



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Brussels,

BACKGROUND NOTE FOR THE ATTENTION OF THE MEMBERS OF THE EUROPEAN COMMISSION

Subject: Fake news

Introduction

Over recent months, there has been intense interest concerning the spread of fake news online, not least in the context of upcoming elections. The term 'fake news' was coined to describe deliberately constructed lies, in the form of news articles, meant to mislead the public, or to generate online ad revenue.

While misinformation has always been part of the media landscape and public discourse, there is a new concern that social media platforms have enabled easier spreading of such misinformation. A range of commentators argue that such fake news stories have the ability to weaken the quality of democratic deliberation in what some call a "post-truth" society. In December 2016, President Juncker called upon online platforms to do more to tackle such misinformation.

The landscape of fake news

The landscape of fake news is variegated, with no clear boundaries between different types of fake news and misinformation. Content such as state propaganda, satire, rumours, or tabloid-style reporting or other forms of legal speech all have bearing on fake news.

A number of new drivers have emerged that can amplify the impact of fake news in the digital society. For instance, social media is set to overtake TV as the major news source for many Europeans in the coming years, and has already done so for younger population segments. In particular for children, this issue has been flagged as an emerging issue in the context of child online safety by the EU-funded Safer Internet Centres. Fake news stories on social media also often lack any surrounding context that help interpret them, unlike for instance established newspapers, whose editorial line is generally well-known. They can propagate very fast thanks to network effects.

However, some experts question the exposure of people to fake news and the influence such news has on them. The real issue, some say, is the lack of trust citizens have in (real) news and the fact that in some cases they do not accept that news from traditional media are much more trustworthy than news delivered through social networks. This is

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

The following sections touch upon possible response options against this background.

Policy responses in Member States and by Online Platforms

Several Member States are considering policy responses to this phenomenon. The German Justice Ministry is reported by the media to be working on legal proposals for a dedicated centre where fake news can be flagged, coupled even with potential fines for non-removal by platforms such as Facebook. In Italy, the head of the competition authority has called for an EU-wide approach and the President of the Italian Chamber of Deputies is supporting work on real time social media observatory. The French Senate is considering an Internet Ombudsman type construction, although not limited specifically to the issue of fake news. In addition, the Czech government is setting up a specialist “anti-fake news” unit to counter alleged Russian interference ahead of their upcoming elections, in collaboration with the Eastern Neighbourhood Strategic Communication Task Force under High Representative Mogherini.

Social media platforms – notably Google and Facebook – have publicly declared their intention to limit the spread of fake news, and have announced a series of voluntary measures.

These voluntary measures are currently focused on:

¹Edelman Trust Barometer 2017

- depriving fake news websites of online advertising revenue ("follow-the-money"). One of the motives behind the proliferation of fake news in the US elections was to provide ad income by directing web traffic to fake news websites. Such traffic forms the basis for calculation of advertising revenue. If this can be stopped, the interest in developing fake news decreases substantially.
- flagging mechanisms of fake-news (i.e., users or trusted organisations flagging such content to the platform), including by working with independent, trusted third-party fact checkers. Facebook has already started cooperating with organisations that adhere to the International Fact-Checking Network fact-checkers' code of principles²;
- experiments with warnings and labels aimed at the platforms' users, to highlight disputed content to users but without stopping users from accessing fake news or sharing it after seeing a warning.



What the EU is already doing

The EU already has established policies on Media Freedom and Media Pluralism, based on Art 11 of the Charter of Fundamental Rights. These include addressing violations of media freedom and pluralism within the EU competences, facilitating independent monitoring and practical solutions to address media freedom violations, and promotion of media freedom in enlargement policy and external action.

An important element of these policies is to strengthen the general ability of citizens for independent critical scrutiny of media information, especially when shared online. Therefore, in the area of media literacy, the European Commission has been facilitating the visibility and exchange of media literacy good practices from Member States and stakeholders. In 2017 the Commission – further to an initiative of the Parliament - will also implement two pilot projects on "Media literacy for all". Media literacy is also an element in other EU policies, such as the review of key competences in formal education, youth policy, fight against radicalisation and fostering citizen's participation in civic and political life. The Commission is also funding a pan-European network of Safer Internet Centres that promote media literacy, critical thinking and awareness raising to protect and empower young users online, as part of the wider Better Internet for Kids strategy. The Commission is also currently brokering an additional self-regulatory initiative, the Alliance to better protect minors online which will scale up awareness raising on online safety including the promotion of children's access to diversified online content, opinions, information and knowledge.

² <http://www.poynter.org/fact-checkers-code-of-principles/>

As part of the conclusions of the 2016 Annual Colloquium on Fundamental Rights which focused on media pluralism and democracy³, the European Commission committed to continue a dialogue on media literacy with digital intermediaries aiming to identify initiatives and programmes to provide citizens with knowledge and understanding of the functioning of social media.

The new publisher's right, proposed in the context of the copyright reform, is also relevant in this context, as it aims to strengthen quality journalism, and thus contribute to the sustainability of a pluralistic media landscape and traditional media companies.

Concerning state-orchestrated disinformation, the External Action Service set up a dedicated Task Force to address Russia's ongoing disinformation campaigns, following a request from the European Council in March 2015. Their objective is to include effective communication and promotion of EU policies towards the Eastern Neighbourhood; strengthening the overall media environment in the Eastern Neighbourhood and in EU Member States, including support for media freedom and strengthening independent media; and improved EU capacity to forecast, address and respond to disinformation activities by external actors.

Moreover, EU research programmes have featured relevant projects since 2011 under FP7, continuing in the current Horizon 2020 programme. Several projects seek to develop tools which assist with the assessment of content integrity, context, meaning origination and propagations paths, and contributor reputation, thereby helping journalists to assess the veracity of incoming, raw news items.

Policy options

[REDACTED]

In line with EU values, any policy response must safeguard free speech online and defend the free press, and avoid either government or private forms of censorship or 'Ministries of Truth'. [REDACTED]

[REDACTED]

Concerning the illustrative categories of fake news identified above, specific responses could include the following:

- [REDACTED]

³ http://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=31198

⁴Notably, [REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

In response to false information and propaganda, journalists and reporters have been developing ethical standards for several decades now⁶. Whilst the very ideal of objectivity has often been questioned, the basic guiding principle of independent reporting based on verifiable and reputable sources has always remained crucial. In order to support ethical behaviour in fast moving online communications environments,

[REDACTED]

Public attention to the proliferation of fake news could also increase demand for quality media. There is already a growing attention to the importance of media literacy and digital media literacy policies. These include empowering citizens with knowledge about the functioning of digital media and with critical thinking tools, so they can challenge their sources of information, understand the role of algorithms on how information is delivered to them, to judge the veracity of news content and to take informed decisions before sharing that content on social media.

[REDACTED]

⁵E.g. the Euromyths blog of the EC representation in the UK: <http://blogs.ec.europa.eu/ECintheUK/euromyths-a-z-index/>. However, there is evidence that impactful mythbusting in social media is very difficult to achieve.

⁶E.g. <http://www.snj.fr/content/charte-d%E2%80%99%C3%A9thique-professionnelle-des-journalistes>

Questions

1. Do you agree with the above analysis and that the Commission should be active in the ways suggested to support efforts to counter fake news?
2. In particular, would you agree with [REDACTED]
[REDACTED]?
3. Should the Commission do more to counter fake news about EU matters?