

HUMAN RIGHTS AND GOOD GOVERNANCE TO IDENTIFY HATE CRIMES ON SOCIAL NETWORKS

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Abstract

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Nowadays, we notice an increase in the use of technology, and on the other hand, we can say that it has an impact on the increase in cases of hate speech. As Wilson and Land (2021) have pointed out, crimes and hate speech in recent years have taken a trend of rapid development, where as a consequence the language of hatred, which however is not direct can contribute to violence. The purpose of this paper is to research the behavior and approach of individuals to the forms and causes of hate speech as well as to find the factors that manifest these acts towards the persons who are attacked. In this paper, the analytical method, the true study, and legal positivism are used. First, the role of technology and highlights are analyzed in the increase of hate crimes as well as the forms of performances of these acts. The causes that increase these influences of hatred nowadays are the social categories. With the method of legal positivism, the local and regional jurisdiction and the role of the provisions determined by the Constitution in the country and the laws in force have been reflected. The results of the survey show a high assessment of people who have been attacked by the use of technology and hate crimes.

Keywords: Governance, Human Rights, Hate Crimes, Technology

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1. INTRODUCTION

Nowadays, living in such a great development of the use of social networks and technology is not without risk. From moment to moment, they bring opportunities, challenges, and innovations, the appearance of these elements that society may have as opportunities and doubts for guarantees in such approaches, where it happens that citizens have some kind of concern for fear and insecurity for all social strata regardless of race, age, religion, and nationality (Council of Europe Committee of Ministers, 1997), both nationally and internationally. The dynamics of the way social networks are developed, such concepts according to the way of living, and the opportunities that these current virtual trends bring have brought with them risks to

social strata, bringing individuals, and social-state groups against these negative technological links. The dilemmas that arise have to do with this trend of reporting and communicating more to the detriment of misuse, and individual and group abuse. What are the possibilities of misuse of those links, the criminal increase of cases of hatred, distinguishing national, anti-Semitic, and religious ones, as they violate freedoms and human rights due to the use of social media with criminal content, psychological violence that is prohibited according to the Istanbul Convention (The Balkan Trust for Democracy [BTD], 2022), the spread of hate speech among young people, this trend has increased especially during the pandemic.

The current dilemma is how rapidly our country and our young people are accepting these

technological innovations without knowing the dangers of these manipulations, how many of us know that these actions bring consequences to our future, becoming a bad orientation for the promotion of forms of hatred. “Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law” (“Racial discrimination in the United States”, 2022). How much the youth groups in our society are suffering, seeing an ever-increasing lack of interest, including different age groups, such negative social behavior, this is also a consequence of their unsatisfactory success in secondary and university education, their neglect is predispositions for interest to trace such paths of such social networks to be blackmailed.

Today, the use of social networks is a concept of a way of living, and for some an opportunity to network, and propagate such forms of hatred. Concerns and difficulties such as those are increasing as a result of the lack of sufficient cooperation with the technological institutions that fight those crimes and hatred through social networks (UBT College, 2019).

According to the European Court of Human Rights (2013), everyone has the right to liberty and security. Has the lack of control caused enough influence by being deceived in the use of these social platforms to add these forms such as hatred, insults, religious, national, swearing, insults as the purpose of incitement, and calls for cooperation? How dangerous are they, and how much danger do these reports bring to the state and institutions, these actions, not intensifying the work of our institutions to cooperate with those social groups, to stop sanctioning those criminal actions that cause damages both in the personal aspect and the institution level?

Based on “Abuse of cybercrime measures taints UN talks” (2021), Governments have obligations under international human rights law to protect people from harm resulting from a criminal activity carried out through the internet.

The research questions of the study are as follows:

RQ1: How do crimes in social networks violate human rights?

RQ2: How much we should be cooperating with the relevant institutions to fight these phenomena in the country?

RQ3: What are the factors that increase hate crimes?

RQ4: How many such cases are increasing in society nowadays?

The structure of this paper is as follows. Section 1 deals with the introductory part of the paper, and presents the need for the paper, the objectives, and the research questions. Section 2 reviews the relevant literature. Section 3 analyses the methodology that has been used to conduct empirical research on jurisdiction issues to deal with crimes in social networks. Section 4 provides results analyses and discussions regarding the use of hate speech and criminal prosecution and Section 5 is the summary conclusions to the work and its limitations.

