

Public consultation for legal entities on fake news and online disinformation

Fields marked with * are mandatory.

Public consultation for legal entities - "Fake news and online disinformation"

The phenomenon of fake news and online disinformation is a source of deep concern for its potential effects on the reputation of public institutions, the outcome of democratic deliberations or the citizens' opinion-forming on important public policies such as health, environment, immigration, security, economy or finance.

Although not new, this phenomenon is often said to be more pervasive and impactful today than ever before because of the ease with which news can be posted and shared by anyone on social media, the velocity at which such news may spread online, and the global reach they might effortlessly attain.

For the purposes of defining appropriate policy responses, a broad distinction can be drawn between false information that contain elements which are illegal under EU or national laws such as illegal hate speech, incitement to violence, terrorism or child abuse, and fake news that fall outside the scope of such laws. This consultation only addresses fake news and disinformation online when the content is not per se illegal and thus not covered by existing legislative and self-regulatory actions.

When tackling fake news, the public intervention must respect and balance different fundamental rights and principles, such as freedom of expression, media pluralism and the right of citizens to diverse and reliable information.

The purpose of the consultation is to collect views from all parties concerned across the EU as regards the scope of the problem and the effectiveness of voluntary measures already put in place by industry to prevent the spread of disinformation online and to better understand the rationale and possible directions for action at EU and/or national level.

This questionnaire specifically targets **legal entities and journalists, including independent/freelance journalists**. There is another questionnaire for citizens.

Your input will be used by the Commission to nourish policy discussions at EU level on the spread of disinformation online.

The consultation process will be complemented with a Eurobarometer public opinion survey to be launched early 2018 to measure and analyse the perceptions and concerns of European citizens around fake news.

Identification of respondents

* Please indicate your sector of activity

- ☐ News media
- ☐ Online platform
- ☐ Fact-checking organisation
- ☐ Civil society organisation
- ☐ Academia Educational sector
- ☐ Public authority
- ☒ Other

* Other

- ☐ Manufacturing
- ☐ IT services
- ☐ Agriculture and Food
- ☐ Health and Care
- ☐ Energy
- ☐ Automotive and Transport
- ☐ Financial services/banking/insurance
- ☐ Retail/electronic commerce
- ☐ Public sector
- ☐ Research scientific, education
- ☐ Consumer protection group
- ☒ Other

* Please specify other

Organisation representing Churches and religious communities (Section V of the EU Transparency Register)

* Respondant's first name

100 character(s) maximum

Alessandro

* Respondant's last name

100 character(s) maximum

Calcagno

* Organisation's name

100 character(s) maximum

Secretariat of COMECE (Commission of the Episcopates of the European Union)

*** Contact details**

150 character(s) maximum

alessandro.calcagno@comece.eu

*** Company/organisation website**

100 character(s) maximum

<http://www.comece.eu>

*** Legal seat of the organisation you represent**

100 character(s) maximum

Square de Meeus 19, B-1050, Brussels (Belgium)

*** Countries in which your organisation is active**

- ☒ Austria
- ☒ Belgium
- ☒ Bulgaria
- ☒ Croatia
- ☒ Cyprus
- ☒ Czech Republic
- ☒ Denmark
- ☒ Estonia
- ☒ Finland
- ☒ France
- ☒ Germany
- ☒ Greece
- ☒ Hungary
- ☒ Ireland
- ☒ Italy
- ☒ Latvia
- ☒ Lithuania
- ☒ Luxembourg
- ☒ Malta
- ☒ Netherlands
- ☒ Poland
- ☒ Portugal
- ☒ Romania
- ☒ Slovak Republic
- ☒ Slovenia

- ☒ Spain
- ☒ Sweden
- ☒ United Kingdom
- ☒ Extra-EU
- ☒ All around the World

*** Brief description of entity's sector(s) of activity**

300 character(s) maximum

The COMECE Secretariat carries out operatively the aims of COMECE: it partners EU political processes in areas of relevance to the Episcopates of the EU; monitors EU activities/informs the Episcopates; communicates to the EU institutions opinions/views of the Episcopates on European integration.

