



An Roinn Turasóireachta, Cultúir,
Ealaíon, Gaeltachta, Spóirt agus Meán
Department of Tourism, Culture,
Arts, Gaeltacht, Sport and Media

National Counter Disinformation Strategy Working Group

Scoping Paper

September 2023

The content of this paper is deliberative in nature and not conclusive. It reflects the initial scoping activities of the Working Group in response to the agreed terms of reference. It does not reflect the official views of Government or any participating organisation on the Working Group.

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1 Background

Disinformation

It is important for the strategy development process that there is a clear understanding of what disinformation and misinformation are. One of the most important parameters in defining the manipulation of information is the notion of “intent”. For the purposes of this scoping document, we are adopting the European Democracy Action Plan (EDAP) definitions:

Misinformation: “false or misleading content shared without harmful intent though the effects can be still harmful, e.g. when people share false information with friends and family in good faith”.

Disinformation: “false or misleading content that is spread with an intention to deceive or secure economic or political gain and which may cause public harm”.

The aim of this strategy will be to coordinate national efforts to counter organised campaigns of manipulation of internet users in Ireland and ensure transparency about content moderation policies that impact people in Ireland. As such, the strategy will mainly focus on disinformation, but it is expected that measures to counter disinformation will, to a large degree, also help counter misinformation.

Overview

Ireland’s Future of Media Commission (FoMC) was tasked with addressing how media should serve Irish society, assessing how well the current system meets these goals and considering what changes ought to be made to support print, broadcast, and online media in a platform agnostic fashion. Their report (published July 2022) made 50 recommendations, including the development of a National Counter Disinformation Strategy to coordinate national efforts to counter organised, inauthentic campaigns of manipulation of internet users in Ireland and ensure transparency about content moderation policies that impact people in Ireland. The FoMC report also recommended that the strategy be developed in consultation with relevant Departments and agencies, the Irish European Digital Media Observatory Hub, industry stakeholders, news organisations, civil society organisations and Irish fact checkers and disinformation researchers.

Further to this recommendation, this Working Group was established in February 2023. It is independently chaired and comprises representatives from Government Departments, public bodies, industry, academia and civil society (see Appendix I).

Process

At its first meeting, the Working Group agreed its terms of reference and has met regularly since then (See Appendix II for terms of reference). The Group has received a number of presentations from experts in the area of disinformation and these are available [here](#). The Working Group has also tasked three subgroups of experts to examine key areas pertinent to disinformation and it is envisaged that there will be reports from these groups published later this year. The subgroups and their purpose are outlined below:

- Subgroup 1 – To inform the development of the whole of Government national strategy for countering disinformation by mapping existing initiatives, tools and resources, and examining any identified evidence gaps
- Subgroup 2 – To inform the development of the whole of Government national strategy for countering disinformation by identifying mechanisms and research measures that support innovation in areas critical to compliance in the emerging regulatory environment
- Subgroup 3 – To inform the development of the whole of Government national strategy for countering disinformation by suggesting mechanisms and methods of supporting the provision of free, independent, high quality journalism and protecting the supply of public interest information

Consultation

It is envisaged that a two phase consultation process would commence in the autumn. The two phases of consultation are detailed below.

CONSULTATION PHASE ONE – INFORMATION GATHERING

At the outset it was stated in the [Government Press Release](#) that there would be consultation with the public. Therefore an online written consultation will open to the general public in Q.3 2023. More detail on this part of the process is given in the next section.

CONSULTATION PHASE TWO – STAKEHOLDER ENGAGEMENT

The second phase of consultation will comprise face-to-face stakeholder engagement. This will take the form of a Consultation Forum, where invited stakeholders will be able to discuss the outcome of public consultation and the process so far in further detail.

Written Public Consultation

This scoping document forms the basis of the written public consultation process. It sets out five draft principles around which the Strategy could be developed and provides an overview of areas initially explored by relevant subgroups in key aspects of the terms of reference:

- Existing countermeasures
- The current and emerging regulatory environment
- The support of free, independent, high quality journalism and the protection of public interest information.

The objectives of this online consultation is to provide an opportunity for respondents to submit their views in relation to each of the principles, on two specific questions:

- What respondents think about this principle?
- What recommendations would help make this principle a reality?

It is also considered appropriate to include a separate question on the general development of the strategy allowing the public and stakeholders to provide any additional information for consideration by the Working Group, including any activities that they, or their organisations, are involved in which could help counter disinformation.

