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Countering disinformation

Abstract:

Freedom of thought and freedom of speech are the cornerstone of free and democratic societies. Disinformation poses a risk to our societies, our democracies and our institutions. Renew Europe condemns any attempt of mass manipulation by false statements of facts spread by individual States in an organised way or in semi-State campaigns. We must establish robust safeguards and defence mechanisms against organised disinformation campaigns. While the European Union already adopted a series of measures to counter disinformation, RENEW Europe calls for additional actions and legislative proposals in a holistic EU Strategy to fight disinformation in a coordinated, joint and sustainable EU-wide way.

renew europe.

About Renew Europe Group

The Renew Europe Group is a coalition of progressives, liberals, democrats and reformists, that make up the largest centrist group in the history of the European Parliament. Brought to you from the European Liberal Forum, this new reference series aims to disseminate Renew Europe Group positions to the wider liberal family, policymakers and industry stakeholders, civil society and the general public. While, at the same time, the position papers will raise awareness on a number of issues and policy sectors, from sustainability and climate change, to democracy and the rule of law, human rights and fair competition.

This document is a position paper adopted by the Renew Europe group in the European Parliament on 5 February 2020, which ELF is publishing with Renew Europe permission. The opinions expressed in the document do not preclude any further developments in the group's positions on that topic. It remains the sole propriety of the Renew Europe group.

About ELF

The European Liberal Forum (ELF) is the official political foundation of the European Liberal Party, the ALDE Party. Together with 47 member organisations, we work all over Europe to bring new ideas into the political debate, to provide a platform for discussion, and to empower citizens to make their voices heard. Our work is guided by liberal ideals and a belief in the principle of freedom. We stand for a future-oriented Europe that offers opportunities for every citizen. ELF is engaged on all political levels, from the local to the European. We bring together a diverse network of national foundations, think tanks and other experts. In this role, our forum serves as a space for an open and informed exchange of views between a wide range of different EU stakeholders.

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Introduction

Freedom of thought and freedom of speech are the cornerstone of free and democratic societies. Robust democracies are resilient because of that freedom, not in spite of it. Misinformation, fake news and disinformation are not specific to our generation and healthy democracies can and must be equipped to handle those challenges. But, in insecure times, people are more susceptible to false stories, lies and conspiracy theories.

Disinformation poses a risk to our societies, our democracies and our institutions. This issue has become even more important with the noticeable space the online world and micro targeting have taken in our lives, and it may have far-reaching consequences.

Disinformation is *“verifiably false or misleading information created, presented and disseminated for economic gain or to intentionally deceive the public, and may cause public harm¹”*, with the “intention” being a key element. There are multiple kinds of disinformation campaigns. Disinformation is often hidden between legitimate news and inside media outlets that on a first sight might seem to be providing fact-based news. Such digital behaviour can come from **malicious actors**, private or public entities, intending to spread harmful information, and often targets specific minorities or vulnerable groups. It is also **used by populists and extremist movements to manipulate** and spread false information, to spread **conspiracy theories or fanatical forms of identitarian ideas, to undermine trust in democratic institutions, science and independent journalists**, and to **radicalize public opinions** ahead of elections - as it was done for example during the Brexit referendum campaign or last US-Presidential election campaign. It can also come from **foreign and third countries’ actors** but also from European or regional actors trying to manipulate electoral campaigns within the Union, **to weaken and divide our societies**, to break our western security architectures and alliances or to influence our decisions in a malicious way.

Disinformation has **detrimental effects** on societies. It **erodes trust** in public commitment, science, democratic institutions, traditional medias and politics. It **distorts public perception** of key issues. It sometimes **leads to hostility**, it can contribute to **spread hate-speech** and may even **put at risk citizens’ health, dignity, the environment, democratic processes and the integrity of elections as well as threatening public security**, as recently shown during the COVID-19 crisis. The most nefarious effect of disinformation is not that it convinces large numbers of people, but that it sows doubt, confusion and distrust. It **interferes with the public’s right to know and the right of individuals to seek, receive and impart information**. Disinformation **strongly harms our democracies**, the rule of

¹ Commission Action Plan on Disinformation, 5/12/2018, JOIN(2018) 36 final

law, by affecting key principles and core values of our democratic societies, such as citizens' fundamental rights, freedom of speech, freedom of expression, the right to information, the freedom of ideas and media pluralism, the protection of privacy and personal data. **We cannot let information be manipulated and let disinformation endanger our ability to think and to decide freely** by increasing our vulnerability to malicious intents.