Number of employees

- ☐ < 10
- ☒ 11-50
- ☐ 51-250
- ☐ > 250

Turnover of your organisation in 2016

- ☒ < 2 million EUR
- ☐ 2-10 million EUR
- ☐ 11-50 million EUR
- ☐ > 50 million EUR

If part of a group of companies, please specify the identity of the group.

300 character(s) maximum

*** Is your organisation registered in the Transparency Register of the European Commission and the European Parliament?**

- ☒ Yes
- ☐ No
- ☐ Not applicable: I am replying as an individual in my personal capacity

*** Please indicate your organisation's registration number in the Transparency Register.**

100 character(s) maximum

47350036909-69

For journalists: please briefly indicate the topics you cover

600 character(s) maximum

For media companies: please provide a short overview of your online and off-line news and information services.

600 character(s) maximum

For social media and online platforms: please provide a short overview of your core services. Please specify those enabling users to access news and information through your platform.

600 character(s) maximum

For civil society organisations: please explain the corporate mission of your organisation and briefly describe its activities, including those designed to reduce disinformation.

600 character(s) maximum

For the educational sector: please clarify whether primary/secondary/higher, and indicate whether your institute teaches media literacy.

600 character(s) maximum

For academia: please briefly describe your field of research and its relevance for a better understanding of the phenomenon of fake news.

600 character(s) maximum

For public authorities: please briefly describe whether and how your organisation is involved in reducing the impact of disinformation.

600 character(s) maximum

*** Your contribution,**

Note that, whatever option chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N° 1049/2001

- ☒ **can be directly published with your personal information** (I consent to publication of all information in my contribution in whole or in part including, where applicable, my name/the name of my organisation, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)
- ☐ **can be directly published provided that I/my organisation remain(s) anonymous** (I consent to publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that this is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication).

Scoping the problem

"Fake news" represents an ill-defined concept encompassing different types of disinformation, such as misrepresentation of reality or distortion of facts. In the context of this questionnaire, the focus is on **news that is intentionally created and spread online to mislead the reader** (e.g. for political or economic reasons). Generally, individual opinions, satire and pure journalistic errors are not considered as fake news. While the spread of certain fake news may constitute an illegal conduct under EU and/or national laws (e.g. as illegal hate speech, incitement to violence, terrorism or child abuse defamation, libel, etc.), in many other cases fake news may have harmful effects on society without being necessarily illegal. The following sub-set of questions is aimed at enabling the Commission to scope the problem and assess the mechanisms that may contribute to the spread of fake news which are not deemed illegal.

1. In your opinion, which criteria should be used to define fake news for the purposes of scoping the problem?

2000 character(s) maximum

Being wrong should in no case be a criminal offence. Truth has no legal definition. The Church considers that it is not up to mankind to define truth.

The main criterion to define "fake news" should be respect for fundamental rights, the principle of the rule of law and the hierarchy of norms, as defined in binding international standards. Relevant policy or legislative initiatives must not jeopardise the rights to freedom of opinion and expression; to freedom of thought, conscience and religion; or the right of parents to educate their children in conformity with their religious convictions. The enjoyment of the rights to freedom of opinion and of expression; and to freedom of thought, conscience and religion can be organised only in strictly limited cases.

Excessively wide definitions might cause public authorities to have dangerously high degrees of interference on information, empowering them to steer public opinion/debates. The definition should not negatively affect legitimate expressions (e.g. satire). The concept of "fake news" can also be instrumentalised to delegitimise genuine information. The relevant provisions should require a proof of the damaging effect of certain news.

Specific national laws to counter "fake news" should not be instrumentalised to re-write history/destroy historical memory/limit scientific and academic research. Unintended consequences of laws genuinely aimed at countering the phenomenon also cannot be underestimated.

An EU-wide definition of "fake news" does not seem to be opportune (cfr Q 22).

COMECE promotes the definition of "fake news" contained in Pope Francis' Message for World Communications Day 2018: "...the spreading of disinformation on line or in the traditional media. It has to do with false information based on non-existent or distorted data meant to deceive and manipulate the reader. Spreading "fake news" can serve to advance specific goals, influence political decisions, and serve economic interests".