2. LITERATURE REVIEW

A recent study by Senthil Kumar et al. (2016) points out that privacy concerns are very weak on social networking sites. From the statistics Senthil Kumar et al. (2016) received, they have identified many of the shortcomings related to privacy and security measures on social media sites. They proposed changes to address society’s privacy concerns regarding web pages by applying a policy to set a strong password, awareness of frequent password change, awareness of information disclosure, the purpose of antivirus or similar software, proprietary software, etc. (Norris et al., 2019). They examined the possibility of attacking people who were internet users and the possibility of falling victim to these frauds because, an important point was to inform individuals about Internet crimes, which then affected their emotional and psychological state.

It also includes the issue of age-related fraud (Barbosa Neves et al., 2018) that older adults — especially fewer concerned about social isolation compared to the young who were active users. According to the findings, the Internet can provide opportunities for social interaction in adulthood to influence the reduction of feelings of social isolation (James et al., 2015). According to them, proper practice efforts should be sought to reduce the risk of fraud in the elderly. On the other hand, Ekandjo et al. (2018) discussed in the paper that the provision and dissemination of information present a range of risks, and among others, we will mention risks of the brand, reputation, financial law, risks of publicity, communication, and technology. Employee safety awareness makes it easy to gather attackers’ circumstantial information that can be used to launch an attack, because of the type of information and the uncontrolled flow of information on online social networks (OSNs), the risks associated with the use of OSNs by employees are growing. Either way, many organizations still ignore the use of OSNs by their employees. Neglecting the use of OSNs by employees can expose organizations to information security threats, such as phishing, and malicious attacks that can lead to damage to reputation and financial loss. With the pace at which OSNs are evolving, organizations need to be aware of and keep abreast of OSN security risks as not addressing them can result in catastrophic consequences (Ekandjo et al., 2018). According to Müller and Schwarz (2021), social media can act as a propagation mechanism for violent crimes by enabling the spread of extreme viewpoints. This issue became more important as a result of the spread of COVID-19, which has ignited racism and hatred in social media (He et al., 2021). Some countries, instead of developing new special laws against cybercrime, amended their national legislation or codes, adding specific paragraphs to address cybercrime. For example, Germany, Japan, and China have amended the relevant provisions of their criminal code to combat cybercrime. As another example, in Iraq, the existing civil code (Iraqi Civil Code No. 40 of 1951) and penal code (Iraqi Penal Code No. 111 of 1969) are used to prosecute real-world crimes (e.g., fraud, blackmail, identity theft) perpetrated via the Internet and digital technology (United Nations Office on Drugs and Crime [UNODC], 2019).

2.1. Importance of information in the identification of hate crimes

Today we must pay attention to the information we distribute on the networks as we can very quickly become the target of fraud. It is important to know which information to distribute due to the reliability and security of the users of these networks. Most of the time, the younger generation is exploited through the use of social networks, and the risk of fraud is greater.

Frauds and other malicious attempts to influence people continue to spread across the globe, assisted by the availability of technology that makes it increasingly easy to create communications (Williams et al., 2017). Social media is a dream come true for fraudsters. Three billion people — 40% of the global population — are active users of social media, such as Facebook, Twitter, WhatsApp, and Instagram, with a million new users estimated each day. This popularity, combined with the open nature of social media platforms, makes it easy for criminals to reach incredibly large numbers of people.

Social media gives fraudsters the ability to hide their true identities and motives behind the anonymity of fake profiles and accounts, which they use to mislead consumers, impersonate trusted sources and make offers that are too good to be true. These scams can be difficult to spot as they appear to come from trusted sources such as family, “friends”, “followers”, online community members, or known brands. Scams can spread with alarming speed across social media, as likes, shares, and re-tweets propagating content to a wide range of audiences. In effect, the social media model allows scammers to sit back and let consumers, albeit involuntarily, do much of the hard work (UBT College, 2019). Social network sites typically share three common elements. They allow individuals to “construct a public or semi-public profile within a bounded system, articulate a list of other users with whom they share a connection, and view and traverse their list of connections and those made by others within the system” (Houghton & Joinson, 2010, p. 75).

