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Answer given by Mr Brunner
on behalf of the European Commission
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Antisemitism and racism are widespread online and can lead to radicalisation and physical attacks. Antisemitic or racist speech – both online and offline – that incites violence and hatred is criminalised under the Framework Decision on combating racism and xenophobia¹. However, for example on Holocaust denial and distortion, national laws still differ in many respects.

The EU Strategy on Combating Antisemitism and Fostering Jewish Life (2021-2030)² has set out targeted measures to strengthen the fight against online antisemitism, including by establishing network of organisations monitoring antisemitism online. As part of the working group on the implementation of the strategy, Member States coordinate and share best practices.

While the Digital Services Act (DSA)³ does not contain provisions that would create a publicly available central online platform to notify illegal content, it creates clear obligations for all online platforms to instate user-friendly, accessible mechanisms for the flagging of suspected illegal content, and, if found to be illegal, the platform must act expeditiously to remove such content, or else risk facing liability. The Code of conduct on countering illegal hate speech online ⁺, integrated into the DSA framework and signed by major online platforms, seeks to prevent and address the spread of illegal hate speech online⁴.

The European Union Agency for Law Enforcement Cooperation coordinates action days targeting online racist and xenophobic hate speech and online terrorist and violent extremist content. The High-level group on combating hate speech and hate crimes, set up by the Commission, aims to develop practical guidance, standards and tools, support capacity building and exchange good practices⁵.

¹ Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.

² https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2021:615:FIN&pk_campaign=doc&pk_source=EUR-Lex&pk_medium=tw&pk_keyword=No2Antisemitism.

³ <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.

⁴ <https://digital-strategy.ec.europa.eu/en/library/code-conduct-countering-illegal-hate-speech-online>.

⁵ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/no-place-hate-europe-united-against-hatred_en#the-high-level-group-on-combating-hate-speech-and-hate-crime.