2. Are the following categories of fake news likely to cause harm to society? Please answer on a scale from 1 to 4: 1 (no harm), 2 (not likely), 3 (likely) to 4 (highly likely).

| | No opinion | 1 | 2 | 3 | 4 |
|--|------------|---|---|---|---|
| | | | | | |

| | | | | | |
|---|-----------------------|-----------------------|----------------------------------|----------------------------------|----------------------------------|
| Intentional disinformation aimed at influencing voting decisions at elections | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Intentional disinformation aimed at influencing health policies | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Intentional disinformation aimed at influencing environmental policies | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Intentional disinformation aimed at influencing immigration policies | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Intentional disinformation aimed at influencing economy or finance | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Intentional disinformation aimed at undermining trust in public institutions | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Intentional disinformation aimed at undermining public security | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Intentional disinformation aimed at generating advertisement revenues | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other categories of intentional disinformation | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

* Please specify which other categories of fake news are more likely to cause harm to society.

300 character(s) maximum

Intentional disinformation to discredit/instrumentalise civil society or Churches, religious associations /communities. The Church was victim of "fake news" during the last US Presidential campaign. Religion is subject to misuse in "fake news" contexts. Stigmatisation for belonging to a religion.

3. If you have remarks on these categories, please explain why and/or suggest additional categories of fake news.

300 character(s) maximum

4. In your opinion, what are the main economic, social and technology-related factors which, in the current news media landscape, contribute to the increasing spread of fake news? For instance, you can address reading behaviour, advertising revenues, the changing role of journalists and/or the impact of sponsored articles.

3000 character(s) maximum

One major factor is in the fact that the use of algorithms associates like-minded persons and opinions. Algorithms tend to focus on the most consulted news and information automatically and systematically, without human intervention. By concentrating consultations regardless of whether an information or news is accepted or rejected by the users, the current social media system is by nature granting a bonus to the most extreme expressions. This leads to polarisation and reinforces antagonisms. It is important to provide keys to allow citizens to move from feelings to understanding.

The answer must also come from within society: the "fake news" problem is also driven and enhanced by the growing tendency for users themselves to group together only with other "like-minded" users. Pope Francis raised this concern in His Message for World Communications Day 2018, stating that "The difficulty of unmasking and eliminating "fake news" is due also to the fact that many people interact in homogeneous digital environments impervious to differing perspectives and opinions. Disinformation thus thrives on the absence of healthy confrontation with other sources of information that could effectively challenge prejudices and generate constructive dialogue; instead, it risks turning people into unwilling accomplices in spreading biased and baseless ideas".

The process of opening up discussions and exchanges beyond the "like-minded" circles is of course extremely delicate and therefore it is crucial to avoid the recourse to intrusive mechanisms. The ultimate choice should remain with the reader/user.

It has also become extremely easy and cheap, even for single individuals, to be effective in spreading "fake news", especially in the online environment (and thanks to its fast and pervasive nature).

An additional factor, is in the complexity, slowness and lack of transparency of reporting systems. There is also the issue of aggregators: if a certain news is spread through news agencies system it is then considered as widely spread and therefore correct and acceptable.

The problem of circulation of "fake news" on social networks is also due to the lack of regulation or responsabilisation of such new media in a number of Member states. While some popular social media cannot be considered as a true information media, like television or newspapers, they are at the same time the main instrument of a new, individual journalistic activism. The sharing of news is less and less a matter reserved to traditional media.

As "fake news" impact on all domains of life, initiatives should look for holistic approaches.

5. In which media do you most commonly come across fake news? Select the most relevant options.

- ☐ Traditional print newspapers and news magazines
- ☐ Traditional online newspapers and news magazines
- ☒ Online-only newspapers
- ☐ News agencies (e.g. Reuters, ANSA, AFP)
- ☒ Social media and messaging apps
- ☒ Online blogs/forums
- ☐ TV
- ☐ Radio
- ☒ News aggregators (e.g. Google News, Apple news, Yahoo news)
- ☒ Video sharing platforms (e.g. YouTube, DailyMotion, Vimeo)
- ☒ Information shared by friends or family

☐ No opinion

6. Indicate which of the following dissemination mechanisms, in your opinion, have the highest impact on the spread of fake news in the EU? Select the most relevant options.

