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including the right to development

Written statement* submitted by Commonwealth Human Rights Initiative, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2021]

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* Issued as received, in the language(s) of submission only.

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A new infrastructure for fact-telling to counter disinformation, build healthy information ecosystems, and greater trust in journalism

INTRODUCTION

The COVID-19 pandemic warranted the need for the global media to expansively transform, especially in the digital space. However, this has resulted in equally fast-emerging fallouts across the world, some of which have been unforeseeable. Particularly, a diverse region such as South Asia has witnessed the emergence of digital cultures that increasingly revolve around politics and media. Increasing technological and internet access have managed to have the reach and ability to largely influence, shape, and build interactions within societies.

This rapid transformation also brought with it an 'infodemic', which has blurred the line between verified facts on the one hand and rumours, propaganda, and confirmation bias on the other. With the events witnessed in its consequence, we firmly believe in the need to develop a democratised infrastructure for fact-checking and dissemination as a key instrument to tackle disinformation, access verified information, empower individuals, and generate justifiable faith in journalism.

Therefore, the Special Rapporteur's report acknowledging the complex challenges posed by disinformation in the digital age and calling for multi-stakeholder responses rooted in the international human rights framework is commendable and timely.

THE SOUTH ASIAN CONTEXT

South Asia as a region has the second lowest internet penetration rates in the world, only above Africa. [1] Despite this, governments in the region have been leading in the use of media — especially social media — and digital technologies to advance or restrict fundamental rights and civil liberties.

Currently, only 20 per cent of South Asia's population (roughly 400 million) are active internet users. Over the next five years, it has been estimated that in countries such as India alone, 500 million new users will enter the online space for the first time. [2] A majority of these users would likely come from Tier-2 and Tier-3 cities, and peri-urban areas, and would aspire to utilise mobile technology as a means of social mobility.

However, this increased access and rapid technological and digital expansion has serious consequences on the health and safety of information ecosystems as well as of those who contribute to it. While newer technologies and innovative digitisation have strengthened journalism and media, it has also changed the process of producing information and consumption patterns of societies. In doing so, digital media has prevented our socio-political environments from thriving by vitiating it through polarisation of opinions.

Another characteristic of this development is the hegemony of language in news and media as most online applications and platforms use English as a default and exclude vernacular languages. Inadequate media literacy in vernacular information ecosystems is silently contributing to information disorder and mistrust, which continues to remain invisible. These unchecked digital spaces, besides English-based ones, have led to a prominent increase in cases of intolerance, hate speech, violence and discrimination, both online and offline.

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[1] Internet World Stats 2020 https://www.internetworldstats.com/stats.htm.

[2] Innovating for the Next Half Billion, Omidyar Network https://www.omidyarnetwork.in/wp-content/uploads/pdfs/Innovating-for-Next-Half-Billion.pdf.

The mass personalisation of the internet and data has been accompanied by a mass personalisation and convenient obfuscation of the truth. Facts are being treated as a mere extension or validation of personal beliefs, and truths are being reproduced and accepted in contexts relative of the socio-cultural ethos.

This presents an information age paradox – communities are now more interconnected than ever before with easier access to information and technology, and yet more fragmented with the loss of an agreeable context.

DISINFORMATION: A COMPLEX MALADY FOR THE INFORMATION ECOSYSTEM

Intentionally generated and propaganda-wielding false information has most adversely affected the already marginalised and vulnerable groups, especially during the COVID-19 pandemic. It has led to a sharp increase in harmful xenophobic rhetoric against migrants,[3] hate speech and othering against ethno-religious minorities,[4] and racism,[5] discrimination, and violence against individuals and communities.[6]

Research has established clear links between disinformation and misinformation online and the steep rise (both online and offline) in attacks against journalists, especially women journalists.[7] The emergence of newly available media and digital platforms means that the demand for fast consumption of information, often unverified, is readily being met.

