[NL] New government measures to tackle disinformation

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On 17 June 2024, the Dutch government announced a significant new package of measures to tackle online disinformation, including a planned new "reporting facility" to allow citizens to report disinformation. The new measures were contained in a Letter to Parliament on behalf of the Ministery for Internal Affairs and Kingdom Relations (Ministerie Binnenlandse Zaken en Koninkrijksrelaties).

These measures form part of the main Dutch government's strategy to combat disinformation, which was announced in December 2022, and involves three different government ministries (see IRIS 2023-3/9). Notably, the new measures retain the overall principle that fundamental rights, including freedom of expression and media freedom, must "remain paramount" during implementation.

The Letter begins by noting that the spread of disinformation poses a significant risk to free and open debate, and the government notes four "areas of attention" for which they must remain protected against the dangers of disinformation, namely:

- Crucial democratic processes, including elections.

- Public health, including mental health and vaccinations.

- Social and societal stability.

- (International) security and stability.

Crucially, the Letter sets out several new measures to tackle disinformation, with three main strands:

- Measures to tackle distributors and the dissemination of disinformation.

- Measures to strengthen the resilience of citizens.

- Development of knowledge and effective approaches to disinformation.

As mentioned above, in implementing these measures, the Letter recognises that freedom of expression and media freedom must "remain paramount".

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First, regarding measures to tackle the spread of online disinformation, the government wants to make it “easier for citizens to report disinformation”, and facilitate citizens when they have disputes with social media platforms. Notably, the government will explore the setting up of a “reporting facility” allowing citizens to report disinformation on social media platforms.

Further, in the context of Article 21 of the EU’s Digital Services Act (DSA), which allows the setting-up of independent out-of-court dispute resolution bodies, the Letter states that the Ministry of the Interior and Kingdom Relations “wants such an organization to be established in the Netherlands”, to allow citizens to seek dispute resolution regarding content moderation decisions taken by online platforms. The Ministry will examine how such an organisation can be established, involving “media, academia, and civil society”.

Second, and crucially, to strengthen the media literacy and resilience of citizens, the Ministry of the Interior and Kingdom Relations will provide a notable new subsidy to the Belgium-Netherlands Digital Media and Disinformation Observatory (BENEDMO) consortium, so that the fact-checkers network in the Netherlands is strengthened to combat disinformation. The government is also strengthening its commitment to media literacy among citizens, with the Ministry of Education, Culture and Science funding new projects. The State Secretary for Health, Welfare and Sport engaged in new actions aimed to strengthen the availability of reliable online medical information, including by mobilising healthcare professionals and online influencers against the spread of medical disinformation.

Finally, the Letter states that the government will inform Parliament about the progress of the implementation of the new measures by mid-2025.

Ministry for Internal Affairs and Kingdom Relations, Letter to Parliament about progress of the government-wide strategy for the effective approach to disinformation and announcement of new actions, 17 June 2024

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