- ☒ Online sharing by human influencers / opinion makers
- ☒ Online sharing done by bots (automated social media accounts)
- ☒ Sharing among social media users
- ☒ Recommendation algorithms used on online platforms
- ☐ Media editorial decisions
- ☒ Others

*** Please explain which other dissemination mechanisms have an impact on the spread of fake news in the EU**

600 character(s) maximum

In His Message for World Communications Day 2018 Pope Francis stated that "The economic and manipulative aims that feed disinformation are rooted in a thirst for power, a desire to possess and enjoy, which ultimately makes us victims of something much more tragic: the deceptive power of evil that moves from one lie to another in order to rob us of our interior freedom".

7. Which of the following areas have, in your view, been targeted by fake news during the last two years? Please, for each area, use a scale from 1 to 4; 1 (not targeted), 2 (marginally targeted), 3 (moderately targeted), 4 (heavily targeted).

| | No opinion | 1 | 2 | 3 | 4 |
|--|----------------------------------|-----------------------|----------------------------------|----------------------------------|----------------------------------|
| Political affairs (e.g. elections) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Security | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Personal life of public figures (e.g. politicians) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Show biz and entertainment | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Immigration (e.g. refugees) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Minorities (e.g. religious, ethnic, sexual orientation) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Health (e.g. vaccines) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Environment (e.g. climate change) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Economy and finance (e.g. market rumours) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Science and technology (e.g. fake or misleading studies) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

8. In your view, has public opinion been impacted by fake news in the following areas during the last two years? Please for each area use a scale from 1 to 4: 1 (no impact), 2 (some impact), 3 (substantial impact) to 4 (strong impact).

| | No opinion | 1 | 2 | 3 | 4 |
|--|----------------------------------|-----------------------|----------------------------------|----------------------------------|----------------------------------|
| Political affairs (e.g. elections) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Security | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Personal life of public figures (e.g. politicians) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Show biz and entertainment | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Immigration (e.g. refugees) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Minorities (e.g. religious, ethnic, sexual orientation) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Health (e.g. vaccines) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Environment (e.g. climate change) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Economy and finance (e.g. market rumours) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Science and technology (e.g. fake or misleading studies) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

9. If you are an online platform or a news organisation, please explain the criteria you use to rank news content on your platform/online website and a description of their impact on the ranking of other sources of news.

3000 character(s) maximum

Assessment of the measures already taken by online platforms, news media organisations and civil society organisations to counter the spread of disinformation online

Concrete steps have been taken by online platforms, news media organisations and civil society organisations (e.g. fact checkers) to counter the spread of disinformation online. For instance measures have been taken to deprive fake news websites of online advertising revenue, to close fake accounts, and to establish flagging mechanisms (by readers and trusted-flagger organisations alerting the platforms about content of dubious veracity) and collaborations with independent fact-checkers adhering to the International Fact-Checking code of principles.

The following subset of questions is aimed at collecting information needed to better identify the positive impact, and the drawbacks, of current measures to counter the spread of disinformation online.

10. To what extent, if at all, have the following measures reduced the spread of fake news? Please evaluate each of the following statements on a scale from 1 to 4; 1 (no contribution), 2 (minor contribution), 3 (appreciable contribution), 4 (great contribution).

| | No opinion | 1 | 2 | 3 | 4 |
|--|------------|---|---|---|---|
| | | | | | |

| | | | | | |
|---|-----------------------|-----------------------|----------------------------------|----------------------------------|----------------------------------|
| Pop-up messages on social media, encouraging readers to check news and sources | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Mechanisms to display in prominent position information from different sources representing similar viewpoints (e.g. "related articles" button) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Mechanisms to display in prominent position information representing different viewpoints (e.g. "other sources say" button) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Mechanisms enabling readers to flag content that is misleading and/or fake | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Warnings to readers that a post or article has been flagged /disputed | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Fact-checking through independent news organisations and civil society organisations (explaining why a post may be misleading) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Mechanisms to block sponsored content from accounts that regularly post fake news | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Closing of fake accounts and removal of automated social media accounts (based on the platforms' code of conduct) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

For the measures you have rated equal or below 2 in the previous question please specify why, in your opinion, they are not so effective

600 character(s) maximum

Measure 2: the recourse to algorithms and robots makes might make this solution ineffective.