This has eroded the trust in media and journalism, while bifurcating and labelling new media into restrictive binaries of left and right schools of thought. This has inevitably widened the divide between forms of media, between communities, and between media and communities. Further, once away from the strongholds of metro media, disinformation becomes significantly harder to detect and counter once it is translated into less widely spoken regional languages and dialects.[8]

Across the world, especially in South Asia, significant evidence has emerged of information disorder campaigns being commercialised and weaponised on a staggering scale. A deluge of falsified information — organised and unorganised — that is shared and reproduced without intent or purpose, is shrinking the space for verified information.[9]

Inadequate digital and media literacy, corporate concentration of fact-finding skills, absence of fact-checking in regional media, and a culture of mistrust has made users far

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[3] OSCE and UNHCR debunking myths about migration and refugee flows
    https://www.osce.org/secretariat/481132.
[4] COVID-19: How fake news and Modi government messaging fuelled India's latest spiral of
    Islamophobia, https://scroll.in/article/959806/covid-19-how-fake-news-and-modi-government-
    messaging-fuelled-indias-latest-spiral-of-islamophobia;
    https://www.eastasiaforum.org/2020/07/11/disinformation-and-xenophobia-target-malaysias-
    rohingya/.
[5] Leave No One Behind: Racial Discrimination and Protection of Minorities in the COVID-19 Crisis,
    https://www.ohchr.org/Documents/Issues/Minorities/UN_Network_Racial_Discrimination_Minoritie
    s_COVID.pdf.
[6] The Battles That Can Cost South Asia the War Against COVID-19
    https://thediplomat.com/2020/04/the-battles-that-can-cost-south-asia-the-war-against-covid-19/.
[7] How Disinformation and Hate Fuel Online Attacks Against Women Journalists
    https://www.icfj.org/news/how-disinformation-and-hate-fuel-online-attacks-against-women-
    journalists.
[8] Combating misinformation in under-resourced languages: lessons from around the world
    https://firstdraftnews.org/latest/combating-misinformation-in-under-resourced-languages-lessons-
    from-around-the-world/.
[9] EU Disinfo Lab, 2020 https://www.disinfo.eu/wp-content/uploads/2020/12/Indian-
    chronicles_FULLREPORT.pdf.

more susceptible to falling for and disseminating misinformation and disinformation online.[10]

RECOMMENDATIONS

There is a pressing need to continue to document and analyse the impact of disinformation in online spaces through a human rights prism. It is especially important to address trolling and doxing from a gendered perspective as well as religious prejudice. In South Asia, this presents an urgent and critical need to strengthen public information regimes and media ecosystems by creating a robust infrastructure for informed truth.

In that light, CHRI recommends:

(i) Systematically reimagining and developing best practices such as decentralised and democratised fact-checking through publicly available news and archives across media and innovative means such as social listening tools for social media platforms, through multi-sectoral and multi-stakeholder cooperation in line with the Special Rapporteur's recommendations.

(ii) Creating publicly available tools for media scanning and analyses of news, focusing both on a qualitative analysis of content and a quantitative analysis of reportage, as well as encouraging media organisations to actively participate in such initiatives as part of their public service to ensure the veracity of information, especially in regional information ecosystems.

(iii) Working towards building contextualised methodologies and criteria for the identification and verification of news, its channels and sources, with a special onus on social media giants, without breaching data privacy rights of users and their right to freedom of opinion and expression guaranteed under Article 19 of the International Covenant on Civil and Political Rights (ICCPR).

(iv) Advancing support to civil society and socio-tech initiatives for further research on channels of dissemination of news and information, especially through mobile messaging applications, without breaching data privacy rights of users, to curb the spread of rumours, disinformation, and misinformation by enabling further innovation.

(v) Increasing capacity of journalists and media professionals, via developing region-based digital and media literacy training modules, to understand contemporary issues in news and media, for especially those working in local media ecosystems, through formation of research and development (R&D) coalitions between media, educational institutions, technology companies, and civil society.

(vi) Encouraging proactive research and advocacy on revising outdated laws such as sedition and criminal defamation, and legal frameworks with over-broad definitions, restrictive provisions, and penalising policies that may be used to unduly hinder the free flow of information.

(vii) Developing region relevant focus for best practices on the presentation of facts, sources and narratives, and further jurisprudence outlining the specific obligations of States in this context, including under the existing international human rights framework.

(viii) Reimagining media literacy efforts for the public by increasing and monitoring effective government spending in public communication in regional languages across mediums of media, with necessary policies, budgetary allocations, and multi-sectoral and multi-stakeholder cooperation to support such initiatives, building transparency in the functioning of public institutions, and encouraging the use of Right to Information laws.

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[10] The Digitalisation of Hate Speech in South and Southeast Asia: Conflict-Mitigation Approaches, https://gjia.georgetown.edu/2021/05/05/the-digitalization-of-hate-speech-in-south-and-southeast-asia-conflict-mitigation-approaches/.