Renew Europe condemns any attempt of mass manipulation by false statements of facts spread by individual States in an organised way or in semi-State campaigns. We must establish **robust safeguards and defence mechanisms against organised disinformation campaigns**. This will require **political determination and unified action**. In the EU, disinformation is not only exerted by foreign powers but also by internal actors, including government bodies and political leaders, or cooperation between both. In this context information sharing between Member States on disinformation, must be thoroughly discussed in order to find a common approach. Particularly when Member States do not share the same attitude towards specific foreign powers or towards pluralism and freedom of expression.

RENEW Europe strongly calls for a European approach, to avoid fragmented or conflicted national regimes. The European response to disinformation needs to be **comprehensive involving all key actors in this common fight**; EU institutions, public authorities, civil organisations, professional journalists, fact-checkers, researchers/ academia, online platforms and citizens.

1. Expose, attribute and counter - reinforcing the EU's role in countering disinformation

The European Union already adopted a series of measures to counter disinformation², however **RENEW Europe calls for additional actions and legislative proposals in a holistic EU Strategy** to fight disinformation in a coordinated, joint and sustainable EU-wide way.

RENEW Europe calls for

A THOROUGH STUDY OF THE DISINFORMATION PHENOMENON

especially on social media platforms, its impact and effects on our society, democracy and economy and also on the areas and populations most affected by it, as well as of the costs of not addressing it correctly.

A CLEAR EUROPEAN LEGAL FRAMEWORK

including legislative and non-legislative **measures on how to fight disinformation from both within and outside the Union**. This framework should include a **clear taxonomy of disinformation, misinformation, and propaganda** with a separation between each type of malicious content, harmonised rules and **clear and legal definitions of disinformation and illegal content** as well as criminal types and related disinformation and malinformation campaigns. Disinformation is not misinformation. Satire, hoax, parody, reporting errors are not disinformation. Individuals who unintentionally spread false information is not to be considered as "disinformation" following the legal principle of "in dubio pro libertate". Countering disinformation is not only about the disinformation content but also needs to target the malicious online behaviour and measures that should be directed against targeted and amplified campaigns with a malicious intent. **Disinformation is the result of a malicious strategy that may appear harmless but can cause serious damage**. This calls for a clear framework in full respect of the freedom of expression. **We**

² Set up of the EEAS East StratComTask Force in 2015 ; Communication on a European approach to tackle online disinformation in Spring 2018 ahead of the EE2019, Adoption of a self-regulatory Code of Practice against disinformation in Sept 2018 ; Adoption of an Action plan against disinformation in Dec 2018 ; creation of a Rapid Alert System in March 2019 ; Communication on Disinformation in times of COVID expected adopted on 10/06

cannot criminalise online what is not a crime offline. Our response therefore needs to be adequate and proportionate, depending on the legality or illegality of the content.

STEPPING UP COORDINATION EFFORTS AND INFORMATION SHARING AMONG EU MEMBER STATES

through a broad EU task force against disinformation, tasked with

- **Coordinating the EU's narrative**, as strategic communication is one of the best ways of countering disinformation and designing countering strategies against ongoing and future disinformation campaigns.
- Coordinating and connecting EU teams fighting disinformation and hybrid threats that are currently heavily fragmented
- Collecting the findings of fact-checkers, researchers and civil society organizations and ensuring the exchange of knowledge and experience from detecting disinformation between relevant actors and education systems in the Member States
- **Sharing insights related to disinformation campaigns** and coordinate responses via a **reinforced rapid-alert system**, based on the existing EU Rapid Alert System (RAS) but complemented with a coordinated response approach and situational awareness, especially through standardization of outputs both from Member states bodies, as well as the EU,
- **The management and improvement of existing European information sources**, in all the official languages, to ensure that all citizens have access to accurate and verified information
- Pursuing the transparency and neutrality of verification bodies and academia and labelling of malicious content.

A REVISION OF EXISTING EU-LEGISLATION CONCERNING THE ACTIVITIES AND FINANCING OF POLITICAL PARTIES AND FOUNDATIONS WITH A SPECIAL FOCUS ON DISINFORMATION

with binding rules including mandatory disclosure of online advertisement and online campaigns. We need to crack down on numerous political parties and movements in Europe that have become vehicles for foreign powers.

CLEAR COMMITMENT AND STRONG NATIONAL ACTION PLANS TO FIGHT AGAINST DISINFORMATION

- First, EU Member States must commit themselves not to undertake, encourage or allow disinformation actions on the territory aimed at other Member States and the EU institutions. This requirement should also apply to candidate countries.

