


## Table of Contents

Foreword	ix
<b>I Introduction</b>	<b>1</b>
Conflicting rights and interests	2
The concept of "hate speech"	3
Identification criteria	5
<b>II Applicable instruments</b>	<b>7</b>
(A) Treaties	7
(a) Treaties of the Council of Europe	7
(b) Other treaties	8
(B) Recommendations and other instruments	9
(a) Council of Europe	9
(b) United Nations	13
(c) European Union	15
(d) The Organisation for Security and Co-operation in Europe	17
<b>III Principles emerging from the case-law of the European Court of Human Rights</b>	<b>19</b>
(A) General principles relating to the right to freedom of expression (Article 10 of the ECHR)	19
(B) Speech falling within the ambit of Article 17 of the ECHR	22
<b>Case study No. 1</b>	<b>28</b>
(C) Restrictions to the freedom of expression (Article 10(2) of the ECHR)	30
(a) General comments	30
i. General approach of the Court	30
ii. The "margin of appreciation" of the States and the supervision exerted by the Court	31
(b) Elements taken into account by the Court	33
i. The purpose pursued by the applicant	33
ii. Content of the expression in question	35
iii. Context of the expression in question	37

iv	<i>Manual on hate speech</i>	
	<b>Case study No. 2</b>	<b>47</b>
(c)	The special case of attacks on religious beliefs	49
	<b>Case study No. 3</b>	<b>53</b>
IV.	Elements from other sources	55
	<b>Case study No. 4</b>	<b>60</b>
	<b>Annexes</b>	<b>63</b>
I	Relevant applicable international and regional instruments	64
II	Examples of national measures and initiatives	80
III	List of judgments and decisions cited	88
IV	Thematic index	90
V	Glossary	93