Disinformation and democracy

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All ages

Disinformation?

- False, inaccurate or misleading information that is deliberately created and disseminated for economic benefit or to harm a person, social group, organization or country.

- It is not about:
  - Illegal or unlawful content
  - Parody
  - Bad journalism

Scale and speed of distribution

Filter Bubble

- A **filter bubble** is the result of a <u>personalized search</u>, by which a website algorithm selectively determines what information the user would like to see, based on information about that user (location, previous click-behavior and search history)

- In this way, users will no longer see information that contradicts their own point of view. This isolates users in their own <u>cultural or ideological bubble</u>.

- The choices made by the algorithms are not transparent.

The Telegraph

Disinformaton/fake news were not terms many people used two years ago, but it is now seen as one of the greatest threats to democracy, free debate and the Western order.

Pakistan's Business of 'Fake News on Kashmir' Busted

Is there a right to factually correct information?

Case law ECtHR

The Orlovskaya Iskra case (2017) shows that the media must take their responsibility to ensure accurate and truthful reporting.

Nevertheless, Article 10 of the ECHR also provides protection for information of which truthfulness can be called into question.

In the Salov v. Ukraine case (2015) the court held that Article 10 ECHR does not prohibit the dissemination of information, even if there is a strong suspicion that this information is not true.

The Lingens v. Austria (1986) case shows that, certainly in value judgments, the legal requirement to prove that they are supported by facts is contrary to Article 10 of the ECHR Convention.

Case law ECtHR

It can be inferred from case law that freedom of speech also offers protection to press statements of which truthfulness can be called into question. This is all the more true when it comes to the dissemination of information during election in which the free flow of information is considered essential (Bowman 1998).