- Second, Member States should complement and support the actions of the European Union, by adopting clear action plans with dedicated structures, by increasing their national capabilities and by supporting the necessary increases in resources. National authorities are key to supporting online platforms in full respect of freedom of expression and the right to information. Member States must boost trust in political institutions, public bodies and academia through their own conduct and transparency of decision-making processes. The question of the information sharing between Member States must be thoroughly debated as Member-States have different approaches, which in many cases impedes or restrains the flow of information among themselves.

A STRONGER ROLE FOR ONLINE PLATFORMS AND GREATER TRANSPARENCY

- that spread malicious disinformation should not be able to profit from the harmful content they are sharing. Creating a standing forum with platforms and national and European stakeholders to discuss best practices for countering cyberattacks and disinformation and prepare elections in order to guarantee free, resilient and fair elections.
- Developing **common alert mechanisms** to allow users to flag malicious content and notice-and-action mechanisms by online platforms

Citizens need to know the origin and source of the information they see and online platforms cannot continue to amplify the dissemination and spreading of disinformation to prevent malicious interference. Renew Europe strongly calls for an oversight mechanism in this regard. Renew Europe is also looking forward to the Commission proposal on the Digital Services Act (expected in Q4) that will address regulation of platforms in general, content moderation, advertisement and tackling illegal content. In addition, a stronger cooperation of fact-checking projects, researchers, national authorities and online platforms is needed as well as a stronger cooperation and information-sharing between online **platforms themselves, who should inform each other in nearly real-time about ongoing disinformation operations** in order to limit the cross platform spread of disinformation.

FACT-CHECKERS, RESEARCHERS, START-UPS AND CIVIL SOCIETY ORGANISATIONS

RENEW Europe strongly supports the work of fact-checkers, researchers, start-ups and civil society organisations that play a crucial role in detecting, analysing and exposing potential disinformation threats. It is important to pursue the neutrality of these actors, to ensure that these actors work independently and perform their tasks without bias and in the full respect of freedom of expression, basing their assessments on evidence-based analysis. In addition, Renew Europe calls on the Commission to put in place mechanisms in order to help European NGOs, research and academic institutions tackle disinformation, including grants for large or small-scale projects aimed at combatting fake news, tracking and

exposing disinformation structures and at informing the European citizens about disinformation and propaganda campaigns that threaten the stability of the Union and of each Member State.

EMPOWERING CITIZENS, RAISING CITIZEN'S AWARENESS AND INCREASING SOCIETAL RESILIENCE

Studies have shown that most people are able to recognise "disinformation" and they will not be swayed by it. However, in insecure times, people are more susceptible to false stories, lies and conspiracy theories. Therefore, there is a strong need to reinforce resilience, **to avoid that people** are injured and to reduce the risk of repetitively consuming disinformation because of social media algorithms. As well as to make each and every one part of the common fight against disinformation. **Education is key** to improve our resilience, to avoid manipulation and sectarian polarization. **Renew Europe strongly calls** on Member States to enhance their efforts in educating about media, social networks, information literacy and disinformation. Member States should include it in curricula to ensure critical thinking amongst citizens, while additional funding needs to be made available for the media literacy training of teachers and educators. A strong incentive to strengthen the role of media literacy could be to advocate for the adding of media literacy to the competences assessed by the OECD PISA rankings. Member States should also establish courses accessible to all citizens, which will teach participants to differentiate between legit information and disinformation. The Commission could support those initiatives through the Digital Education Plan. In addition, Member States should improve the sharing of knowledge and experience regarding education of citizens to become resilient to disinformation and enhance information literacy.

QUALITY AND INDEPENDENT JOURNALISM

In the fight against disinformation, journalists are key actors. The EU needs to do everything it can to promote a favourable environment for an independent, diverse and pluralistic media environment that citizens can trust. **We need to provide a clear and strong support to quality and independent journalism and media.** RENEW Europe urges the Commission to strongly enforce all EU Treaty instruments and laws, the Charter of Fundamental Rights and the European Convention on Human Rights to protect and strengthen the freedom of speech, the freedom of the media and enhance the protection of journalists, including by improving the transparency of media-ownership, and advertising or sponsoring, proposing an EU-wide anti-SLAPP directive, creating a permanent EU fund for investigative journalists and cross-border collaborations which can support independent media in all Member States ensuring pluralism among media and critical coverage of the news. The European Union must boost reliable and independent media, as well as public broadcasters and news agencies, including with financial support and emergency support in view of the COVID crisis. Any funding should be financed from sources independent of political decision-making and managed by independent

organisations in order to avoid any interference with editorial procedures. The EU has to use all tools in the competition toolbox to tackle media ownership concentration and state (foreign as well as European) ownership and editorial influence and support independent media outlets threatened by takeovers. Foreign state sponsored outlets who act like agents of influence such as Russia Today and Sputnik should be registered and treated accordingly. In addition, decent working conditions for journalists are crucial in fostering quality journalism. We therefore believe that their rights to fair remuneration and collective bargaining need to be guaranteed. Furthermore, good governance and ethical standards are necessary to ensure quality, transparency and integrity of journalistic content. We call on the Commission to propose an EU wide Code of Conduct for Journalistic Ethics as well as exchanges of best practices between Media and Press Councils and journalists.

