



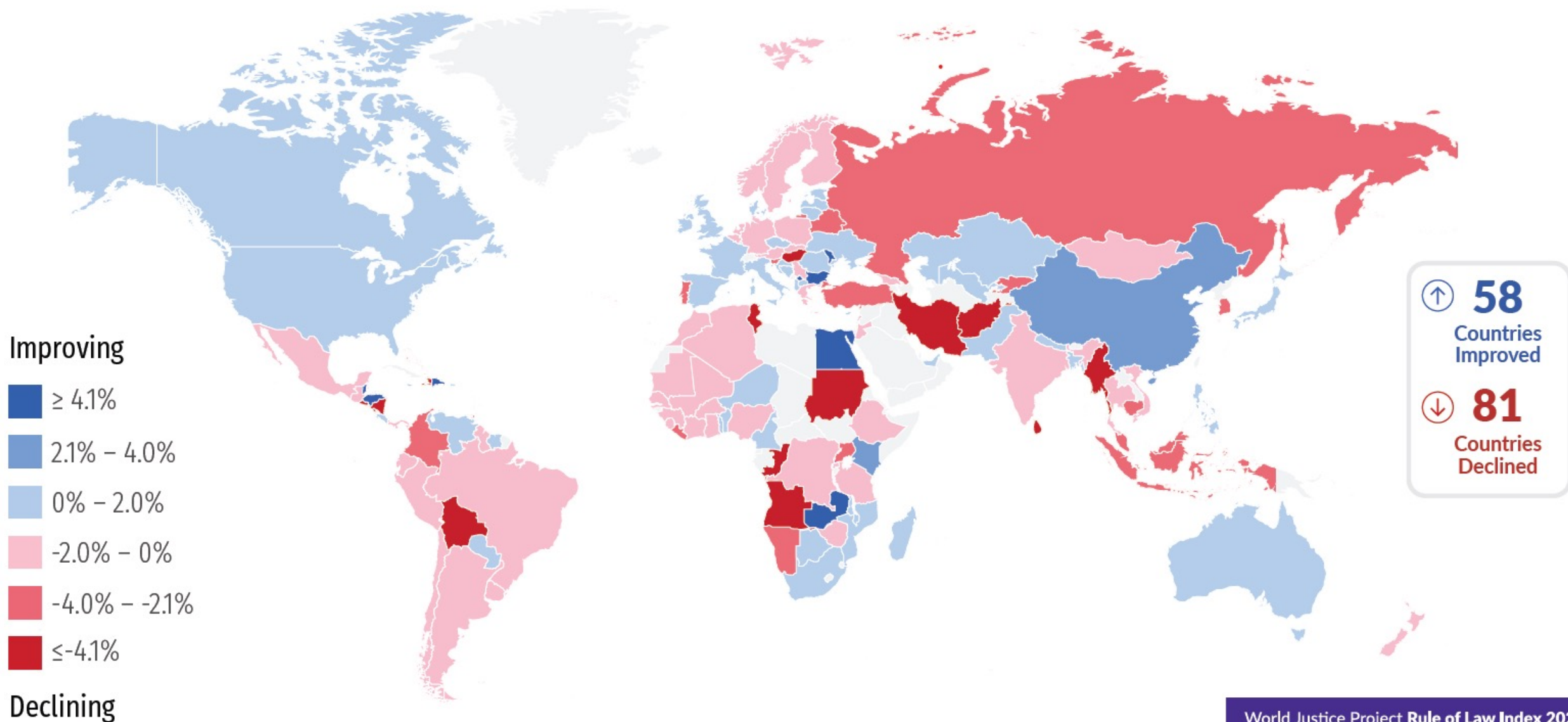
World Justice
Project

Defending Media Freedom: Addressing Disinformation laws and SLAPP

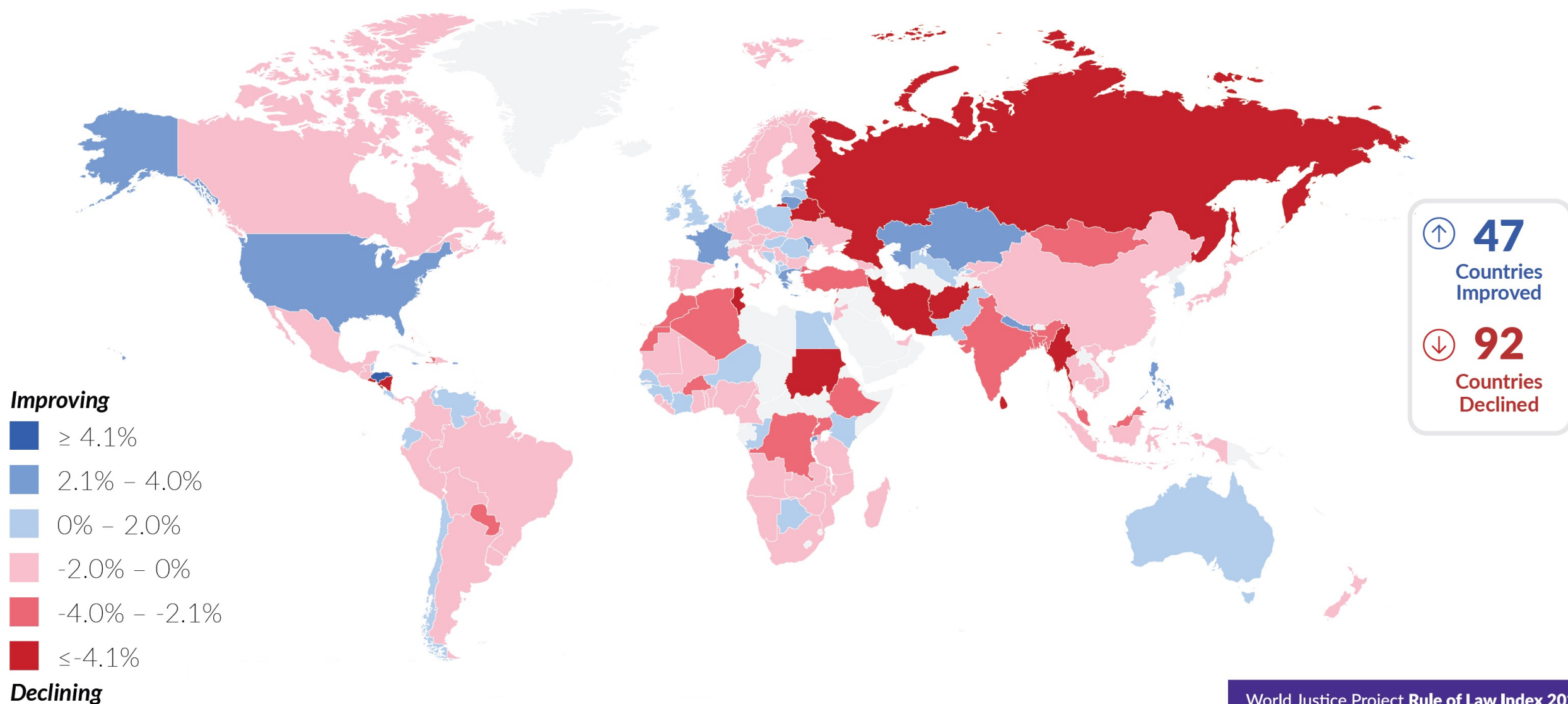
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Checks on Government Powers Eroded in 58% of Countries in 2021-2022



Respect for Fundamental Rights Fell in 66% of Countries 2021-2022





In 2022, # Journalists
killed → 1
imprisoned → 363

The world's five biggest jailers of Journalists



From Reporters Without Border

Strategic Lawsuits against Public Participation (SLAPP)

- SLAPP is widespread, creating court cases, a climate of fear & self-censorship
- Anti-SLAPP measures received limited attention and responses
- 570 SLAPPS cases in Europe during 2010 – 2021,
None of EU member states has anti-SLAPPS measures
3 member states are considering

Journalists under attack

Journalists under severe pressure - increasing interference, attacks and lack of protection.

Threats and attacks against journalists are on the rise

Surveillance, online harassment, and abuse are growing, targeting those working in the public interest

Disinformation & Disinformation laws Challenges