The information shared in social networks and media spreads very fast, almost instantaneously which makes it attractive for attackers to gain information. The attacker can maliciously use shared information for illegitimate purposes. The continuously increasing popularity of the World Wide Web and the Internet caused an increasing number of types of services to be available through a computer network. People who use those services have created a new kind of virtual society usually called online social networks, OSNs (Musiał & Kazienko, 2012). Users voluntarily connect when they share something in common. For example, two users may know each other personally, or they happen to share a common interest. Moreover, these sites have grown to accommodate a multitude of users. Facebook alone has over half-billion users. Internet marketers see these two traits as an opportunity to tap their potential (European Commission against Racism and Intolerance [ECRI], 2017).

2.2. Forms of hatred in social networks as a violation of human rights

Acknowledging that the use of hate speech seems to be a growing concern as a result of the increasing use of social networks, especially through electronic communication systems that are contributing to the networking of the negative impact of hate speech, but the extent of its spread remains unclear because there is a lack of systematic reporting in the collection of data for the detected episodes and, as well as acknowledging the need for this situation to be corrected, especially through appropriate support for the persons targeted or affected by forms of offenses (ECRI, 2017).

The problems we are facing are still not clear because it continues to get worse and one could argue that the worst is yet to come (Bajraktari & Kokaj, 2019). The phenomenon of religious hatred, insults, and similar phenomena, leads to addressing misinformation of different people, which consequently leads to the incident or occurrence of such phenomena. Such social networks that are spreading such problems bring a parallel for competent bodies to be more vigilant in these problems. How often are these insults, such occurrences with elements of violence by state authorities? Knowing that the number of users nowadays multiplies and especially attacks on the new generations, who are in an easier way misused and fall prey to different social groups, such concerns are addressed by their relatives, as well as by the police authorities, where such cases are reported to these institutions, law, and technology can influence each other they interact through a complex system of dependencies and interdependencies (Llamas Covarrubias & Llamas Covarrubias, 2021). The ever-increasing focus on the idea of manipulation as the manipulation or manipulative social networks is intriguing to such generations.

3. RESEARCH METHODOLOGY

The respondents in this research are of different ages and are over the age of 18. The study describes the way these hate crimes occur through social networks. The most important thing about this research is the opportunity to identify these phenomena trying to prevent and to a large extent reduce their occurrence. In addition, the rate of the spread of hate speech in the study is the factor that promotes this increase in such cases.

3.1. Methods

To evaluate the hypotheses of the conceptual model, an online questionnaire was designed using the Qualtrics online survey tool. In this study, 220 participants completed the questionnaire (after primary data screening). To conduct this study a methodology consisting of a combination of primary and secondary data has been used. The data collected from the questionnaire are tested with correlation analysis, crosstabulation Chi-square tests, and ANOVA analysis. The data were processed with Statistical Package for the Social Sciences (SPSS) version 21. The rate used in the questionnaire is based on a 5-point Likert scale (with 1 = strongly

disagree, 2 = disagree, 3 = neutral, 4 = agree, and 5 = strongly agree). To carry out this research work, it would be possible to use a case study as an alternative method and also the method of comparison with other countries.

3.2. Hypotheses

The hypotheses of this study are formulated below:

H1: There is a strong positive relationship between the gender of social media users and time spent on social media.

H2: There is a positive relationship between the age of social media users and time spent on social media.

H3: There is a difference between age groups and forms of hate speech on social networks.

4. RESULTS ANALYSIS AND DISCUSSION

4.1. Descriptive statistics

Table 1 presents the frequency distribution for gender and age. In total, 220 respondents participated. Of all the respondents, 63.64 % are female and 36.36% are male. Forty-eight point six (48.6) percent of respondents are 18-24 years old, 32.2% of them belong to a group of 25-31 years old, and only 19.2% of them are 32-50 years old.

Table 1. Frequency distribution

Variables		Frequency	Percent
Gender	Female	140	63.64
	Male	80	36.36
	Total	220	100.0
Age	18-24	107	48.6
	25-31	71	32.2
	32-50	42	19.2
	Total	220	100.0

Note: n = 220.

Source: Author's elaboration.

From this, it can be seen that the female gender leads in terms of completing the questionnaire and giving answers, and we can also say that it was the gender most affected by the language of hate in social networks. While the age group that had the highest number of responses was 18-24, mainly young people who were also the biggest users of social networks. As long as they are users, they were more vulnerable to computer attacks.

4.2. Hypotheses testing

To test the first hypothesis (*H1*), Pearson Chi-square crosstabulation was used. The model summary ($R = 7.245$) and Asymp. Sig. (2-sided) = $0.027 < 0.05$ shows that, consequently, *H1* is supported and the null hypothesis (H_0) is refused.