2 Context

Disinformation is complex and dynamic and does not respect policy or geographical boundaries. Disinformation is a problem because it is designed to create doubt and disruption. It distorts the nature of public discourse, undermining trust in sources of reliable information and negatively impacting people's ability to make informed decisions based on accurate information. Disinformation campaigns may also exploit economic or social inequalities, creating further division in society, and so countering disinformation can be looked at in the broader context of addressing inequalities in general. Technological innovation is welcome and should be supported and protected as much as possible. At the same time, it should be recognised that disinformation poses significant risks to our democracy and our society and some aspects of technological innovation will require ongoing oversight and risk mitigation – such as the growth of disruptive technologies and continuing advancements in AI capabilities. There are also likely to be specific actions that can be taken, in line with existing laws, regulations and rules.

LEGAL AND REGULATORY

Legal and regulatory responses to disinformation vary internationally. Some authoritarian states have exploited concerns about disinformation to erode freedom of expression, stifle opposition, and increase control over the media through repressive laws. In democratic states, policymakers attempt to balance the harms of disinformation with protections for fundamental rights and freedoms, including freedom of expression.

The regulation of disinformation in Ireland is a complex matter as there are a number of current and forthcoming legislative frameworks at European and National level that might cover areas of disinformation or look to address disinformation amongst other areas of online safety.

At European level, these include the Audiovisual Media Services Directive (AVMSD), the European Digital Services Package - which includes the Digital Services Act (DSA) and the Digital Markets Act (DMA), the General Data Protection Regulation (GDPR) and the proposed European Media Freedom Act (EMFA). These legal instruments contain measures to promote media plurality, safeguard public service media and procedures for fact checkers and researchers.

At a national level, the Electoral Reform Act 2022 and the Online Safety and Media Regulation (OSMR) Act also have provisions to help counter disinformation. For example, Part 5 of the

Electoral Reform Act provides An Coimisiún Toghcháin (the Electoral Commission) with extensive powers to combat disinformation, and inauthentic and manipulative online behaviour during an election campaign period (although this Part of the Act has not yet commenced). In addition, the OSMR Act continues to provide for media plurality and media literacy, both of which can help counter disinformation

MEDIA PLURALISM AND PUBLIC INTEREST INFORMATION

The Irish population has traditionally recorded a high level of trust in mainstream news sources to provide it with contextualised and objective information. Strengthening this free and fair media sector involves making the production of objective, relevant, quality journalism that engages a diverse audience sustainable.

3 Considerations

There are several considerations when building knowledge in order to counter disinformation. Some major considerations in the process of developing this Strategy are outlined below:

EFFICACY OF COUNTERMEASURES

The nature of harmful disinformation campaigns vary considerably in terms of who is responsible, their motivations, the channels they use, the period of their campaigns, and the audiences they target. No single countermeasure is sufficient for all scenarios and specific countermeasures may be more effective for some groups or contexts than others. Therefore, it is necessary to develop and measure the efficacy of multiple and overlapping countermeasures which can be used simultaneously, or at particular points for specific purposes. For example, pre-emptive countermeasures might include “prebunking”, where possible false narratives are countered before they arise. Media-based countermeasures could include fact-checking or initiatives from the advertising or media industry. Public education countermeasures might include media literacy education or content labelling by platforms.

DATA ACCESS AND DATA LEAKAGE

Data access and data-sharing, including audits of reports, with researchers and regulators is part of the EU Code of Practice on Disinformation. Researchers are currently facing difficulties in accessing relevant research data, such as on procedures carried out by platforms. Data leakage, through online advertising (“Real-Time Bidding” (RTB) systems), can undermine journalistic media advertising and monetise disinformation. RTB systems allow regulated publishers’ audiences to be micro-profiled and micro-targeted by unregulated platforms, including for the purposes of disinformation.

AMPLIFICATION OF HARMFUL ONLINE CONTENT

Stopping the amplification of disinformation and illegal material could be more effective than attempting to remove it, and would not affect freedom of expression, to the same degree. Platforms must also allow people to switch off the algorithms that recommend content in their feeds. For example, the EU Digital Services Act (DSA) requires very large online platforms (VLOPs) to give users the choice to switch off personalised recommender systems that are based on “profiling” as well as produce new independent risk assessments of the social impact of their technologies. Online platforms will have to assess how their algorithms might be amplifying the spread of illegal content and disinformation or undermining fundamental rights like freedom of expression and harming people’s mental health. Platforms will have to engage

in self-assessment and will be subject to monitoring by regulators in each Member State as well as the European Commission and independent researchers. The European Centre for Algorithmic Transparency (ECAT) will have an important role in this regard.