AMERIKANCI GURAJU SVET U HAOS

NEZAVISNE DNEVNE NOVINE

NAJPRODAVANJE
NAJČITANIE
U SRBIJI

INFORMER

Utorak, 22. feb

Broj 2993 / 35 dinara / Republika Srpska 0,8 KM / 6

AUTO-BOMBA
U centru Donjecka
aktiviran eksploziv
sakriven u vozilu

Ukrajina napala Rusiju!

● Ukrajinci granatirali granični punkt kod Rostova, 150 metara unutar teritorije Rusije

● Ruski specijalci likvidirali pet ukrajinskih diverzanata koji su pokušali da pređu granicu

ZA SAMO JEDAN DAN 21.000 NOVIH IZBEGLICA
U Donbasu humanitarna katastrofa, bombe padaju na civile, nema ni vode ni struje



KOPA ROV
Ukrajinski
vojnik



SPREMAN NA SVE
Proruski borac



ZLOČIN Uništena i zgrada obdaništa



ZBEG Civilni traže spas u Rusiji

RATNI HOROR Artiljerija nasumice gađa čak i vrtiće, škole, bolnice



AGRESIJA
Ukrajinski
tenkista
sprema
municiju

IZ DONJECKA
I LUGANSKA
POZIVAJU
RUSKU
VOJSKU
DA SPASE
NAROD

BRANE KUĆNI PRAG
Narodna milicija
u Lugansku

Strane 2, 3, 4, 5, 6 i 7

AMERICANS PUSH THE WORLD INTO

CHAOS INDEPENDENT DAILY NEWSREL

INFORMER

Tuesday, 22. Feb

Broj 2993 / 35 dinara / Republika Srpska 0,8 KM / 6

AUTO-BOMBA
U centru Donjecka
aktiviran eksploziv
sakriven u vozilu

Ukraine attacked Russia!