Measure 6: COMECE already cautioned in the past against the risks of empowering private actors to assess what can be posted or not online (cfr. our reply to Question 16).

11. If you are an online platform or a news organisation and you have adopted measures aimed at countering the spread of disinformation on your online platform, news media or website, or on those operated by third parties, please explain the measures you took. Please provide a short description of their characteristics as well as their results.

3000 character(s) maximum

12. If you are an online platform or a news organisation, which tools do you use to assess the content uploaded on your platform/the quality of online information used to produce news content? Please evaluate each of the following measures on a scale from 1 to 4; 1 (rarely), 2 (occasionally), 3 (often), 4 (always).

| | No opinion | 1 | 2 | 3 | 4 |
|-------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Fact checking (human fact checkers) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

| | | | | | |
|--------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Peer reviews | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Flagging (by users) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Flagging (by trusted flaggers) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Automated content verification tools | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

13. In your view, are readers sufficiently aware of the steps to take to verify veracity of news, when reading and sharing news online (e.g. check sources, compare sources, check whether claims are backed by facts)?

- ☐ Yes
☒ No
☐ No opinion

You are welcome to provide a comment on readers' awareness on the precautions they should take when reading and sharing news online

600 character(s) maximum

The formation of each citizen is crucial. Education to the use of media, especially although not exclusively for children and for their parents, is essential. Children are the adult citizens/readers/users of tomorrow and deserve particular attention if a longer-term perspective is to be embraced. Education should include general culture and make citizens aware of diversity and of the diversity of keys of interpretation. Education should help build a critical spirit in each human being; and foster a culture of dialogue and openness to different ideas.

14. If you are an online platform or a news organisation, what does your organisation do in order to inform readers about the precautions they should take when reading and sharing news online (e.g. periodic notifications, media literacy programmes) ? How do you help them assess a specific article/post (tools to investigate the source, links to facts & figures, links to other sources etc.) ?

3000 character(s) maximum

Scope for possible future actions to improve access to reliable information and reduce the spread of disinformation online

It is sometimes argued that the mechanisms put in place so far by online platforms and news media organisations to counter the spread of fake news only capture a small fraction of disinformation, and that this involves labour-intensive human verification of content and does not prevent virality of fake news through social media. Moreover, concerns have been voiced about the risks of censorship and the need to ensure a more diversified and pluralistic ranking of alternative news sources on social media. The following questions are aimed at collecting information on additional actions which may help to provide a comprehensive and effective response to the phenomenon of fake news.

15. Do you think that more should be done to reduce the spread of disinformation online?

- ☒ Yes
☐ No
☐ No opinion

You are welcome to comment on what should be done to reduce the spread of disinformation online.

3000 character(s) maximum

COMECE restates the centrality of the principle of the rule of law, the hierarchy of norms and democratic principles. EU/national policy and especially legislative actions to counter “fake news” must be fully in line with the commitment, deriving from binding international standards, to promote and protect the right to freedom of opinion and expression. On the occasion of the 70th anniversary of the Universal Declaration of Human Rights we recall its Article 19: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”. Such standards have been restated more than fifty years later in the EU Charter. The Union has a duty to promote and protect these rights.

As affirmed by the European Court of Human Rights in *Handyside v. the United Kingdom* (§ 49) “freedom of expression constitutes one of the essential foundations of [a democratic] society, one of the basic conditions for its progress and for the development of every man. Subject to paragraph 2 of Article 10 [of the European Convention on Human Rights], it is applicable not only to ‘information’ or ‘ideas’ that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population. Such are the demands of that pluralism, tolerance and broadmindedness without which there is no ‘democratic society’”. This means, amongst other things, that every ‘formality’, ‘condition’, ‘restriction’ or ‘penalty’ imposed in this sphere must be proportionate to the legitimate aim pursued”.

COMECE consistently rejects solutions that can have chilling effect on expression: freedom of expression in its diversity is key to creativity, including intellectual one, in mankind.