In line with this, the conclusion seems to be justified that there is no absolute right to "fact-checked information" within the scope of Article 10 ECHR.
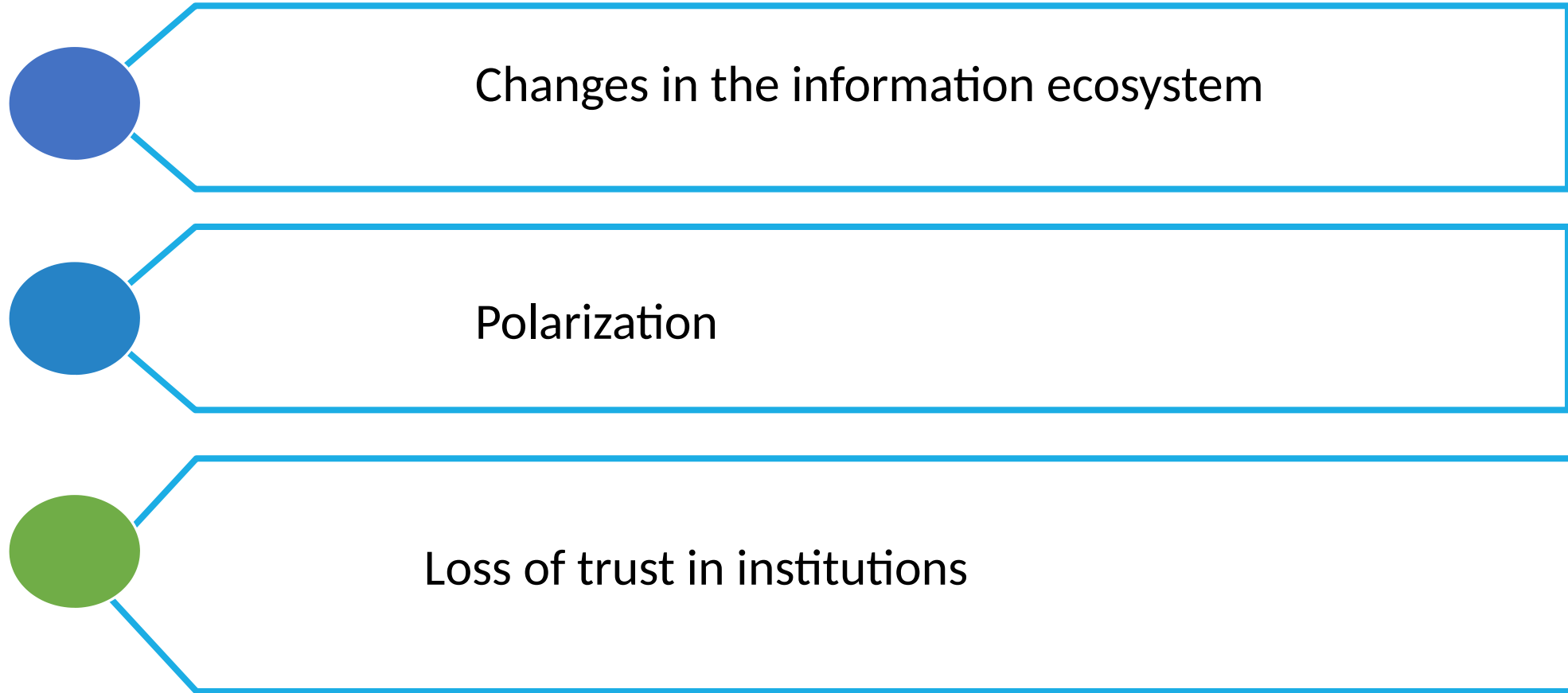
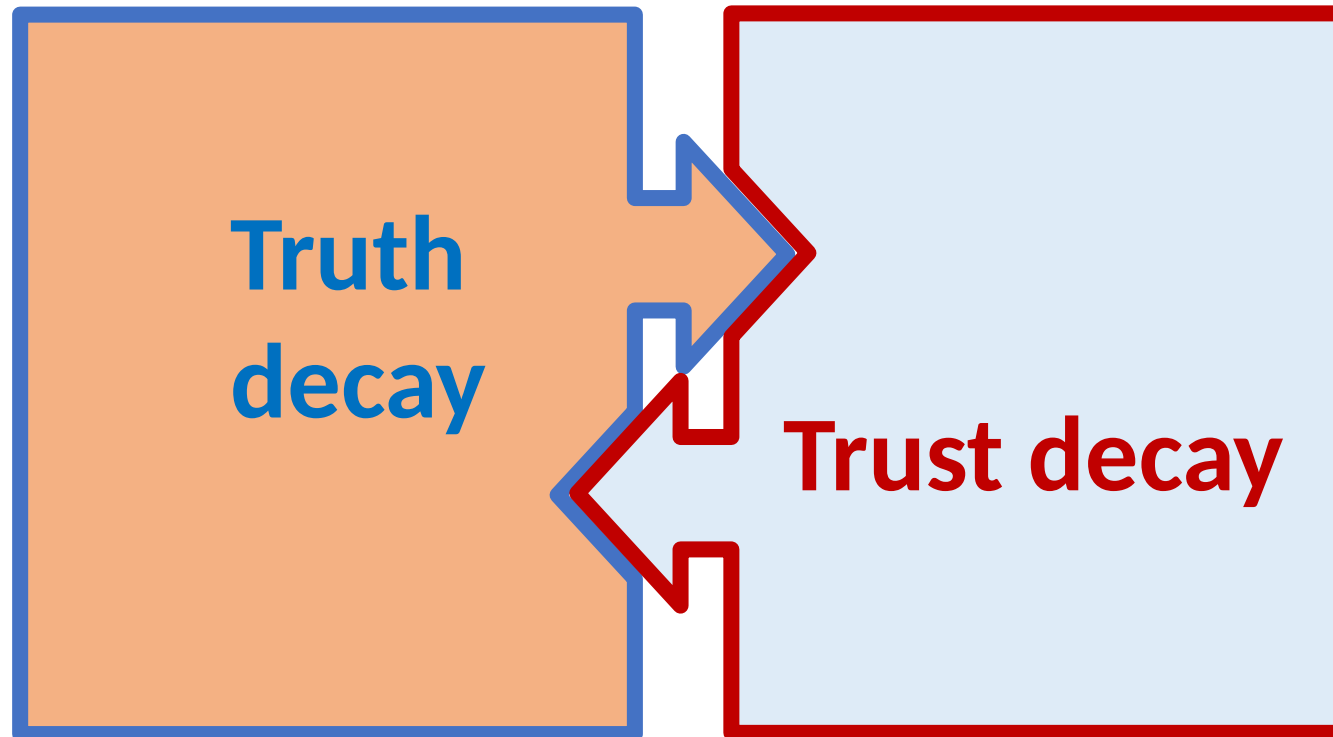# Internet trolls and bots are like 'mushrooms'

Context: lack of trust in institutions leads to disinterest in what they present as truth

