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

> Mission-driven technology company

** **Respondent's first name**
100 character(s) maximum

> Raegan

** **Respondent's last name**
100 character(s) maximum

> MacDonald

** **Organisation's name**
100 character(s) maximum

Mozilla Corporation

* Contact details

150 character(s) maximum

Raegan@mozilla.com

* Company/organisation website

100 character(s) maximum

www.mozilla.org

* Legal seat of the organisation you represent

100 character(s) maximum

Mozilla is a global non-profit, legally seated as a public benefit organisation in the USA.

* 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

> Mozilla is a technology company and non-profit foundation promoting openness, innovation, and opportunity on the web. Our primary product is the Firefox web browser; we also empower Internet users to be the web's makers, not just consumers. We operate as a global community of thinkers and builders.

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

> 174457719063-67

For journalists: please briefly indicate the topics you cover

600 character(s) maximum

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

600 character(s) maximum

For <u>social media and online platforms</u>: 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 <u>civil society organisations</u>: please explain the corporate mission of your organisation and briefly describe its activities, including those designed to reduce disinformation.

600 character(s) maximum

The Mozilla Corporation, wholly owned by the Mozilla Foundation, promotes openness, innovation and opportunity on the web. Our primary product is the Firefox web browser, adopted by hundreds of millions of Internet users worldwide. We also educate and empower people to be the web's makers, not just its consumers. To this end, we operate as a global community keeping the Internet alive and accessible. Disinformation-reducing activities include the Mozilla Information Trust Initiative, the Coral project promoting better online discussion, and a Web Literacy curriculum which covers misinformation

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

600 character(s) maximum

For <u>academia</u>: 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 <u>public authorities</u>: 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

> We believe it is unhelpful to use the term "fake news", and prefer other terms such as misinformation. This phenomenon can be best defined as:
>
> "An otherwise-legal but purposefully false or misleading story designed to mimic content from a credible newsroom, often intended to influence or polarize the viewer."
>
> Our definition incorporates the following features:
>
> 1) Deliberate design intent (so genuine journalistic error doesn't count)
> 2) Designed to mislead for a purpose (but could be purely financial, e.g. ad revenue)
> 3) Does not have the hallmarks of satire or parody (amusement or point-making is not the goal)
> 4) Can have elements of truth as well as falsity
> 5) Mimics credible content in form, layout, etc.
> 6) Is not illegal for other reasons (e.g. promotes terrorism)

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	○	○	○	○	○
Intentional disinformation aimed at influencing health policies	○	○	○	○	○

Intentional disinformation aimed at influencing environmental policies	○	○	○	○	○
Intentional disinformation aimed at influencing immigration policies	○	○	○	○	○
Intentional disinformation aimed at influencing economy or finance	○	○	○	○	○
Intentional disinformation aimed at undermining trust in public institutions	○	○	○	○	○
Intentional disinformation aimed at undermining public security	○	○	○	○	○
Intentional disinformation aimed at generating advertisement revenues	○	○	○	○	○
Other categories of intentional disinformation	○	○	○	○	○

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

Misinformation is a complex problem with roots in technology, cognitive science, economics, and literacy. It is not a new phenomenon, but the ubiquity of technology has amplified its impact, reach, and ascent. Its rise has been driven by a wide range of factors:

* The attention economy. As advertising is the predominant business model of the internet, money flows towards those whose content can get and hold attention, regardless of the truth or falsity of what they are providing. In fact, the truth is usually duller than the lie, and so there is an active incentive in the wrong direction.

* Emotions. Studies are increasingly showing that humans are more likely to share content (without necessarily even engaging with it) when they are scared or angry. In the information age, where individuals are constantly bombarded with information, ideas, images, and the like, it can be more comforting to focus on information that already fits into an individual's worldview. This confirmation bias, combined with strong emotions, suppresses healthy skepticism.

* Filter bubbles. Social media platforms try, understandably, to present users with content they like. However, this can have a negative effect of shielding people from contrary opinions in favour of content which confirms their existing view. Misinformation which further "confirms" a particular widespread view is more likely to be chosen often by the filter. Such filters can also be partly or mostly user-created as well as algorithmic.

* Atomization and substitutability. Much more than previously, news stories are now consumed individually rather than as part of a set such as in a newspaper, and people can choose their source on a per-story basis. It is therefore much easier for a single article to emulate the look and style of a reputable source and so acquire that source's credibility by deceit.

* The removal of information gatekeepers. Mozilla celebrates the fact that via the Internet, anyone can be a publisher. But that does mean that journalistic standards, usually enforced within media organizations, cannot be and are not upheld in the same way across all information sources. There are also fewer gatekeepers in distribution (although platforms play a related role); content is shared directly from person to person, and individuals often do not feel an obligation to research the veracity of what they share.

