European Commission: Final Report of the High Level Expert Group on Fake News and Online Disinformation Published

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In January 2018, a High Level Expert Group was set up by the European Commission to advise on policy initiatives to counter online fake news and disinformation (see IRIS 2018-1/8). On 12 March 2018, its Final Report on Fake News and Online Disinformation was published. The Report aims to identify key principles and general, short- and long-term objectives for future action. It maps out the existing measures taken by various stakeholders, reiterates principles and case-law in respect of fundamental freedoms (particularly freedom of expression), and establishes possible responses in the light of the principles and objectives set out therein.

The Report initially clarifies the definition of the problem. “Disinformation”, for the purposes of the Report, includes all forms of false, inaccurate, or misleading information designed, presented and promoted to intentionally cause public harm or for profit. It does not deal with illegal content that is already regulated by other regulatory remedies under EU or national laws or with satire or parody. Moreover, the Report explicitly avoids the words “fake news”, as that term is regarded both as inadequate to address the problem of disinformation and as misleading, given the fact that it is often used as a weapon to undermine the integrity of the independent news media.

After drawing attention to the multifaceted quality of the problem of disinformation, which is embedded in a complex but often opaque ecosystem, the Report continues by specifying various problems of disinformation in the EU. These include foreign and domestic political actors serving as transmitters of disinformation, the lack of a common understanding of media freedom, differing standards of professionalism and editorial independence among media outlets, citizens acting both as “watchdogs” and as disseminators of false content, highly polarised vulnerable groups serving as targets for false information, and platforms acting not only as enablers and gatekeepers of information but also as enablers of the production and distribution of disinformation. Against this background, the Report proposes a multi-dimensional and self-regulatory approach consisting of inter-dependent actions that strike a balance between the increasing resilience of European societies against disinformation and maintaining an open environment for the free circulation of ideas and information. The second part of the Report

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outlines the measures already taken by various stakeholders. These are grouped according to three key good practices: (i) transparency and accountability-enhancing practices, (ii) trust-enhancing practices and algorithm changes and (iii) media and information literacy. All of them are examined by laying out the specific actions taken by three key stakeholders − namely, online platforms, news publishers and broadcasters, and independent source and fact checkers.

Recognising its commitment to freedom of expression and safeguarding its effective exercise within the EU, the Report establishes two general objectives. The first objective is increasing the long-term preparedness of EU citizens, communities, news organisations, member states and the EU as a whole for the proactive recognition of various forms of disinformation. The second objective is ensuring that responses are kept up-to-date by regular monitoring of the problems and by designing adequate responses accordingly. Against this background, the recommended intervention areas identified by the Report are based on five pillars, namely (a) enhancing the transparency of the online digital ecosystem, (b) promoting and sharpening the use of media and information literacy, (c) developing tools for empowering users and journalists and fostering a positive engagement with fast-evolving information technologies, (d) safeguarding the diversity and sustainability of the European news media ecosystem, and (e) calibrating the effectiveness of the responses through continuous research into the impact of disinformation in Europe. Whereas ensuring transparency, algorithm accountability and trust-enhancing practices (thus contributing to the empowerment of users and journalists) are identified as short- to medium-term recommendations, improving media and information literacy in Europe and supporting the diversity and sustainability of the news media ecosystem are recognised as long term recommendations.

A multi-dimensional approach to disinformation: Report of the independent High level Group on fake news and online disinformation, 12 March 2018

http://ec.europa.eu/newsroom/dae/document.cfm?doc_id=50271

European Commission, Final report of the High Level Expert Group on Fake News and Online Disinformation, 12 March 2018

https://ec.europa.eu/digital-single-market/en/news/final-report-high-level-expert-group-fake-news-and-online-disinformation

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