Table 2a. Results of Chi-square tests: Case processing summary

	Cases			
	Valid		Total	
	No.	Percent	No.	Percent
Gender * Time in social networks	220	100.0	220	100.0

Table 2b. Results of Chi-square tests: Gender and time in social networks crosstabulation

			Time in social networks			Total
			Less than 1 hour	1-2 hours	Over 2 hours	
Gender	Female	Count	33	77	30	140
		Expected count	38.8	67.5	33.7	140.0
	Male	Count	28	29	23	80
		Expected count	22.2	38.5	19.3	80.0
Total		Count	61	106	53	220
		Expected count	61.0	106.0	53.0	220.0

Table 2c. Results of Chi-square tests: Gender and time in social networks

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-square	7.245 ^a	2	0.027
Likelihood ratio	7.312	2	0.026
Linear-by-linear association	0.165	1	0.684
No. of valid cases	220		

Note: a. 0 cells (0.0%) have an expected count of less than 5. The minimum expected count is 19.27.

Source: Author's elaboration.

From the results of Tables 2a, 2b, and 2c, we can see that the female gender spent more time on social networks, this may be that the female gender, most of them work with social networks such as online businesses, benefit from them compared to men who do not spend a lot of time in social networks.

To test the second hypothesis (*H2*), a correlation analysis was conducted. The model summary Asymp. Sig. (2-sided) = $0.241 > 0.05$ shows that, consequently, the null hypothesis (H_0) is supported and *H2* is refused. Therefore, with increasing age, the time spent on social networks decreases.

Table 3. Results of correlations analysis

Age	Pearson correlation	Age	Time in social networks
	Sig. (2-tailed)	1	0.241**
No.	220	220	
Time in social networks	Pearson correlation	0.241**	1
	Sig. (2-tailed)	0.000	
	No.	220	220

Note: ** Correlation is significant at the 0.01 level (2-tailed).

Source: Author's elaboration.

To test the third hypothesis (H3), ANOVA analysis (One-way ANOVA) was conducted to test the differences in means between groups.

The statement "The language of hatred that violates freedom and human rights is a national one" is significant, which verifies that there is a difference between the groups for the variable of the language of national hatred Sig. 0.000 < 0.05. The statement "The language of hatred that violates freedom and human rights is a gendered one" is not significant, which proves that there is no difference between

groups for the variable of gendered hate speech, Sig. 0.185 > 0.05. The statement "The language of hatred that violates freedom and human rights is a religious one" is significant, which verifies that there is a difference between the groups for the variable of the language of religious hate speech, Sig. 0.001 < 0.05. The statement "The language of hatred that violates freedom and human rights is a racial one" is significant, which proves that there is a difference between groups for the variable of racial hate speech, Sig. 0.001 < 0.05.

Table 4. Results of ANOVA analysis

		Sum of squares	df	Mean square	F	Sig.
The language of hatred that violates freedom and human rights is a national one.	Between groups	29.595	2	14.797	15.244	0.000
	Within groups	210.637	217	0.971		
	Total	240.232	219			
The language of hatred that violates freedom and human rights is a gendered one.	Between groups	4.908	2	2.454	1.702	0.185
	Within groups	312.819	217	1.442		
	Total	317.727	219			
The language of hatred that violates freedom and human rights is a religious one.	Between groups	16.798	2	8.399	7.460	0.001
	Within groups	244.311	217	1.126		
	Total	261.109	219			
The language of hatred that violates freedom and human rights is a racial one.	Between groups	10.103	2	5.051	7.802	0.001
	Within groups	140.493	217	0.647		
	Total	150.595	219			

Source: Author's elaboration.

From the ANOVA analysis, it can be seen that there is a difference between age and forms of hate speech in social networks.

To understand between which groups there are differences, the Bonferroni test was applied (Table 5). The respondents aged 18-24 years old and 25-31 years old have a higher assessment that

the language of hate encountered in social networks is national. The respondents aged 32-50 years old have a higher assessment that the language of hatred encountered in social networks is religious. The respondents aged 32-50 years old have a higher assessment that the language of hatred encountered in social networks is racial.