They will then have to implement measures to limit the risks they've identified. These could include adjusting their algorithms; creating tools for parents to control what their children are seeing and to verify the age of users; or labeling content like photos or videos that were generated by artificial intelligence tools.

CHANGING MEDIA LANDSCAPE

Media pluralism, access to a diversity of views and transparency of who ultimately owns and controls a media service, is essential for people in determining the reliability of information they are receiving and in tackling disinformation. Ireland has existing legislative protections for media pluralism through the media mergers regime established under Part 3A of the Competition Act 2002. However, the changing media landscape poses new challenges for media pluralism, in particular online. Notably the 2023 Media Pluralism Monitor has identified market plurality as being 'high risk' across Europe, including in Ireland, citing ownership transparency and plurality in digital markets as some of the relevant issues.

It is clear that the digitisation of media content and services in Ireland will be a continuing trend. In the context of the global digital transformation, the key challenge facing the Irish market is one of sufficient revenue to allow media producers to invest in and produce high-quality Irish content. Key revenue streams that continue to fund Irish content have been under significant threat. In parallel, there is an ongoing need to ensure citizens are equipped with the knowledge, skills, and resources and to recognise and access high-quality and credible content.

COORDINATION

Due to the wide-ranging nature of disinformation, a whole of government approach will be required which will involve bringing multiple and diverse departments and institutions together on an ongoing basis – with the potential for competing priorities. An effective strategy will require a significant capacity for coordination including knowledge sharing, cooperation, the identification and development of best practices and participation in national, European and transnational networks.

4 Draft Principles

The Draft Principles for the National Counter Disinformation Strategy, outlined below, have been developed by the Working Group, along with the input of experts in the area of disinformation through the subgroup process. The Working Group is now seeking input from the public on these draft principles and potential interventions through an online public consultation process.

Draft Principles

The following five draft Principles provide a framework for the development of initiatives to counter disinformation. These Principles should not be viewed as a hierarchy, but rather as interconnected and interdependent.

COUNTER DISINFORMATION AND PROTECT FREEDOM OF SPEECH USING A RIGHTS BASED APPROACH

This is a rights-based strategy. Measures to counter disinformation must uphold human rights, including the freedom of expression.

In addition, all members of society should be empowered to seek, receive and impart information and ideas, while acknowledging that the right to freedom of expression must respect the rights of others to privacy, protection from discrimination and to data protection under the GDPR.

COUNTER DISINFORMATION BY BUILDING RESILIENCE AND TRUST – AT INDIVIDUAL AND SOCIETAL LEVELS

It is important to raise awareness and encourage use of supports that enable a trustworthy information environment including:

- Ensuring public access to trustworthy and reliable public-interest information.
- Empowering people with the skills and knowledge about digital, media, and information literacy to be able to make informed choices about the media they consume, create and disseminate in a critical, creative and responsible manner, including highlighting how digital platforms' algorithms amplify hate and hysteria.
- Promoting diversity and plurality of information and access to high quality ethical journalism by regulating and supporting the media sector.

COUNTER DISINFORMATION THROUGH INCREASED COOPERATION, COLLABORATION AND COORDINATION

An effective, long-term, sustainable strategy for countering disinformation will require broad stakeholder engagement, shared values, cooperation and alignment of existing countermeasures.

This should be happening at national and international levels. Stakeholders include public authorities, researchers, educators, online platforms, advertisers, journalists, media groups, community and voluntary groups and trusted third party intermediaries. Doing these things will help:

- Sharing of best practice
- Horizon scanning
- Facilitating new collaborations and projects
- Identifying overlap or gaps in provision at national and international levels
- Aligning policy and regulatory approaches and
- Effective prevention and deterrence through strategic communication
- Effectively preventing, deterring and responding to Foreign Information Manipulation and Interference (FIMI) utilising the EU's FIMI and Hybrid Toolboxes
- Participation in the EU's counter disinformation network, the European Digital Media Observatory (EDMO)

COUNTER DISINFORMATION THROUGH CORPORATE ACCOUNTABILITY AND REGULATORY ENFORCEMENT

New digital media and platforms can help to spread disinformation more quickly than ever before. Measures to counter this should enforce and incentivise the lawful use of people's data, ethical business models, and preventing digital platforms' recommender algorithms from amplifying hate and hysteria in people's video and social feeds for commercial gain¹.