Any negative impact on the right to freedom of thought, conscience and religion has to be prevented. This right is enshrined in binding international standards replicated in EU texts like the EU Charter. The PACE Assembly Resolution 1535 (2007) on Threats to the lives and freedom of expression of journalists affirmed that “...to make democracy meaningful, freedom of expression and freedom of religion should go hand in hand” (§ 4).

The above-said rights cannot be limited as such, although their enjoyment can be organised. Calling them into questions undermines the whole system of human rights. COMECE attributes central relevance to the fact that human rights are universal, interdependent and non-hierarchical.

Measures to counter “fake news” cannot lead to censorship or silencing fainter signals in society. As stressed in our contribution to the Fundamental Rights Colloquium 2015 “Controversial views, criticism and fiercely opposite opinions are the salt of any society founded on human dignity, freedom, democracy, equality, the rule of law and respect for human rights”.

16. In your view, which measures could online platforms take in order to improve users' access to reliable information and prevent the spread of disinformation online?

3000 character(s) maximum

User awareness is an area in which proactiveness should be encouraged (including by the EU) from online platforms. These actors should be called upon to provide guidance/information materials to the users, so that they are better equipped to face the "fake news" phenomenon.

COMECE has consistently held the view that self-regulatory instruments can only be effective as complementary elements. Voluntary measures should not have unwanted consequences: allowing social media to determine what is "true" and what is not would be a worrying development. The key is to place the user in the best possible position to assess and have access to diverse and reliable sources of information.

"Flagging up" roles for users can be useful, but also need balancing mechanisms. Even initiatives by users to flag up a piece of news as fake can be fake and target genuine information. Therefore, such possibilities have to be complemented by independent fact-checking.

As for the recourse to mechanisms to display in prominent position information representing different viewpoints, it is essential to have clear criteria, in particular on who would be competent for the relevant decisions and on how a viewpoint would be defined as "different".

Authenticity of the author and trustability are key: the final user should have easy access to the originator of the news.

COMECE expressed caution on relying on some civil society organisations as "trusted reporters" in the consultation for the Fundamental Rights Colloquium 2015, as this "...may lead to undue restrictions on freedom of expression and even to abuses or censorship and ultimately entails the privatisation of public responsibility". As the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression stated in his Report of 16 May 2011 to the Human Rights Council (A/HRC/17/27), § 43: "...censorship measures should never be delegated to a private entity".

As for robots/artificial intelligence, we have seen in the case of blocking of illegal materials (such as child pornography) how their effectiveness was limited. In the field of "fake news" as well, COMECE would give a word of caution on considering robots and artificial intelligence as the panacea for all problems. When it comes to fighting against "fake news" human intervention - submitted to the principles and mechanisms of the rule of law and with assessing panels that reflect diversity - is necessary. Expecting the relevant assessments to be performed by a machine is deeply troubling.

The fight against "fake news" shall not limit but promote the diversity necessary to the healthy functioning of a democratic system. Due to some content-blockers religious contents has been flagged as inappropriate, threatening the rights to freedom of opinion and expression; to freedom of thought, conscience and religion; and the right of parents to educate their children in conformity with their religious convictions.

17. How effective would the following measures by online platforms be in preventing the spread of disinformation? Please evaluate each action on a scale from 1 to 4; 1 (no impact), 2 (low impact), 3 (moderate impact), 4 (strong impact).

| | No opinion | 1 | 2 | 3 | 4 |
|---|-----------------------|----------------------------------|-----------------------|-----------------------|-----------------------|
| Rank information from reliable sources higher and predominantly display it in search results or news feeds. | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

| | | | | | |
|--|----------------------------------|-----------------------|----------------------------------|----------------------------------|----------------------------------|
| Provide greater remuneration to media organisations that produce reliable information online | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Allow more control to users on how to personalise the display of content. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Allow direct flagging of suspicious content between social media users. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Invest in educating and empowering users for better assessing and using online information. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Provide buttons next to each article that allow users to investigate or compare sources. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Inform users when certain content was generated or spread by a bot rather than a human being. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Inform users about the criteria and/or algorithms used to display content to them (why they see certain content). | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Support civil society organisations to improve monitoring and debunking of fake news. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Employ fact-checkers at the online platform. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Further limit advertisement revenues flowing to websites publishing fake news. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Improve and extend to all EU Member States online platforms' current practices, which label suspicious information after fact-checking. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Invest in technological solutions such as Artificial Intelligence to improve the discovery and tracking of fake news. | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Develop new forms of cooperation with media outlets, fact-checkers and civil society organisations to implement new approaches to counter fake news. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Other | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

18. In your view, which measures could news media organisations take in order to improve the reach of reliable information and prevent the spread of disinformation online?