This last point is in tension with the view that platform companies like Facebook and Google are "the new gatekeepers". This is true in one sense, but there is an important sense in which it is not true - while such companies have a degree of control over who sees what, they do not have control over who publishes what on the Internet, in the way traditional media companies had control over what made it into the newspaper or onto the TV. Even if platforms refuse to carry or index an Internet resource, it is always directly accessible.

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

7. Which of the following areas have, in your view, been <u>targeted</u> 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)	○	○	○	○	○
Security	○	○	○	○	○
Personal life of public figures (e.g. politicians)	○	○	○	○	○
Show biz and entertainment	○	○	○	○	○
Immigration (e.g. refugees)	○	○	○	○	○
Minorities (e.g. religious, ethnic, sexual orientation)	○	○	○	○	○
Health (e.g. vaccines)	○	○	○	○	○
Environment (e.g. climate change)	○	○	○	○	○
Economy and finance (e.g. market rumours)	○	○	○	○	○
Science and technology (e.g. fake or misleading studies)	○	○	○	○	○

8. In your view, has <u>public opinion been impacted</u> 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)	○	○	○	○	○
Security	○	○	○	○	○

Personal life of public figures (e.g. politicians)	○	○	○	○	○
Show biz and entertainment	○	○	○	○	○
Immigration (e.g. refugees)	○	○	○	○	○
Minorities (e.g. religious, ethnic, sexual orientation)	○	○	○	○	○
Health (e.g. vaccines)	○	○	○	○	○
Environment (e.g. climate change)	○	○	○	○	○
Economy and finance (e.g. market rumours)	○	○	○	○	○
Science and technology (e.g. fake or misleading studies)	○	○	○	○	○

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	○	○	○	○	○
Mechanisms to display in prominent position information from different sources representing similar viewpoints (e.g. "related articles" button)	○	○	○	○	○

Mechanisms to display in prominent position information representing different viewpoints (e.g. "other sources say" button)	◉	◉	◉	◉	◉
Mechanisms enabling readers to flag content that is misleading and/or fake	◉	◉	◉	◉	◉
Warnings to readers that a post or article has been flagged /disputed	◉	◉	◉	◉	◉
Fact-checking through independent news organisations and civil society organisations (explaining why a post may be misleading)	◉	◉	◉	◉	◉
Mechanisms to block sponsored content from accounts that regularly post fake news	◉	◉	◉	◉	◉
Closing of fake accounts and removal of automated social media accounts (based on the platforms' code of conduct)	◉	◉	◉	◉	◉

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

> Mozilla's initiative The Coral Project provides a variety of open source tools to help news organizations engage more closely with their audiences. This provides various ways for journalists to work more closely with their communities to identify misleading or false information, as well as helping community members identify such behavior within the comments, for newsroom action. Learn more at https://www.coralproject.net/

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)	◉	◉	◉	◉	◉
Peer reviews	◉	◉	◉	◉	◉
Flagging (by users)	◉	◉	◉	◉	◉
Flagging (by trusted flaggers)	◉	◉	◉	◉	◉
Automated content verification tools	◉	◉	◉	◉	◉
Other	◉	◉	◉	◉	◉

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

> To help surface actionable insights for researchers and communities working on information-pollution challenges, the Mozilla Information Trust Initiative (MITI) is supporting a community repository of recently published articles from thoughtful researchers across disciplines, spanning from communications to political science to human-computer interaction. More information on MITI and the community repository can be found here: https://medium.com/mozilla-open-innovation/introducing-the-open-research-collective-on-information-pollution-b908d9ee3419.

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

> Mozilla approaches these problems through the lens of Internet Health, one of our core concerns as a public benefit organization: that is, how open, inclusive and decentralised and privacy-preserving the Internet is or

is not, and how web-literate its residents are. Misinformation depletes openness and sows discord, erodes inclusivity and trust, and saps the web's public benefit. In short: it makes the Internet less healthy. As a result, the Internet's ability to power democratic societies suffers greatly.

Our main work in this space is the Mozilla Information Trust Initiative, MITI, which is a comprehensive effort to keep the Internet credible and healthy. We feel that this problem benefits from a multi-pronged approach and so Mozilla is developing products, research, and communities to aid in the battle against information pollution and so-called 'fake news'.

Products: Mozilla already has a number of products which touch on this space, and will be developing more. The existing ones are:

* Pocket: a mechanism built into Firefox for saving, commenting on and sharing high-quality articles. A new feature which further helps to promote high quality content is the "New Tab" experience, curated by Pocket users and then recommended to Firefox users when they open a new tab in their browser.
* Coral: a project that builds open-source tools to make digital journalism more inclusive and more engaging, to raise the quality of public discourse.

Literacy: Misinformation can't be solved with technology alone - we also need to educate and empower Internet users, as well as those leading innovative literacy initiatives. Therefore, Mozilla is developing a web literacy curriculum that specifically addresses misinformation.

