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Audit preview

Information on an upcoming audit

EU action plan against disinformation

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Disinformation is the creation, presentation and dissemination of verifiably false or misleading information for the purposes of economic gain or intentionally deceiving the public. It is not a new phenomenon. What has changed in recent years, however, is the sheer scale of disinformation and the speed with which it can reach its intended and unintended audiences – often anonymously and at minimal cost. It has been fuelled and amplified via the internet and social media as well as through the development of new technologies.

Disinformation is a global phenomenon affecting many countries around the world. In the European context, the spread of deliberate, large-scale, systematic disinformation is an acute strategic challenge for the EU. The EU's legitimacy and purpose rest on a democratic foundation, predicated on an informed electorate expressing its democratic will through free and fair elections. Any attempt to maliciously and intentionally undermine and manipulate public opinion therefore represents a grave threat to the Union itself.

The EU Action Plan against Disinformation, presented on 5 December 2018, consolidates the EU's efforts to tackle disinformation.

This audit will examine the EU Action Plan against Disinformation in terms of its relevance, the results achieved so far and its accountability framework.

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Introduction

What is disinformation?

The European Commission defines[1] disinformation as the creation, presentation and dissemination of verifiably false or misleading information for the purposes of economic gain or intentionally deceiving the public, and which may cause public harm. Such harm may include undermining democratic processes or threats to public goods such as health, the environment and security.

As opposed to illegal content (which includes hate speech, terrorist content or child sexual abuse material), disinformation covers content that is legal. It therefore intersects with fundamental core European Union (EU) values of freedom of expression and the press. Under the Commission's definition, disinformation does not include misleading advertising, reporting errors, satire and parody, or clearly identified partisan news and commentary.

Why is online disinformation a problem?

The spread of deliberate, large-scale, and systematic disinformation is an acute strategic challenge for many countries[2] worldwide. The EU's legitimacy and purpose rest on a democratic foundation, predicated on an informed electorate expressing its democratic will through free and fair elections. Any attempt to maliciously and intentionally undermine and manipulate public opinion therefore represents a grave threat to the EU itself.

Combating disinformation represents a major challenge because it needs to strike the right balance between maintaining fundamental rights to freedom and security, and encouraging innovation and an open market. Disinformation is not a new phenomenon. However, the rise of the internet and social media as well as the development of new digital technologies have revolutionised the way citizens are informed of current affairs. It has been accompanied by increasing challenges related to large-scale data collection and mono- or oligopolistic markets dominated by a very small number of companies.

How does online disinformation spread?

Disinformation typically concentrates on sensitive topics that are likely to polarise society, inflame passions and are more likely to be shared. Such topics include migration, climate change and health issues such as anti-vaccination campaigns or social justice issues. It can be driven in a number of ways, such as:

o   algorithms which prioritise personalised, sensational content as part of a business model;

o   a click-based advertising model;

o   technology, such as "bots" and "troll factories" which generate and amplify disinformation;

o   individuals who share unverified information.

Who is behind online disinformation?

The actors behind disinformation may come from within Member States or outside, including state (or government-sponsored) and non-state actors. The use of disinformation by actors within Member States is an increasing source of concern across the Union. Cases of disinformation driven by non-state actors have also been reported in the EU.

According to the European External Action Service (EEAS), Russian disinformation poses the greatest threat to the EU; because it is systematic, well resourced and on a different scale compared to other countries. However, other third countries have also started to follow its lead and deploy disinformation strategies.

There are no precise figures as to what proportion of disinformation in the EU originates from foreign actors and what is authored domestically[3].

The legal and policy framework

Article 11 of the European Charter on Fundamental Rights covers freedom of expression and information. This includes the freedom of the media and pluralism. The EU's efforts to tackle disinformation hinge primarily on policy initiatives.

In March 2015, the European Council invited the EU's High Representative for Foreign Affairs and Security Policy to develop an action plan on strategic communication, in cooperation with Member States and EU Institutions, to address Russia's on-going disinformation campaigns. This led to the creation of the East Stratcom Task Force within the EEAS, with a mandate to tackle disinformation originating from outside the EU. More specifically, it counters Russian disinformation as well as designing and disseminating positive strategic communications in the Eastern neighbourhood. This was followed in 2017 by two more task forces, TF South and TF Western Balkans.

In late 2017, the Commission – following widespread consultation – set up a High-Level Expert Group to offer concrete advice on tackling disinformation. The Group delivered its report in March 2018 and this formed the basis for the Commission's "Communication on tackling online disinformation: a European approach" (April 2018), based on four core principles and objectives:

o   improving transparency of the origin of information, and how it is produced, sponsored, disseminated and targeted;

o   promoting diversity of information to enable informed decision-making supported by high quality journalism and media literacy;

o   fostering the credibility and trustworthiness of information by working with key stakeholders;

o   fashioning inclusive solutions through awareness raising, improved media literacy, and broad stakeholder involvement.