¹ <https://policyreview.info/articles/analysis/recommender-systems-and-amplification-extremist-content>

Measures should also consider addressing data leakage that exposes everybody to profiling, and the role this plays in creating a business model for disinformation media, undermining journalism, and exposing citizens to intrusive and intimate profiling.

Legal obligations, including those in the GDPR, Digital Services Act, and Digital Markets Act must be respected and enforced. Companies should respect the law, and independent regulatory authorities should be adequately resourced to enforce it.

COUNTER DISINFORMATION THROUGH EVIDENCE BASED COUNTERMEASURES AND INTERVENTIONS

The disinformation environment is constantly evolving, and countermeasures should be based on robust research evidence. Key stakeholders need access to a well-maintained evidence base to provide in-depth awareness of disinformation trends (i.e. bad actors, narratives and tactics across different platforms as well as international developments).

Evidence could take the form of:

- Research insights (e.g. research on susceptibility, current and developing disinformation narratives, changing tactics)
- Multi-disciplinary academic research, including quantitative and qualitative research, from a number of disciplines relevant to the area
- Evaluation, risk and impact assessments
- Sector expertise (fact-checkers, disinformation experts, communications experts, regulators) that would enable effective information sharing between experts and platforms
- Publications and notifications by international partners and bodies, such as the European External Action Service (EEAS), the EU Rapid Alert System and European Centre of Excellence for Countering Hybrid Threats

Appendix I: Working Group and Subgroups

Working Group

- An Coimisiún Toghcháin (Electoral Commission)
- Coimisiún na Meán (Media Commission)
- Department of Children, Equality Diversity, Integration and Youth
- Department of Education/Webwise
- Department of Enterprise, Trade and Employment
- Department of Foreign Affairs
- Department of Health/Health Service Executive
- Department of Justice
- Department of the Taoiseach
- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
- European Digital Media Observatory (EDMO) Ireland Hub at DCU FuJo
- Irish Council for Civil Liberties
- Library Association of Ireland
- Media Literacy Ireland
- National Youth Council of Ireland
- National Cyber Security Centre
- Office of the Press Ombudsman
- Technology Ireland

Subgroup One: Existing Countermeasures

- An Coimisiún Toghcháin
- Department of Education/Webwise
- Department of Foreign Affairs
- Department of the Taoiseach
- EDMO Ireland (DCU FuJo)
- Institute for Strategic Dialogue
- Library Association of Ireland
- Media Literacy Ireland

Subgroup Two: Emerging Regulatory Environment

- ADAPT Centre, Trinity College Dublin
- An Coimisiún Toghcháin
- Coimisiún na Meán
- EDMO Ireland (DCU FuJo)
- Digital Action
- Irish Council for Civil Liberties
- Institute for Strategic Dialogue
- Library Association of Ireland
- Media Literacy Ireland
- Technology Ireland
- University College Dublin

Subgroup 3: Supporting Journalism and the supply of Public Interest Information

- Coimisiún na Meán
- Department of Children, Equality, Diversity, Integration and Youth
- Department of Health/Health Service Executive
- EDMO Ireland (DCU FuJo)
- National Union of Journalists
- National Youth Council of Ireland
- Office of the Press Ombudsman
- Office of the Ombudsman

Appendix II: Terms of Reference

Terms of Reference (Agreed 24 March 2023)

- Identify the role of media literacy in supporting, and map media literacy initiatives that can help deliver, a targeted whole of Government approach to countering disinformation.
- Provide a comprehensive analysis of existing tools and mechanisms to combat disinformation in Ireland, including international best practice tools, mechanisms and approaches, with a focus on mechanisms to address evolving threats, and on ensuring transparency about content moderation policies that impact people in Ireland.
- Identify measures to support innovation in fact-checking and disinformation research and develop effective long-term monitoring of the application of the Strengthened EU Code of Practice on Disinformation and the Digital Services Act in Ireland.
- Explore ways in which the Strategy can support the important role that free, independent, high quality journalism plays in countering disinformation, in particular in aligning with efforts to protect the supply of public interest information at local and national level.
- Identify ways to better coordinate national efforts to counter organised campaigns of manipulation of internet users in Ireland, in particular, on how to facilitate access by researchers to data held by platforms to better inform interventions.