Drivers

Changes in the information ecosystem

Polarization
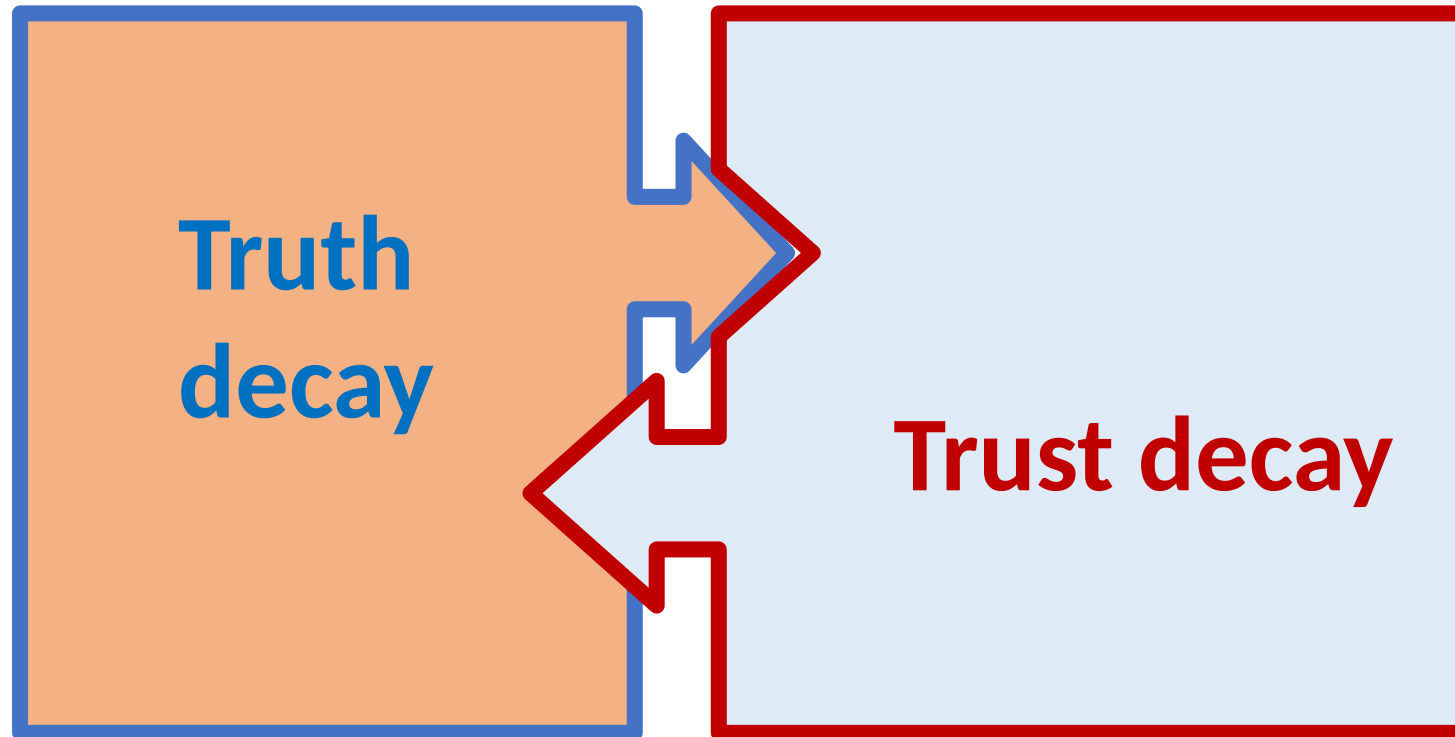
Loss of trust in institutions

Trust in media

Trust in online media

PROPORTION WHO SAY THEY ARE VERY OR EXTREMELY CONCERNED ABOUT WHAT IS REAL AND WHAT IS FAKE ON THE INTERNET WHEN IT COMES TO NEWS – ALL MARKETS

