

Alekseyev and Others v. Russia?

Case Law, Safety, Bias-motivated Speech, European Court of Human Rights, Russia, Strategic Litigation

Hate speech

(Application No. 39954/09), 11 April 2018

Find here the communicated case.

Alekseyev and Others v. Russia Download

- The applications concern two interviews with public officials published in the national press, during which
 heinous statements against homosexuals were made. The Russian authorities refused to open criminal
 proceedings, finding that homosexuals were not a social group and that the applicants were not personally
 targeted by the contested statement.
- ILGA-Europe submitted the following:
 - There is widespread recognition within Europe and beyond that homophobic and transphobic statements amount to hate speech. The ECtHR and other human rights bodies have highlighted the particular responsibility of politicians to avoid disseminating words likely to foster intolerance.
 - Homophobic and transphobic statements have a humiliating and stigmatising effect. The ECtHR has considered that violence perpetrated with homophobic and transphobic overtones was capable of meeting the threshold required for a violation of Article 3. Homophobic and transphobic statements can also have extremely serious repercussions for the enjoyment of other rights and freedoms, notably, the right to respect for private and family life and the prohibition of discrimination under Articles 8 and 14 of the Convention.
 - International and European law and standards support the need for action against particular uses
 of hate speech through the application of administrative, civil and criminal law.