ONLINE DISINFORMATION

SOUNDING BOARD MEMBERS REACT TO EC COMMUNICATION ON DISINFORMATION AND CALL FOR STRONGER MEASURES IN LIGHT OF INFODEMIC

Brussels, 15 JUNE 2020. The undersigned members of the Sounding Board ("SB") of the Multistakeholder Forum[1] on disinformation online (representatives from media, civil society, journalists, and academia) thank the European Commission[2] for highlighting the crucial role of free and independent media, journalists and academia in the fight against online disinformation during the Covid-19 crisis. The undersigned are alarmed by the rise in online disinformation during the pandemic and call for much stronger measures to apply to the Platforms that are co-signatories of the Code of Practice (CoP). The Sounding Board notably calls for more ambitious proposals in line with the European Commission's own assessment report (VVA)[3] and ERGA's assessment[4] on the Code of Practice (CoP).

The SB notes that several European and national authorities have come to identical conclusions concerning the CoP. The instrument, while initiating an important dialogue and assessment period, has shown to be inadequate to address the source and drivers of disinformation propagated online as foreseen in the SB's assessment of the CoP[5]. This in the context of Covid-19 where online disinformation has thrived, having a devastating impact on public health efforts.

The Sounding Board as such calls for progress on five dimensions – set out below – to support the fight against what the Director-General of the World Health Organization (WHO) has coined an infodemic[6]. A number of analyses at European and national level – regulators, legislators, academics, news professionals (see a sample in the Annex document) – paint a concerning picture that requires more than just reporting obligations. The Covid crisis has accelerated and magnified the impact of disinformation online, sometimes with deadly impact. There is an urgent need for effective instruments to better assess and successfully tackle the issue.

We note the announcements and modifications made by signatories of the code of practice in regard to fighting disinformation related to Covid-19 on their networks. This demonstrates that, where willingness is present, these actors can deploy solutions at scale to curb harmful content on their networks. It also demonstrates Europe's over-reliance on the good will of systemic players on vital issues. Terms of service and community guidelines cannot be a valid substitute for laws that are inherent to maintaining democratic discourse and public safety.

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[1] The Sounding Board Members entered the Multistakeholder process which was designed to address a number of key principles adopted by the High-Level Expert Group back in March of 2018. The Multistakeholder Forum on Disinformation comprises two different and autonomous groups. On the one hand, major online platforms ad exchanges and their trade associations;, the advertisers and agencies' associations and the European advertising self-regulatory body ("the working group"), and on the other hand representatives of the media, civil society, fact checkers and academia ("the Sounding Board").

[2] European Commission Communication: *Tackling COVID-19 disinformation - Getting the facts right* - June 10 2020 - Link

[3] VVA study on the "Assessment on the implementation of the code of practice on disinformation" published on 8th May, 2020.

[4] ERGA'S Report on Disinformation, an Assessment on the Implementation of the Code of Practice on Disinformation published on 12th May

[5] Joint Press Statement of the Sounding Board of the Forum on Disinformation Issues; Their Unanimous Final Opinion on the so-called Code of Practice, Brussels September 26 2018, Link

[6] Secretary General, WHO, Munich Security Conference – 15 February 2020

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As such we call on European policy-makers to ensure the following measures are put in place:

Transparency and access to data obligations. The lack of transparency, access to relevant/useful datasets, third party oversight has been a major impediment. Transparency and how it is delivered is a corner stone to achieve any progress on independently assessing disinformation, its effects and the effectiveness of measures in place.

Key Performance Indicators (KPIs). Strong indicators as part of the assessment tools used need to effectively describe meaningful progress within and between platforms signed up to the CoP.

Co-regulation. Is welcome whereby the CoP did not constitute self-regulation, so this is a step in the right direction towards better oversight and incentives to effect change for the platforms that are co-signatories to the CoP. Co-regulation must ensure in its application that it boosts rather than penalises media; i.e. the measures in place should ensure journalistic freedom, fundamental rights and editorial freedom are guaranteed.

Sanctions. A meaningful sanctions regime should be put in place to ensure the co-signatories of the CoP have an incentive to act. This will also allow for a co-regulatory process that is financially self-sufficient rather than resting on public contributions.

Structured Dialogue. We have seen a number of Commissioners reaching out to individual signatories of the CoP. We would highlight the need for this conversation to be opened up as part of a structured dialogue with regular consultations including with the regulators (ERGA).

The SB looks forward to working with European policymakers and regulators to ensure a meaningful and impactful set of measures that will effectively tackle online disinformation.

SIGNATORIES (ORGANISATIONS AND ACADEMICS)

- Association of Commercial Television in Europe, Grégoire Polad, Director General
- European Federation of Journalists, Renate Schroeder, Director
- European Publishers Council, Angela Mills Wade, Executive Director
- Gianni Riotta, professor Princeton University, Director of the Data lab at LUISS Guido University School of Government, Rome
- NEWS MEDIA EUROPE, Wout van Wijk, Executive Director
- Oreste Pollicino, Professor of Constitutional Law, Bocconi University
- Ravi Vatrapu, Loretta Rogers Chair & Professor, Ted Rogers School of Management, Ryerson University – Sounding Board Spokesperson

ANNEX - Collection of Disinformation Articles and Studies (non-exhaustive, for illustrative purposes)

1) Rasmus Kleis Nielsen, Richard Fletcher, Nic Newman, J. Scott Brennen, and Philip N. Howard (2020): Navigating the 'Infodemic': How People in Six Countries Access and Rate News and Information about Coronavirus. Available here.

2) Brennen, J. S., Simon, F., Howard, P. N., Nielsen, R. N. 2020. Types, Sources, and Claims of COVID-19 Misinformation. Oxford: Reuters Institute for the Study of Journalism. Available here.

3) EEAS Special Report: Disinformation on the Coronavirus – Short Assessment of the Information Environment Available here.

4) EUvsDisinfo: (2020): Disinformation can Kill, March 26, 2020 - Issue: 189. Available here.

5) EUvsDisinfo: (2020): Throwing Coronavirus Disinfo at the Wall to See What Sticks, April 2, 2020 - Issue: 189. Available here.

6) Grigonis, H. (2020). Facebook won't ban political ads that lie to voters ahead of the 2020 election. Available here.

7) Leerssen, P., Ausloos, J., Zarouali, B., Helberger, N., de Vreese, C. (2019): Platform ad archives: promises and pitfalls. University of Amsterdam. Available here

8) Rosenberg, M. (2019): Ad Tool Facebook Built to Fight Disinformation doesn't Work as Advertised. New York Times. Available here.

9) Mozilla (2019): Facebook's Ad Archive API is inadequate. Available here

10) Scott, M. (2019): Inside Facebook's European elections war room. Politico Europe. Available here

11) Ali, M, Sapienzynski, P., Korolova, A., Mislove, A., Rieke, A. (2019): Ad Delivery Algorithms: The Hidden Arbiters of Political Messaging. Available here

12) The Guardian (2019): Revealed: Johnson Ally's firm secretly ran Facebook propaganda network. Available here.

13) European Regulators Group on Audiovisual Media Services (2019): Intermediate monitoring report: Code of Practice on Disinformation. Available here.

14) Molla, R. (2019): Mark Zuckerberg said a lot of nothing in his big speech. Vox. Available here.

15) Stewart, E. (2019): Facebook's political ads policy is predictably turning out to be a disaster. Vox. Available here.