Q_FAKE_NEWS_1. Please indicate your level of agreement with the following statement. Thinking about online news, I am concerned about what is real and what is fake on the internet. Base: Total sample in each market.
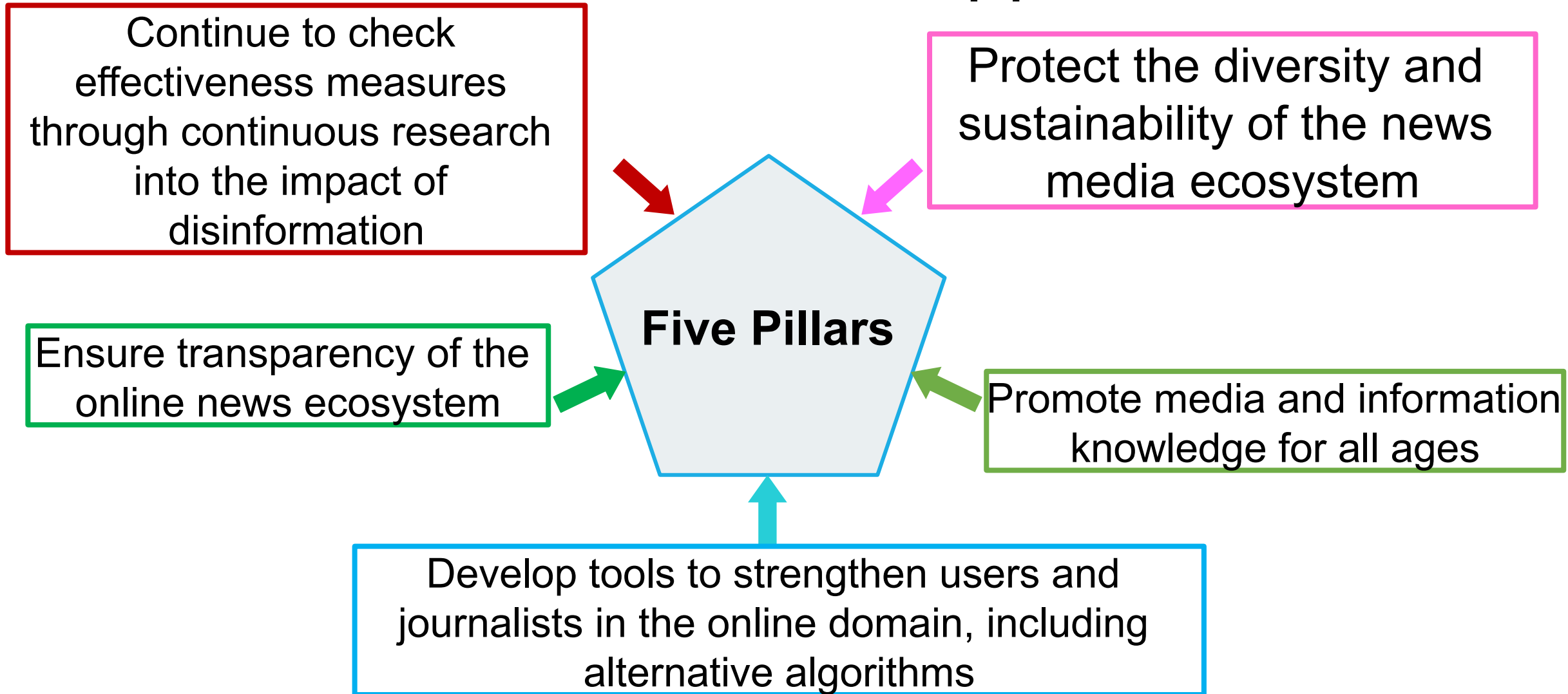
The Report

1. Problem definition
2. Measures already taken by various stakeholders
3. Key principles and general, short- and long-term objectives
4. Responses and actions
   a) Transparency
   b) Media literacy
   c) Empowerment of users and journalists
   d) Diversity and sustainability
   e) Process and evaluation
5. Conclusions: summary of actions by stakeholders

Multi dimensional approach

Continue to check effectiveness measures through continuous research into the impact of disinformation

Protect the diversity and sustainability of the news media ecosystem

Five Pillars

Ensure transparency of the online news ecosystem

Promote media and information knowledge for all ages

Develop tools to strengthen users and journalists in the online domain, including alternative algorithms

- short term

Recommendations

- Facilitate the creation of a **multi-stakeholder Coalition against disinformation**

- Support the establishment of Centres for research on disinformation

- Pursue and intensify efforts in support of media innovation projects

- long term

Recommendations

- Sharpen and support of media and information literacy for all citizens

- Increase support for quality journalism

Specific recommendations sector

- Active participation Centres for Research on Disinformation

- Ensure the highest level of compliance with ethical & professional standards

- Continue investing in quality journalism

- Civil society to build a community of practice for media literacy

- Establish a **multi-stakeholder Coalition** including all relevant stakeholders

- Create a multi-stakeholder **Code of Practices** based on the 10 key principles described in the HLEG Report
  - *Platforms to play a pivotal role*

Code of Practice

Code of Practices reflecting the respective roles and responsibilities of relevant stakeholders, especially online platforms, media organisations, fact-checking and research organisations.