3000 character(s) maximum

When re-using material/information, news media organisations should clearly establish and identify the original source of news (a news agency, a business actor, a political or government source).

News media organisations should showcase and promote diversity of expression.

It is important that such actors also promote the formation of professionals in fact-checking (including the ability to distinguish between facts and opinions); and the development of human rights, cultural and religious literacy, in order to avoid stigmatisation of minority or even majority opinions.

Fundamental ethical practices (checking the sources and with the person mentioned in a piece of news) are criteria to be taken into account in assessing the responsibility of the media.

19. How effective would the following measures by news media organisations be in strengthening reliable information and tackling fake news? Please evaluate each actions on a scale from 1 to 4; 1 (no impact), 2 (low impact), 3 (moderate impact), 4 (strong impact).

| | No opinion | 1 | 2 | 3 | 4 |
|--|-----------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| Invest more in new forms of journalism (i.e. data-based investigative journalism) to offer reliable and attractive narratives. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Increase cooperation with other media organisations | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Help readers develop media literacy skills to approach online news critically | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Help readers assess information when and where they read it (e.g. links to sources) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Support civil society organisations and participative platforms (for instance using the model of Wikipedia/Wikinews) to improve monitoring and debunking of fake news. | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Invest in technological solutions to strengthen their content verification capabilities, in particular for user-generated content, in order not to contribute to the proliferation of fake news. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Other | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

Please specify other.

600 character(s) maximum

In this regard, we would like to highlight the fact that in His Message for World Communications Day 2018, Pope Francis expressed appreciation for "...tech and media companies in coming up with new criteria for verifying the personal identities concealed behind millions of digital profiles".

20. In your view, which measures could civil society organisations take in order to support reliable information and prevent the spread of disinformation online?

3000 character(s) maximum

Civil Society Organisations should be more and more involved and active in sharing information. They should be encouraged to develop trustability and fact-checking. Civil Society Organisations can put in place access points concerning cases of "fake news", within the limits of their capacities and should promote human rights, cultural and religious literacy.

21. How do you rate the added value of an independent observatory/website (linking platforms, news media organisations and fact-checking organisations) to track disinformation and emerging fake narratives, improve debunking and facilitate the exposure of different sources of information online? Please evaluate each of the following statements on a scale from 1 to 4; 1 (strongly disagree), 2 (disagree), 3 (agree), 4 (strongly agree). If you find it useful, you can voice suggestions for independence hereunder - e.g. academic supervision, community-based structures or a hybrid such as Wikipedia.

| | No opinion | 1 | 2 | 3 | 4 |
|--|-----------------------|----------------------------------|-----------------------|----------------------------------|-----------------------|
| The public would benefit from an independent observatory that acts like a knowledge centre, gathering studies and providing general advice on how to tackle disinformation online. | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The public would benefit from an independent observatory that looks at popular social media posts, asks fact-checkers to look at them, and provide warnings (to platforms, public authorities, etc.) that they need to be flagged. | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The public would benefit from an independent observatory /website that looks at popular social media posts, researches the facts and develops counter-narratives when necessary. | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The public would benefit from an independent observatory /website that does not look at posts, but instead helps to gather factual information (and possibly user ratings) for each source, to help create a factual snapshot of each source's activity and reputation | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| An observatory is not useful for the public | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

22. What actions, if any, should be taken by public authorities to counter the spread of fake news, and at what level (global, EU, national/regional) should such actions be taken?

3000 character(s) maximum

Public authorities have the obligation to act under the principle of the rule of law, respecting the hierarchy of norms and democratic principles. Human rights are not awarded by the State, but derive from the human dignity of each person. It is not up to mankind to define what is truth.