2. Expose, attribute and counter - countering disinformation in the context of the EU CSDP

In a time when geopolitical power competition encourages foreign actors to divide and undermine the strength and unity of the European Union, we should step up our efforts to collectively defend our sovereignty, democratic institutions and values. In this respect, state-sponsored disinformation, influence operations, and foreign interference have become a serious challenge for the EU: the non intervention principle is at stake here.^{3,4} The EU is rightly scaling up its internal efforts against verifiably false content that is created, presented, and disseminated to intentionally deceive, distract, disrupt, divide and cause public harm. However, when such content is spread by states, it is a problem of behaviour, not technology. Therefore, a stronger external approach needs to complement our internal efforts. RENEW Europe calls for new measures against state-sponsored disinformation and foreign interference, by placing it more firmly under the EU's Common Security and Defence Policy (CSDP) and foreign policy CFSP. Targeting of disinformation coming from external actors and aiming at undermining unity, integrity, stability or prosperity of the Union has to be an integral part of the Common Foreign and Security Policy (CFSP).

First, RENEW Europe believes that openly exposing disinformation is the best way to inoculate European audiences against its effects. Sunlight remains the best disinfectant. This is an important job for Member States, our Parliament, professional medias, independent researchers and internet companies⁵, but it can be supported by using more of the tools within the EU's CSDP.

Second, once exposed, influencing the calculus of adversaries should be the goal. As long as nation states perceive these covert, coercive, deceptive and corrupting disinformation activities as low-cost, low-risk, and high-reward, they will continue. The political will in the EU to acknowledge disinformation and particularly to attribute, counter and deter adversary actors, has thus far remained limited. That has to change. RENEW Europe is asking for a stronger European CSDP response

³ The Global Disinformation Order: 2019 Global Inventory of Organised Social Media Manipulation, Bradshaw and Howard, Oxford University 2019.

⁴ <https://euvsdisinfo.eu/disinformation-cases/>

⁵ See for instance the Code of Practice on Disinformation: <https://ec.europa.eu/digital-single-market/en/news/code-practice-disinformation>

to raise the costs and deter nation state actors from launching disinformation campaigns against EU interests.

In intensifying its fight against state-sponsored disinformation and foreign interference, the EU should continue to clearly separate legitimate influence, which countries can and may exert in the EU, from malevolent interference, which should be met with consequences.

Our proposals build on the joint action plan (2018) by the Commission, which made the fight against disinformation a joint effort involving all European institutions and Member States.⁶

RENEW EUROPE CALLS ON THE COMMISSION, THE COUNCIL AND THE MEMBER STATES TO ADOPT AND IMPLEMENT THE FOLLOWING ACTION-POINTS

- A stronger cooperation with European and international organisations to counter disinformation and hybrid threats, including with NATO. The EU should also cooperate with the Council of Europe and its Steering Committee on Media and Information Society (CDMSI), to build expertise, to better understand the disinformation mechanisms and the actors involved, their motivations and scale of their activities, to exchange good practices on disinformation and to find new ways to tackle and counter disinformation.
- As a signal of commitment and acknowledgement of the severity of the problem, formally and publicly declare that countering state-sponsored disinformation and foreign interference will be a priority issue under the EU's CFSP and CSDP.
- Develop specific, tailor-made strategies for countering state-sponsored disinformation and foreign interference from both Russia and China and other actors on the horizon.
- Support, including financially, open-source research by civil society, technology and cybersecurity companies, academia and professional journalism including fact-checkers to expose and attribute state-sponsored disinformation and foreign interference.⁷ Promote and facilitate information and intelligence sharing between all Member States and raising awareness in the civil society.
- Organize an annual high-level multi-stakeholder conference about countering state-sponsored disinformation and foreign interference, where developments can be discussed, information be exchanged, partnerships established and new proposals made. In the framework of comitology committees, establish a working group on disinformation.

⁶ Action plan against disinformation, Brussels, 5.12.2018, JOIN(2018) 36 final.

⁷ Note that we are calling for operationalized research that is distinct from other academic research on the concepts, definitions and impact of state-sponsored disinformation [and foreign interference].

