Standing Committee on
Democracy and Human Rights

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Debate on *Parliamentary impetus in favour of the fight against disinformation and hateful and discriminatory content in cyberspace*

The internet has introduced an immeasurable number of benefits and opportunities to nations and individuals since its advent. However, in recent years the diverse risks and harms associated with its ability to facilitate communication and the distribution of information have become clearer. These risks and harms can affect individuals, governments and institutions and have the ability to undermine democracy and human rights.

Many of these harms and risks have coincided with the rise of social media networks and include separate but interlinked issues such as hateful and discriminatory content, and the spread of misinformation, disinformation and "fake news".

Governments and international organizations have paid specific attention to online hate speech,[1] which is used to attack a person or group based on their race, religion, ethnicity, sexual orientation, disability or gender and can be used to incite violence. In 2021 the United Nations reported that instead of decreasing, online hate was increasing towards minority groups, with women being disproportionately targeted.[2] Hate speech is antithetical to the values of tolerance, inclusion and diversity and undermines the ideal of peaceful, cohesive and just societies.

Disinformation[3] distributed online has increasingly been used by state and non-state actors to serve several purposes; to exert influence, to create profit or secure political gain, to confuse or manipulate, create distrust in institutions and international norms, disrupt elections or create scepticism in contested scientific, health and education areas. Disinformation has become an increasingly visible global phenomenon in part because it can be spread quickly and efficiently through social media and alternative news channels. Recognizable examples of this phenomenon include the misleading content produced and shared related to the COVID-19 pandemic and to climate change.

Disinformation can be used to undermine and discredit democratic institutions – including the parliament, the judiciary, the electoral process and individual parliamentarians. It skews public and political discourse and can influence voter decisions based on deception. Disinformation can polarize democratic societies by deepening divisions and tensions.[4] Parliamentarians, especially women parliamentarians, are regularly the target of online hate speech and disinformation.

Social media networks are often used as the communication channel for hate speech, disinformation and other forms of discriminatory and harmful content. These platforms are responsible for moderating and where necessary removing illegal content, in accordance with national laws and regulations. However, social media companies are at times either unwilling or unable to remove content from their networks and may lack accountability and transparency when doing so. Companies may sometimes err on the side of caution in their content moderation policies and in doing so limit legitimate freedom of expression.

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1   https://www.coe.int/en/web/cyberviolence/online-hate-speech-and-hate-crime
2   https://www.ohchr.org/en/stories/2021/03/report-online-hate-increasing-against-minorities-says-expert
3   https://digital-strategy.ec.europa.eu/en/policies/online-disinformation
4   https://www.europarl.europa.eu/RegData/etudes/STUD/2021/653635/EXPO_STU(2021)653635_EN.pdf, p. 13.

In response many national governments have already started to regulate online content.[5] Regional initiatives exist: for example the European Union is considering a Digital Services Act, which aims to create a safer digital space in which the fundamental rights of all users are protected.[6] International organizations are also undertaking work to both understand and propose ways to manage damaging online content. One proposal from UNESCO details enhanced transparency for internet companies as a "third way" between state regulation and a hands-off approach that allows for the proliferation of hate speech and disinformation.[7]

There are tough challenges for parliaments and legislators to reconcile when considering how to respond to hate speech and disinformation online. Countering these issues through regulation or legislation can risk having a prejudicial impact on democracy and human rights.[8] Parliaments have to consider issues such as: How to regulate without impinging on fundamental human rights, including freedom of expression? What tools can be used to differentiate between content that is illegal, and content that is simply harmful or dishonest? How can national laws and regulations be reconciled with the international nature of the internet? How can governments work with social media companies to appropriately regulate the content posted on their platforms?

The debate provides an opportunity for members to share their perspectives on:

- The options available to parliaments to curb hateful content and disinformation online.
- How parliaments and legislators can limit potential harms in the online space, while upholding core elements of democracy including freedom of expression.
- The role of regulation in ensuring that social media companies address hateful content and disinformation on their platforms.
- How parliaments and governments can further multilateral efforts to combat hateful content and disinformation.

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[5]   https://www.ohchr.org/en/stories/2021/07/moderating-online-content-fighting-harm-or-silencing-dissent
[6]   https://digital-strategy.ec.europa.eu/en/policies/digital-services-act-package
[7]   https://en.unesco.org/news/unesco-initiates-global-dialogue-enhance-transparency-internet-companies-release-illustrative
[8]   https://www.europarl.europa.eu/RegData/etudes/STUD/2021/653635/EXPO_STU(2021)653635_EN.pdf