Start self regulation social media platforms 10 key principles

1. Platforms should **adapt their advertising policies**, including adhering to "follow-the-money" principle, whilst preventing incentives that leads to disinformation, such as to discourage the disseminationand amplification of disinformation for profit. These policies must be based on clear, transparent, andnon-discriminatory criteria;

2. Platforms should **ensure transparency and public accountability** with regard to the processing of users' data for advertisement placements, with due respect to privacy, freedom of expression and media pluralism;

3. Platforms should **ensure that sponsored content**, in cluding political advertising, is appropriately **distinguished** from other content;

4. Platforms **should take the necessary measures to enable privacy-compliant access to data for fact-checking and research activities**;

5. Platforms should make available to their users advanced settings and controls to **empower** them **to customise their online experience**;
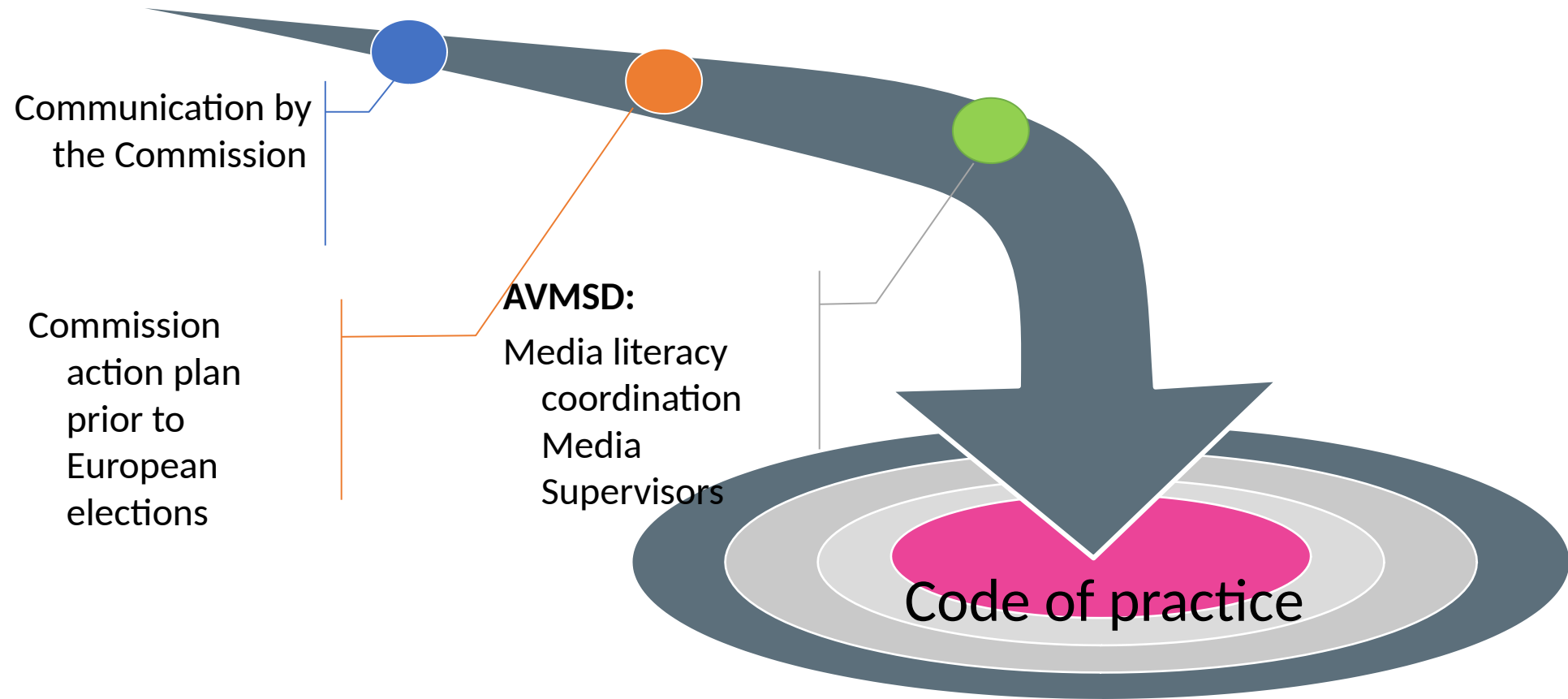
10 key principles