- Introduce sanctions on all individuals and companies (travel bans, asset-freezes etc.) that are responsible for running continuous and organised disinformation operations against the EU. Implementing EU restrictive measures (sanctions) in response to state-sponsored disinformation [and foreign interference].
- Increase the funding and administrative resources of the EEAS Strategic Communication Division and Stratcom units, in order to increase the capacity available for dealing with state-sponsored disinformation and foreign interference from foreign actors, broaden their geographical areas of expertise and appoint a coordinator to take a leading role on this issue. Encourage the Member States, which have not yet seconded their own national experts to the EU Task Forces. Renew Europe calls for the **broadening of the mandate of the EU Strat Com Task Force, which should operate in full independence of any political interests, to analyse and expose disinformation campaigns, based on a clear and transparent methodology**, from all external actors that undertake disruptive activities against the EU, including China and Russia; stepping up its financial and administrative assistance to effectively tackle disinformation activities under its new role; in addition, the analysis and findings of the EU StratCom should be made available to and easy to access for citizens;
- Increase exchanges of information between Member States through regular meetings of well identified government bodies responsible for the fight against disinformation.
- Use the existing cooperation formats for exchange of findings and working approaches when countering disinformation with the accession countries and partners in the EU neighbourhood and beyond. Recognize that some of those countries are better prepared to counter disinformation and some of their societies are more resilient.
- Create a new dedicated 'Far-East StratCom Task Force', which should focus mainly on EUvsDisinfo from China.
- Increase the funding of the EUvsDisinfo in order to communicate in all languages of the EU and to improve the reach and effectiveness of its media products. Ensure that independent and factual analysis on disinformation in the EEAS is safeguarded from political pressures, particularly by keeping the EUvsDisinfo platform separate from EEAS analysis.
- Significantly improve and modernize the communication of all EU institutions, as disinformation campaigns are successful against the background of the insufficient communication of their target and defensive communication only is never fully credible to the public.
- Draft a review, including with the help of the European Centre of Excellence for Countering Hybrid Threats, of which other state-based or non-state based foreign disinformation actors are on the horizon and how new technological

developments, particularly artificial intelligence (AI), will be abused for disinformation purposes.⁸

- Closely cooperate with NATO and its centres of excellence for a strong and well-coordinated resistance to disinformation in Europe and North America
- Broaden the scope of the EU Cyber Diplomacy Toolbox from state-sponsored cyber operations to include disinformation and foreign interference against EU interests. This would ensure momentum for:
 - Increasing EEAS' and Member States' attribution and exposure of state-sponsored disinformation and foreign interference;
 - Carrying out diplomatic actions against the states responsible for state-sponsored disinformation and foreign interference;
 - Develop mechanisms to protect those responsible for exposing disinformation;
 - Ensuring that EU concerns about state-sponsored disinformation and foreign interference are adequately addressed in all diplomatic contacts of the EU;
- Increase international diplomatic engagement in the UN, regional security forums, friendly EU democratic neighbouring states on the issue of state-sponsored disinformation and foreign interference, but do not fall into the trap of supporting Russian and Chinese proposals on increasing international 'information security'. Rather, develop and execute a strategy to call out all authoritarian regimes for hypocritically being the strongest violators of other nation's sovereignty and internal affairs in the information domain.
- Improve the ability of EEAS EU IntCen to support Member States' intelligence operations against state-sponsored disinformation, including by increasing funding and personnel.
- Explore what leverage can be developed against foreign state-sponsored media organisations that are engaged in state-sponsored disinformation and foreign interference in the EU.
- Strengthening, with adequate resources and staff, the EUvsDisinfo platform to be able to create and manage a certified reference list of known foreign actors, susceptible of creating and spreading disinformation or engaging in disinformation actions.
- Developing national contingency action plans, including necessary official structures. In case of emergency, for example in times of military tensions, Member States must be ready to react immediately.

⁸ RAND Corporation, The Emerging Risk of Virtual Societal Warfare: Social Manipulation in a Changing Information Environment https://www.rand.org/pubs/research_reports/RR2714.html

WAY FORWARD

The European Commission is on the brink of proposing new steps in combatting disinformation through the Digital Services Act, the European Democracy Action Plan and other upcoming regulations. In addition to the internal efforts, RENEW Europe would like to stress that the external geopolitical aspects of the current Infodemic crisis and future disinformation developments should receive urgent attention.

By implementing the above requested measures, the EU will be better equipped and positioned to fight disinformation and to strategically defend against disinformation campaigns that seek to divide and weaken us, now and in the future.

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