

Introduction and Management Summary

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Every year, typically during the summer holidays, the minor “applied e-Government” of the Public Administration course programme at Ludwigsburg University chooses a topic where the students learn how to solve complex problems in public administration by means of working in project organization. When looking for an appropriate topic for the winter term 2021/2022 the topic of hate speech and fake news came up, particularly because of an increasingly heated Corona debate. Discussions with politicians, practitioners and researchers led towards the Congress of Local and Regional Authorities and, with great help from the General Secretary and his team, the idea became a real project.

The goal was to provide the member states and delegates of the Congress with

1. Knowledge about the way fake news and hate speech work;
2. Knowledge about the technical and legal foundations of both and, more generally, how the internet works;
3. A probable remedy, which should be verified or at least supported by
4. A questionnaire, collecting the delegates’ and youth delegates’ opinions and views, especially on assessing their technical and legal knowledge and their views on potential remedies.

The goal was to provide a scientific basis for a discussion in the Congress and probably also in the Parliamentary Assembly of the Council of Europe and, hopefully, to contribute to future policy recommendation.

One of the key findings was that many Congress members are not fully aware of the technical and legal intricacies of the topic, which creates a requirement for more training and education opportunities for Congress members. As shown in the text delivered, things like blocking IP or email addresses, tracing people or computers producing hate speech and prosecuting them are more complex and not so easy to achieve in the “real virtual world” of the internet. State frontiers, which are often not perceived when surfing the web, hinder effective enforcement of national laws and regulations – and often they are simply not applicable.

We drew the parallel between the postal services and the internet, the former being well regulated since 1874 when the Universal Postal Convention took place and the Treaty of Bern came into effect. Whilst the latter is unfortunately still largely unregulated regarding international treaties and enforceable standard.

What would work, both in our opinion and in the views collected from the delegates, is providing more transparency, more open government and more open data – thereby reducing the necessity for “filter bubbles” to produce hate speech according to Niccolò Machiavelli’s famous proverb, that a man who find himself treated unfairly, will always find a way towards fairness – at least in his perception.

We hope to have contributed towards a discussion on the necessity and the limits of a policy recommendation and thank the Congress for this great opportunity.

We would particularly like to express our thanks to the General Secretary and the secretariat staff for their support in conducting this study as well as to the Members of Congress who participated in the empirical study.

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The authors and editors