6. Platforms should, in cooperation with public and private European news outlets, where appropriate **take effective measures to improve the visibility of reliable, trustworthy news and facilitate users' access to it**;

7. Where appropriate, **trending news items should**,if technically feasible, **be accompanied by related news suggestions;**

8. Platforms should, where appropriate, provide user-friendly tools to **enable users to link up with trusted fact-checking sources** and allow users to exercise their right to reply;

9. Platforms that apply flagging and trust systems that rely on users should design safeguards against their abuse by users;

10. Platforms should cooperate by i.a. **providing relevant data on the functioning of their services including data for independent investigation by academic researchers and general information on algorithms** in order to find a common approach to address the dissemination and amplification of disinformation.
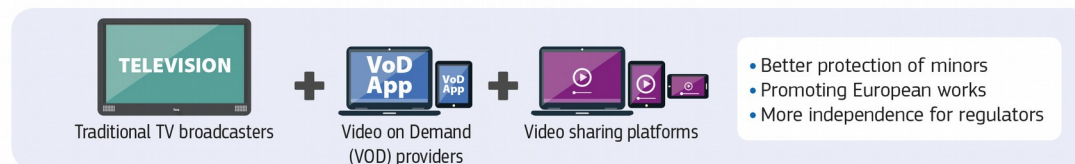
Follow up EC HLEG-report

Communication by the Commission

Commission action plan prior to European elections

AVMSD:

Media literacy coordination Media Supervisors

Code of practice

Audiovisual Media Services Directive (AVMSD)

a media framework for the 21st century

#AVMSD #DigitalSingleMarket

European Commission

Why?

For a better balance of rules

TELEVISION
Traditional TV broadcasters

+

VoD App
VoD App
Video on Demand (VOD) providers

+

Video sharing platforms

- Better protection of minors
- Promoting European works
- More independence for regulators
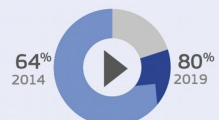
Context

Before

Now

Average TV viewing time is decreasing.

Young people's TV viewing time has **dropped by 7.5%** and is **half** that of the average viewer
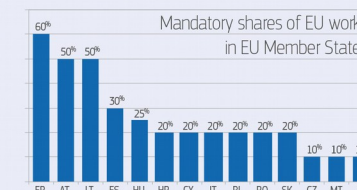
Videos on the Internet

64%
2014

80%
2019

Internet video share in consumer internet traffic is **expected to increase** from **64%** in 2014 to **80%** by 2019

TV channels target more and more foreign markets

Foreign markets

28%
2009

38%
2013

±20%

1%

In 2013, **±20% of broadcasters** revenues was invested in **original programing** vs **1%** for **on-demand services**.

Industry faces **fragmented rules** on the share of European content across the EU

Mandatory shares of EU works in EU Member States

60%
50% 50%
30%
25%
20% 20% 20% 20% 20% 20%
10% 10% 10%

FR AT LT ES HU HR CY IT PL RO SK CZ MT SI

VoD App
VoD App
On average **31%** of VoD services available in one EU Member State are **established** in another Member State

TV XYZ
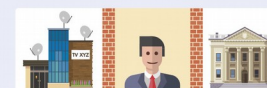
Need for **more independence of regulators** from government & industry

Code of Practice (CoP)

- Online platforms and advertising industry agreed on a self-regulatory Code of Practice against spread of disinformation.
    - 10 key principles

- First time worldwide that industry agrees, on a voluntary basis, to self-regulatory standards to fight disinformation.

- The Code sets a wide range of commitments, from transparency in political advertising to the closure of fake accounts and demonetization of purveyors of disinformation.

A start of a long journey
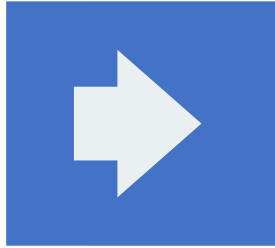
○ Social media on board much better than before

! Solution always multi dimensional

! Clear role for independent academics to monitor

! Clear feedback loop

! Make sure that todays solution are also futureproof

The proof of the pudding is in the eating

Standing still is going backwards

Fake news is about to get so much more dangerous

Thank you!

European University Institute
School of Transnational Governance

Check our website for Executive Training Seminars and new Master Program