ACHPR Resolution 104 on the situation of human rights defenders in Africa	2007	
	Resolution 275 of the ACHPR on the protection against violence and other human rights violations of persons on the basis of their sexual identity or sexual orientation or assumed against terrorism in Africa	2014	
	Principles and guidelines on human and peoples' rights in the fight against terrorism in Africa	Banjul, Gambia 2015	
	ACHPR Resolution 336 on measures to protect and promote the work of women human rights defenders in Africa	2016	
	ACHPR Resolution 362 on the right to freedom of information and expression on the Internet in Africa	2016	
	ACHPR Resolution 376 on the situation of human rights defenders in Africa	2016	
	ACHPR Resolution 381 on the appointment of a special rapporteur on human rights defenders and focal point on reprisals in Africa	2017	
	Guidelines on freedom of association and assembly in Africa	Niamey, Niger 2017	
	EU guidelines on the protection of human rights defenders	2008	

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