Table 5. Multiple comparisons

Dependent variable	(I) Age	(J) Age	Bonferroni test			95% confidence interval	
			Mean difference (I-J)	Std. Error	Sig.	Lower bound	Upper bound
The language of hatred that violates freedom and human rights is a national one.	18-24	25-31	-0.726*	0.151	0.000	-1.09	-0.36
		32-50	-0.746*	0.179	0.000	-1.18	-0.31
	25-31	18-24	0.726*	0.151	0.000	0.36	1.09
		32-50	-0.020	0.192	1.000	-0.48	0.44
	32-50	18-24	0.746*	0.179	0.000	0.31	1.18
		25-31	0.020	0.192	1.000	-0.44	0.48
The language of hatred that violates freedom and human rights is a gendered one.	18-24	25-31	0.161	0.184	1.000	-0.28	0.60
		32-50	-0.270	0.219	0.654	-0.80	0.26
	25-31	18-24	-0.161	0.184	1.000	-0.60	0.28
		32-50	-0.431	0.234	0.199	-1.00	0.13
	32-50	18-24	0.270	0.219	0.654	-0.26	.80
		25-31	0.431	0.234	0.199	-0.13	1.00
The language of hatred that violates freedom and human rights is a religious one.	18-24	25-31	-0.136	0.162	1.000	-0.53	0.26
		32-50	-0.741*	0.193	0.000	-1.21	-0.27
	25-31	18-24	0.136	0.162	1.000	-0.26	0.53
		32-50	-0.605*	0.207	0.011	-1.10	-0.11
	32-50	18-24	0.741*	0.193	0.000	0.27	1.21
		25-31	0.605*	0.207	0.011	0.11	1.10
The language of hatred that violates freedom and human rights is a racial one.	18-24	25-31	0.271	0.123	0.087	-0.03	0.57
		32-50	0.561*	0.147	0.001	0.21	0.91
	25-31	18-24	-0.271	0.123	0.087	-0.57	0.03
		32-50	0.290	0.157	0.196	-0.09	0.67
	32-50	18-24	-0.561*	0.147	0.001	-0.91	-0.21
		25-31	-0.290	0.157	0.196	-0.67	0.09

Note: * The mean difference is significant at the 0.05 level.

5. CONCLUSION

From the aforementioned, we conclude that our society must adapt to the way of living based on the standard rules available in the country, but not use these phenomena to fall prey to these frauds and abuses by certain criminal groups that operate scams on social networks.

Competent institutions must be more vigilant against these criminals, and from such abusers, the cyber protection system must be strengthened so that such criminals cause this type of hate crime among young people in the country.

School institutions should perhaps increase the lobbying campaign in raising vigilance and the dangers that come from not paying enough attention to these negative phenomena in society. A preventive focus on young people creates more obstacles for abusers in the spread of hate crimes.

The laws for digital services in the country must be strengthened and implemented. Starting from primary and higher education, this connection must be strengthened by cooperating with competent bodies to prevent and fight this negative phenomenon.

In addition to the importance and contributions, this work is accompanied by a number of limitations. They are, first, focuses on a very limited representation of the sample. The study was undertaken in a limited environment in several public universities in Kosovo, targeting students of young age groups of both genders.

Second, the research is based on self-reported data; therefore, it has been taken into account that the students' declaration in the questionnaires creates the focal basis for their category in the gender age of the information.

Third, the study was conducted mainly among young people. Therefore, one should be careful in

trying to generalize the data of this paper. The size of the sample chosen in the study includes only individuals in the region of Prizren, Peja, and Pristina in Kosovo, this number is sufficient to research these gender and age groups in the country.

Fourth, it has its drawbacks as it is directed only to the locality of our country, singling out certain types of crimes.

Fifth, this model will show how to find methods for hate crime cases on social networks in the country and region.

Sixth, the topic in question can serve as a new trend in the growth of these phenomena in the region and Europe.

It is believed that the findings of this paper will be valuable for institutions that deal with the protection of human rights and also for users of social networks to undertake effective policies in the direction of reducing the number of hate crimes. The scientific work offers valuable practical recommendations to be used in the future to design awareness programs and campaigns for young people who are part of social networks and for those who will be involved in the future and to ensure transparency on the empirical analysis questionnaires and graphs were used.

Other studies should be based on young people in the entire region of Kosovo who are considered users of social networks, not only in some specific countries, even though in this work the cities with the largest number of inhabitants were taken as a basis. It is worth noting that in future studies, as a study population, comparisons should be made between different countries in the region and beyond. Another area of study could be the challenges faced by institutions to fight these crimes and the ability of individuals to denounce these crimes.

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