

Charter of principles on freedom of expression and combating hate speech

PREAMBLE

Having regard to IBPEL - Instituto Brasileiro de Perspectivas em Expressões de Liberdade has a institutional mission of disseminating and delving into a studies about freedom of speech, so that, therefore, to be possible to approximate/bring together different discourses and visions of the world and that free, open, democratic and plural dialogue is something indispensable if we desire to evolve as society and individuals.

Considering that a global community is going through a critical juncture which polarization of ideas, intolerance, hate speech, fake news, post-truth, war narratives and deep fakes, are disseminating for a digital and hyperconnect society, casting doubt on the limits and contours of freedom of speech;

Whereas we live in a complex, non linear, globalized, multicultural society, living in paradoxes, at the same time that information, opinions and speeches circulate at broadband speed and with instantaneous and extraterritorial reach, individuals are increasingly polarized, isolated and trapped in their own convictions;

Considering that it is necessary to reconnect people and reestablish genuine and responsive dialogue as a condition for possible cohabitation between different points of view.

Considering that it is necessary to create conditions of order and balance between coexisting freedoms;

Considering that it is necessary to curb all practices aimed to suppress and silence citizens with the perspective of the true participatory democracy could not dispense with dissonant and plural voice, would be banned any and all attempt of interdiction of democratic debate practising for censorship.

Considering that hate speech introduces itself as a harmful obstacle to the intellect and moral of human beings, creating an undesirable soul environment in disharmony and unbalance putting at risk the fraternal sociability emptying the concreteness of the universal values of the dignity of the human, equality and material justice;

Taking into account that hate speech is unacceptable today and forever, its supporters should reflect urgently and abandon this practice once and for all considering the universal Golden Rule, we don't do to others what we wouldn't want done to us.

Recalling that hate speech introduces itself as undesirable and uncivilized mental state of imbalance and lack of self-love, producing an abusive exercise of freedom of speech and communication, often generating primitive feelings still rooted in certain people, true wounds within humanity, including arrogance, superciliousness, vanity, presumption of superiority, selfishness, slander, revenge and lack of humbleness.

IBPEL resumes its active posture by encouraging and building spaces for genuine exchange, learning and active listening and, in the meantime, the institute makes public its Charter of Principles on freedom of expression and hate speech, in the following terms.

Conception and authorship:

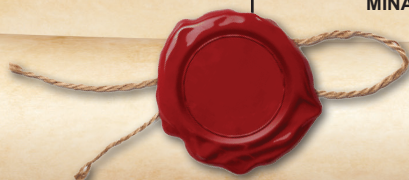


IBPEL
INSTITUTO BRASILEIRO
DE PERSPECTIVAS EM
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PRINCIPLES

1. Freedom of speech constitutes the founder and indispensable element of modern democracies.
2. Freedom of speech is an basic and fundamental right of all, regardless of origin, race, color, ethnic group, gender, sexual orientation, identity or expression of gender, mother language, religion, cultural identity, political or any sort of opinion/ conviction, educational level, nationality, age, weight, disability, genetic characteristic, physical or mental health status including infectious and contagious diseases, disabling psychological condition, or congenital distinctive trait.
3. Freedom of speech is not an absolute or unlimited right, it should be exercised with responsibility and sustainability, in compliance with other equally fundamental rights emphasising the rights of personality, honor, image, intimacy, private life and other prisms of freedom, equality and dignity of people.
4. Freedom of expression presupposes the acceptance and coexistence of ideas that we do not agree with, in an environment that ensures the right to dissent, to counterpoint, to disagree and the right to criticism.
5. The responsible exercise of freedom of expression presupposes an enlightened understanding of the essentiality of the notion of otherness, avoiding the dictatorship of single thought, implying the inviolability of the right to argue and the right of the other to counter-argue, the right to question and to be questioned.
6. Freedom of expression does not imply prior censorship, and it is not up to the State, institutions, or individuals to say in advance what people can or cannot express.
7. All expressions must be “questioned” in light of the legal system and other existing rights, and the interlocutor must be able to argue and demonstrate the compatibility and adequacy of his discourse.
 - 7.1 The responsible exercise of freedom of speech should be based on the idea that truth is not proven by offenses and impertinence, but by balanced and harmonious critical thinking, sincerely respecting differences of opinion and thought, spreading the understanding that persecution and threats in contemporary times can never be used as a means of persuasion.
8. Freedom of speech serves constructive tolerance in that it allows the most diverse ideas and lifestyles to coexist.
9. The protection of freedom of speech should not tolerate speech that attacks tolerance or freedom itself.
 10. Freedom of speech is not to be confused with or encompass at its core hate speech.
 11. Hate speech is a type of abuse of freedom of expression as it denies the different and the diverse, exposing those who practice it to legal, civil, or even criminal sanctions.
 - 11.1 Not every disagreement, repulsive or criticizable idea constitutes hate speech.

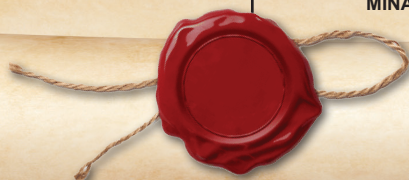
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11.2 Hate speech is marked by the abusive manifestation of intolerant, prejudiced and discriminatory ideas, thoughts and opinions against people or group of people, with the conscious and deliberate intention of offending their dignity and the right to legal equality, inciting, instigating, spreading, stimulating and disseminating violence and feelings of repulsion, anger, contempt, rage and antipathy to the detriment of said individuals or groups by reason of the following criteria: origin, race, color, ethnic group, gender, sexual orientation, identity or expression of gender, mother language, religion, cultural identity, political or any sort of opinion/conviction, socioeconomic position, educational level, nationality, age, weight, disability, genetic characteristic, physical or mental health condition including infectious and contagious diseases, disabling psychological condition, or congenital distinctive trait.

11.3 The incitement and instigation of prejudice and discrimination is the decisive element in identifying hate speech that aims to target a person or group of people.

12. The state must ensure protection against hate speech, with special attention to minorities, vulnerable groups, children and adolescents.

12.1 The practice of hate speech never dignifies the existence of any human being; on the contrary, it favors the sickness of the offender's own illness and the suffering of the offended, creating a corrosive emotional atmosphere, requiring interventions from everyone so that together we can pacify the soul atmosphere on Earth, contributing to the universal fraternity among people and nations, in the construction of a solidary, altruistic, fair, and tolerant civilization.

13. The repression of hate speech must be compatible with the expressive value of the speech, its form, its scope, and the damage it generates.

14. More than repressing and fighting hate speech, it is the role of modern democracies to act on prevention, disseminating reliable scientific information and knowledge, encouraging quality education, promoting open, free, plural, and responsive debate, non-violent communication, active listening, and empathy, fostering the adoption of actions that combat the practice of prejudice and discrimination.

15. Hate speech denies difference, tolerance and pluralism, values considered necessary for the preservation and functioning of an effective participatory democracy, not recognizing the legal equality among individuals. By doing so, it can not only cause individual and collective damage to those affected by hate speech and practices, but, above all, it can put at risk the dignity of the human and citizenship, weakening the structure of the Democratic State.

16. Hate speech must be banned and fought in a great global effort among people, because it represents a threat to social peace, generating an imbalance within our civilization, fostering the culture of error instead of truth, the culture of segregation instead of the culture of inclusion and welcome, generating a low vibratory frequency of energy in the plane of socio-emotional interactions.

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