This communication was followed in quick succession by a series of concrete measures to give it substance, including:

o   an **Elections Package** (September 2018) designed to protect EU and Member State elections from disinformation as well as cyber-attacks. The coming of the European Parliamentary elections in May 2019 helped to accelerate action in the EU and national capitals to protect their integrity. The package focused on data protection, the transparency of political advertising and

funding, cybersecurity and elections, and sanctions against abuse of data protection rules by political parties. It included a Commission Recommendation on securing free and fair elections;

o a **Code of Practice** (September 2018), which is a voluntary self-regulatory set of commitments by online platforms and the advertising industry, in order to improve transparency in political advertising, strengthen the closure of fake accounts, and demonetise incentives for purveying disinformation. These commitments were based on the High Level Expert Group's conclusions, although some of these changes were already underway in Europe and the United States. As agreed under the Code, its signatories submitted a self-evaluation in October 2019 to assess progress of its implementation. This report will still be independently verified by external evaluators separately appointed by the signatories and the Commission. Neither of the evaluators has yet been appointed;

o the **EU Action Plan against Disinformation** (December 2018). The European Council Conclusions of 18 October 2018 called for additional measures to "protect the Union's democratic systems and combat disinformation, including in the context of the upcoming European elections". The resulting EU Action Plan against Disinformation includes ten specific actions based on four pillars, as shown in the table below, that reflect the whole-of-society approach. The plan consolidates the EU's efforts to tackle disinformation and to set up an effective and comprehensive framework. *Table 1* lists the actions under each pillar of the EU Action Plan.

Table 1 – EU Action Plan against disinformation

Pillar	Actions
I. Improving the capabilities of Union institutions to detect, analyse and expose disinformation	(1) **Strengthen** the **StratCom** task forces and EU Delegations with additional resources (human and financial) to detect, analyse and expose disinformation activities (2) **Review** of the Task Force South and Task Force Western Balkans **mandates**
II. Strengthening coordinated and joint responses to disinformation	(3) Establish by March 2019 a **Rapid Alert System** that works closely with other existing networks (EP, NATO and G7) (4) Step up **communication** pre-EP elections (5) Strengthen **strategic communications** in the **Neighbourhood**.
III. Mobilising private sector to tackle disinformation	(6) Close and continuous monitoring of the implementation of the **Code of Practice**, including push for rapid and effective compliance, and a comprehensive assessment after 12 months
IV. Raising awareness and improving societal resilience	(7) With Member States, organise targeted campaigns for to **raise awareness** of the negative effects of disinformation, and support work of independent media and **quality journalism** (8) Member States should support the creation of teams of multi-disciplinary independent **fact-checkers** and researchers to detect and expose disinformation campaigns (9) Promotion of **media literacy**, including through Media Literacy Week (March 2019) and rapid implementation of the relevant provisions of the Audio-visual Media Services Directive (10) Effective follow-up of the **Elections Package**, notably the Recommendation, including monitoring by the Commission of its implementation

Source: Action Plan against Disinformation, JOIN(2018) 36 final.

The Council confirmed in December 2019[4] that the EU Action Plan "remains at the heart of the EU's efforts" to combat disinformation, and called for it to be reviewed and updated regularly. In addition, on numerous occasions the European Parliament has emphasised the importance of strengthening efforts to combat disinformation[5].

Roles and responsibilities

Responsibility for combating disinformation lies primarily with the EU Member States. The EU's role is to support Member States with a common vision and action to strengthen coordination, communication and good practice.

Tackling disinformation touches on different policy areas, which are the responsibility of various Commission Directorates-General, as well as other bodies (EEAS, European Council and European Parliament).

Focus of the audit

This audit will examine the EU Action Plan against Disinformation in terms of its relevance, the results achieved so far and its accountability framework. In particular, we will analyse whether:

- o the EU Action Plan is sufficiently robust;

- o the European External Action Service has adequately increased its capacity to face the challenges of disinformation;

- o the Code of Practice has brought tangible improvements;

- o the EU funding of awareness-raising action the expected results;

- o those taking action are held accountable by means of robust and transparent monitoring and reporting.

In our assessment, we will draw on the results of knowledge-gathering visits to the EEAS, the European Commission, the European Parliament and, if necessary, the NATO Headquarters in Brussels. In addition, we will visit the NATO Strategic Communications Centre of Excellence in Riga, Latvia and the European Centre of Excellence for Countering Hybrid Threats in Helsinki, Finland to identify good practice and consult experts.

In the course of our audit, we will analyse key issues identified during the preparatory phase. Since these issues have been identified before the audit work commences, they should not be regarded as audit observations, conclusions or recommendations.

ABOUT ECA SPECIAL REPORTS AND AUDIT PREVIEWS

The ECA's special reports set out the results of its audits of EU policies and programmes or management topics related to specific budgetary areas.

Audit previews provide information in relation to an ongoing audit task. They are based on preparatory work undertaken before the start of the audit and are intended as a source of information for those interested in the policy and/or programme being audited.

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[1] Communication on tackling online disinformation, COM(2018) 236.

[2] According to the study "The Global Disinformation Order" by Oxford University (Sep. 2019) the number of countries with political disinformation campaigns has more than doubled to 70 in the last two years.

[3] Disinformation and propaganda – impact on the functioning of the rule of law in the EU and its Member States – Feb. 2019 Study requested by the LIBE Committee of the EP.

[4] Council Conclusions on the "Complementary efforts to enhance resilience and counter hybrid threats", paragraph 30 (10 December 2019).

[5] European Parliament resolution of 15 June 2017 on Online platforms and the Digital Single Market (2016/2276(INI)); European Parliament resolution of 3 May 2018 on media pluralism and media freedom in the European Union (2017/2209(INI)); European Parliament resolution of 25 October 2018 on the use of Facebook users' data by Cambridge Analytica and the impact on data protection (2018/2855(RSP)); European Parliament resolution on foreign electoral interference and disinformation in national and European democratic processes (2019/2810(RSP)).