The sensitiveness of the area requires close scrutiny of respect for the principles of subsidiarity and proportionality. Over-regulatory frameworks (especially if sanctions-based) can only increase dangers of censorship/violation of fundamental rights. Addressing financial incentives related to "fake news" can be more effective.

The EU level could be the right one to promote research/reflections with operators on devising "virtuous algorithms" to counter automatic promotion of the most sensational information. We support a creative use of EU funds in the new funding period (e.g. research from technological and social angles, fundamental rights, media). Member states could be the right level for regulations, allowing citizens to participate within their legal/cultural/linguistic/religious framework.

The key role must remain with the national justice systems. In order for all actors to have fair access to justice - and to take into account the huge disparity between citizens and companies - measures have to ensure proximity of justice.

We would caution against establishing centralised authorities to tackle "fake news", which would come close to creating "Ministries of Truth". Fundamental rights cannot be withdrawn by the State and limitations to their enjoyment shall in all cases be easily challengeable in court.

Member states should integrate into school curricula, also on the basis of the proposed Recommendation on Key Competences for Lifelong Learning, media literacy/digital competences, including "fake news" and human rights/cultural/religious literacy. Education should provide keys to historical/conceptual/intellectual understanding.

The EU should build upon its existing media literacy-pluralism initiatives, including human rights/cultural /religious literacy.

As the "fake news" theme is very sectorial, COMECE would not support creating a new EU body for tackling the phenomenon: multiplication of administrative structures should be avoided.

The Commission should prioritise close monitoring of Member states' compliance with Directive 2000/31/EC as for liability of online intermediaries.

COMECE fully agrees with the need for a multi-stakeholders engagement process. It is necessary to have a setting that respects the principle of transparency and ensures a fair representation of all stakeholders, including Churches and religious organisations, which are often targeted by "fake news" campaigns.

Concerning the external dimension, the EU should raise the issue in human rights dialogues with foreign states. The proposed link up of the Commission initiative with the East Stratcom Task Force deserves full support.

23. Please provide any comment and/or link to research that you consider useful to bring to the Commission attention.

3000 character(s) maximum

It is not advisable to automatically import to Europe solutions coming from other parts of the world (e.g. United States, China) as the social/cultural/legal contexts and even the models of society are very different.

With regard to possible guiding principles for all stakeholders concerned, COMECE would highlight respect for the principle of the rule of law, the hierarchy of norms and international binding standards; and transparency, including with regard to financial interests involved and mechanisms used to assess cases of "fake news".

Among the actors involved, advertisers should be called upon to operate responsibly and proactively verify the contents they are associated with. Media practising trustworthy, evidence-based journalism shall be granted fair access to the necessary economic resources.

It is important to prevent that the credibility of media in general is undermined, as one of the goals of "fake news" fabricators is that of leading readers not to trust any source, including legitimate ones.

A link with citizenship is evident, as it is a duty of each citizen to counter "fake news". As Pope Francis underlined "None of us can feel exempted from the duty of countering these falsehoods". The Compendium of the Social Doctrine of the Church, § 562 states that "Professionals in the field of media are not the only people with ethical duties. Those who make use of the media also have obligations. Media operators who try to meet their responsibilities deserve audiences who are aware of their own responsibilities. The first duty of media users is to be discerning and selective. Parents, families and the Church have precise responsibilities they cannot renounce".

The existence of "fake news" is not a problem when people have the capacity to identify them. In that case they can even reinforce the establishment of conscience: in order to form a person's opinion, conscience has to be confronted with diversity.

In this context the importance of education should be restated. In His Message for World Communications Day 2018 Pope Francis states "Praiseworthy efforts are being made to create educational programmes aimed at helping people to interpret and assess information provided by the media, and teaching them to take an active part in unmasking falsehoods, rather than unwittingly contributing to the spread of disinformation... education for truth means teaching people how to discern, evaluate and understand our deepest desires and inclinations, lest we lose sight of what is good and yield to every temptation". Already the Apostolic Exhortation *Evangelii Gaudium* (§ 64) underlined that "We are living in an information-driven society which bombards us indiscriminately with data – all treated as being of equal importance – and which leads to remarkable superficiality in the area of moral discernment. In response, we need to provide an education which teaches critical thinking and encourages the development of mature moral values".

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