Online platforms and the advertising industry deliver EU Code of Practice on disinformation

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Representatives of online platforms, leading social networks, advertisers and the advertising industry have agreed on a self-regulatory Code of Practice to address the spread of online disinformation and fake news. The 'Code of Practice on Disinformation', which was initiated by the European Commission, was published on 26 September 2018. The signing of this code represents a commitment for industry parties to implement a range of voluntary measures to counter the spread of disinformation and 'fake news' within the European Union. It is a non-legally binding agreement listing relevant measures to be taken in five key areas. Its implementation will be actively reviewed in the coming 12 months by both industry and the Commission. Further signees may still adopt the Code of Practice.

The code, initiated and led by the European Commission, is the most recent step in a host of initiatives to tackle fake news in the European Union (see also 'Factsheet on Tackling online disinformation'). The process included the launch of the EEAS East Strategic Communications Task Force (March 2015); a multi-stakeholder event and dialogue in the member states (November 2017); and the forming of the High Level Expert Group ('HLEG') on Fake News and Online Disinformation (January 2018). After the publication of this body's Final Report (see both IRIS 2018-5:1/7 and IRIS 2018-1:1/8), a public consultation was held (both March 2018) and the Commission published its Communication of April 2018: "Tackling online disinformation: a European Approach" (see IRIS 2018-6:1/8). The now published Code of Practice is the result of industry parties translating the Final Report of the HLEG and the Communication by the European Commission into concrete measures they can take to handle disinformation.

The new Code of Practice adopts the HLEG's definition of 'disinformation' as being "verifiably false or misleading information which, cumulatively, (a) Is created, presented and disseminated for economic gain or to intentionally deceive the public; and (b) "May cause public harm", described as "threats to democratic political and policymaking processes as well as public goods such as the protection of EU citizens' health, the environment or security". The code also explicitly lists four types of content which should not be considered as disinformation, namely: misleading advertising, reporting errors, satire and parody and clearly identified partisan reporting.

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Signees to the Code of Practice commit to taking relevant action in five specified fields: disrupting the advertising revenues of those spreading disinformation; making political and issue-based advertising more transparent; addressing fake accounts and online bots; empowering consumers and the research community. An annex with 'best practices' from company regulations and policies (stemming from Google, Facebook, Twitter, Mozilla and several advertising interest groups) has been added to provide examples. What follows is a summary of the key measures to be taken by signees in the specified fields if applicable to the signee's business. Please refer to the full report for full explanations and rationales.

Scrutiny of ad placements (a commitment to adopt policies and processes to disrupt the advertising and monetisation of disinformation);

Political and issue-based advertising (make a clear distinction between ads and editorial content; public disclosure of information on political advertisements; working towards a shared definition of 'issue-based advertising'

Integrity of services (a commitment to implement policies on the identity and misuse of automated bots and on enforcement; the creation of policies on and communication to EU-users about the impermissible use of automated systems on platforms)

Empowerment of consumers (investment in: effective indicators of the trustworthiness of sources; the prioritisation of relevant, authentic and authoritative information in automatically ranked distribution channels (for example search results, feeds); the accessibility of content from a plurality of perspectives; partnership with governments and educational institutions to support critical thinking and media literacy; a commitment to choices made in content selection)

Empowerment of the research community (supporting research efforts into disinformation and independent fact-checking networks by sharing datasets and doing joint research; no prohibition or discouragement of such research; the organisation of an annual event for academia, the fact-checking community and others)

All signing industry parties commit to writing an annual report on their efforts in relation to the Code of Practice. These reports should be reviewable by an independent third party. Relevant industry associations will provide aggregate reporting for their industries.

EU Code of Practice on Disinformation, September 2018

https://ec.europa.eu/digital-single-market/en/news/code-practice-disinformation

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ANNEX to the EU Code of Practice on Disinformation - Best Practices, September 2018

https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=54455

European Commission DG CONNECT, Factsheet on Tackling online disinformation, April 2018

https://ec.europa.eu/digital-single-market/en/news/factsheet-tackling-online-disinformation

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