Research: Misinformation in the digital age is a relatively new phenomenon. To solve such a thorny problem, we first need to fully understand it. Later this year, Mozilla will be releasing original research on how misinformation impacts users' experiences online.

Mozilla will also field and fund pitches from technologists who are combating misinformation using various mediums, including virtual reality and augmented reality, and has been funding key events in this space, including an instance of MisinfoCon during Mozilla's flagship yearly conference, MozFest, which happens in London.

As members of the Commission's HLEG on Fake News, we look forward to working with a range of experts to advance solutions to counter the spread of misinformation.

16. In your view, which measures could <u>online platforms</u> take in order to improve users' access to reliable information and prevent the spread of disinformation online?
3000 character(s) maximum

We caution against a "one size fits all" definition of platforms, which fails to acknowledge the different types and therefore the varied solutions that need be forged to make meaningful progress on countering misinformation. Furthermore, any measure discussed should be careful not to erode the limits on liability in the e-Commerce Directive.

Any action to attempt to counter the dissemination of misinformation must be deeply rooted in a thorough understanding of the issue, a clear definition of the problem and, where solutions are forged, in cooperation with the range of actors in the ecosystem. More often than not, the measures adopted by one platform will not work as well for another. Carefully testing ideas, and tailor-made solutions, will be key if any meaningful progress is to be made. Mozilla is working with a wide range of stakeholders (such as those which are the subject of this question) both inside and outside of the HLEG to find constructive paths forward. We

encourage the Commission to make use of this forum and other such opportunities to explore existing and potential measures undertaken by the ecosystem, including some platforms.

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

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

3000 character(s) maximum

Provide more opportunities for news organizations to engage reader communities, be transparent about their methodologies and practices, and respond to feedback and criticism. This is an area of Mozilla's focus with The Coral Project, working closely with newsrooms around the world – including the Spotlight team at the Boston Globe – to bring more voices and interaction into journalistic practice.

19. How effective would the following measures by <u>news media organisations</u> 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.	○	○	○	○	○
Increase cooperation with other media organisations	○	○	○	○	○
Help readers develop media literacy skills to approach online news critically	○	○	○	○	○
Help readers assess information when and where they read it (e.g. links to sources)	○	○	○	○	○
Support civil society organisations and participative platforms (for instance using the model of Wikipedia/Wikinews) to improve monitoring and debunking of fake news.	○	○	○	○	○
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.	○	○	○	○	○
Other	○	○	○	○	○

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

3000 character(s) maximum

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.	○	○	○	○	●
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.	○	○	○	●	○
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.	○	●	○	○	○
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	○	●	○	○	○
An observatory is not useful for the public	●	○	○	○	○

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

The significant difficulty with public authorities (as opposed to news organizations, online platforms, civil society, etc) taking action is that misinformation is an issue which is closely connected to the issue of freedom of speech, civic discourse, and other fundamental tenets of a democratic state. Therefore, use of the normal tools of public authorities (i.e. passing laws and regulations) runs the risk of putting such authorities in a position of determining what is, and is not, fit to be said in the public square. While this is done to a limited extent today, for example for speech inciting violence, the boundaries of the state's responsibilities in this area are fairly well established in time and precedent, and "fake news" is (by definition for this consultation) not otherwise illegal. Yet it is also true that delegating that role to private companies also carries significant, different risks to fundamental rights, which need to be addressed and managed.

We agree that the problem of misinformation is a serious one, but we should not solve it by discarding some fundamental freedoms which distinguish the EU from other, less open, tolerant and permissive states.

There is the additional risk that governmental intervention could backfire. Research [0] shows that reinforcement of a position by more authority can sometimes entrench people in a contrary position. Recently, Facebook stopped showing a "disputed" flag next to articles because it realised that this was making the articles more widely shared, thereby making the problem worse. Attempts by government to regulate or control the flow of information are likely to have a similar effect; when people do finally come into contact with what is "forbidden", it will attain additional credibility.

Government is also a legitimate target for journalistic criticism. This means that even non-censorship measures, such as promoting "good" news outlets, can be seen as politicians influencing public discourse in a way which could be interpreted as self-serving and anti-democratic.

Consequently, we strongly believe that legislation (at any level) is not the answer. We believe that actions like education - funding skills and literacy programs - are more likely to be appropriate responses from government.

We commend the Commission for bringing together the HLEG to feed into strategy in this area, although we also note that the structure of this particular survey includes many questions where the answers will be necessarily very speculative, and few freeform questions which permit the outlining and development of a proposed strategy, which makes it hard to constructively feed into the Commission's thinking process. We look forward to having more opportunity to do so as part of the HLEG but we hope the Commission will also seek the public's views in a less constrained way.

[0] http://bit.ly/2zd9CwS   and   http://bit.ly/2EH2X5D

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