31st Council
10-13 June 2020
Online
by the European Greens

Title: **AM-31-1 to Res 4.: Defending the Right to Protest**

Tabled by: Federation of Young European Greens

From line 31 to 33:

~~5. Expression that is gratuitously offensive, promotes hatred or violence based on intolerance, or violates the fundamental rights and freedoms of others does not enjoy protection.~~

5. Expression advocating hatred that constitutes incitement to discrimination, hostility or violence does not enjoy protection. In line with the Council of Europe's Recommendation CM/Rec(2022)16, this covers incitement against people on the basis of real or attributed characteristics such as race, colour, language, religion, nationality, national or ethnic origin, age, disability, sex, gender identity and sexual orientation.

Explanation / Comment

The incitement threshold and the Council of Europe's list of protected characteristics give a clear, recognised standard that protects those most targeted by hate, whereas "gratuitously offensive" is vague.