● Ukrainians shelled the border post near Rostov, 150 meters inside Russian territory

● Russian special forces liquidated five Ukrainians JUST ONE DAY 21,000 NEW REFUGEES
In Donbas humanitarian disaster, bombs of saboteurs who tried to cross the border fall on civilians, there is no water or electricity



KOPA ROV
Ukrajinski
vojnik



SPREMAN NA SVE
Proruski borac



ZLOČIN Uništena i zgrada obdaništa



ZBEG Civilni traže spas u Rusiji

THE HORROR OF WAR Artillery randomly attacks even kindergartens, schools, hospitals



AGRESIJA
Ukrajinski
tenkista
sprema
municiju

THE RUSSIAN
ARMY IS CALLED
FROM
DONETSK
LUGANSK
TO SAVE THE
PEOPLE

BRANE KUĆNI PRAG
Narodna milicija
u Lugansku

Strane 2, 3, 4, 5, 6 i 7

Impacts of Disinformation

Divisive & politically polarizing

Undermine trust in Governments, democratic institutions & **election process**

Public health

Ideological and identity-based disinformation **amount to** incitement to hatred, discrimination and violence,

State propaganda fuels armed conflicts

Non-state armed groups recruit members

Hinders people from meaningfully exercising their human rights

Government's Responses to Disinformation

- Internet shutdown
- Special laws on disinformation

Overall insufficient regulations

Seek quick political gains & lack of long-term vision

- Europe to play a leading role

Fake News Regulations

List of countries that have passed 'fake news' regulations during Covid-19 pandemic.



● Algeria ● Azerbaijan ● Bosnia and Herzegovina ● Brazil ● Cambodia ● Hungary ● Jordan ● Philippines ● Puerto Rico ● Romania
● Russia ● Tajikistan ● Thailand ● United Arab Emirates ● Uzbekistan ● Vietnam

SOURCE: [International Press Institute \(IPI\) Tracker on Press Freedom Violations Linked to COVID-19 Coverage](#)



Journalists jailed related to disinformation laws

2012 → 1

2020 → 34

2022 → 39

2020-2022 → 80

The Definition challenge

The European Commission:

Verifiably false or misleading information that, cumulatively, is created, presented and disseminated for economic gain or to intentionally deceive the public and that may cause public harm

Broadband Commission for Sustainable Development:

False or misleading content with potential consequences, irrespective of the underlying intention or behaviours producing and circulating messages

Academics

Disinformation: false information that is knowingly shared with the intention to cause harm

Misinformation: the unintentional dissemination of false information

Malinformation: Genuine information shared with the intention to cause harm

Beyond the binary of truth and falsity

opinions, beliefs, uncertain knowledge, parody, satire and artistic and other forms of expression

Vague wordings

- “social disorder” – South Korea
- Critical of government – Cambodia

Aspects of Disinformation

Beyond the binary of truth and falsity

opinions, beliefs, uncertain knowledge, parody, satire and
artistic and other forms of expression

Social media companies spread disinformation

UN: social media plays a major role in spreading
disinformation, but inadequate efforts to address the
problem

Amplified by algorithms and business models designed to
promote sensational content that keeps users engaged on
platforms.

Purportedly allowing spreaders of misinformation to monetize
their content i.e. Covid cases

Applying human rights principles to disinformation laws

Right to opinion

manipulation, 'brainwash' is considered coercive

Any effort to coerce the holding or not holding of any opinion is prohibited.

Key to absolute vs influence by others is the knowledge and consent of the rights holder

Freedom of expression

All restrictions to be **provided by law** and to be **necessary** for the **legitimate aim** of respecting the rights and reputations of others and for protecting national security, public order or public health or morals

Tech companies

- UN: social media plays a major role in spreading disinformation, but inadequate efforts to address the problem
- Amplified by algorithms and business models designed to promote sensational content that keeps users engaged on platforms.
- Purportedly allowing spreaders of misinformation to monetize their content i.e. Covid cases
- Produce own rules – community guidelines, community standards company's versions of genocide, hate speech, etc
- Content takedown by AI & human compromise political participation, FoE & other rights
- Lack of transparency on disclosing content takedown
- Ineffective appealing process - transparency

Addressing disinformation through laws and non-regulations

States should recalibrate their responses to
disinformation, enhancing the role of
free, independent and diverse media

States must lead
and not privatise the responsibility to
respect & protect freedom of
expression to companies

Address disinformation with international
human rights framework Including
freedom of expression tests

Investing in media and digital literacy,
education & tolerance, rebuilding public
trust



Social media compaies

Strengthen legal accountability

Bring private regulations in line with international human rights laws

Consistent & effective content takedown while protecting rights

Effective and transparency in appealing process