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Joint Declaration on Freedom of Expression and “Fake News,” Disinformation, and Propaganda

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Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. (United Nations 1948)

On March 3, 2017, the United Nations (UN) Special Rapporteur on Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, with the assistance of ARTICLE 19 and the Centre for Law and Democracy (CLD), proposed a six-point program to address the ongoing and developing challenge of so-called "fake News," also known as disinformation and propaganda. Adopted in Vienna, the *Joint Declaration* begins by reaffirming previous joint declarations on freedom of expression dating back to 1999, while defining propaganda and disinformation and addressing the current growing challenges to media freedom around the world. The six

major areas of concentration include General Principles; Standards on Disinformation and Propaganda; Enabling Environment for Freedom of Expression; Intermediaries; Journalists and Media Outlets; and Stakeholders Cooperation.

Given the attention “fake news” received from corporate and state media this past year, as well as in the blogosphere and the Internet all around the globe, it is important to note how significant this document is in the big picture as it spans the landscape, with breadth and depth, of propaganda and information integrity problems, old and new. The opening statement of the *Joint Declaration* outlines the current challenges brought by so-called “fake news” and disinformation, and the remaining sections offer measures to address and standards to uphold.

Taken as a collective statement, it is heartening to see a call for such sweeping support of media freedom and expression, one that addresses the roles of state actors, intermediaries, and even journalists themselves. The promotion of media criticism from inside journalistic institutions is not a new proposal, but it is a field in need of significant bolstering in this era of digital communications. *Joint Declaration* Section 5 b) clearly states, “Media outlets should consider including critical coverage of disinformation and propaganda as part of their news services in line with their watchdog role in society, particularly during elections and regarding debates on matters of public interest.” This is a welcome reminder and an area where societies

desperately need new and improved watchdog organizations both inside and outside of media institutions.

One area that could have more attention in this important document is the promotion of critical media literacy education. "Digital and media literacy" are mentioned in section 3 e) "States should take measures to promote media and digital literacy, including by covering these topics as part of the regular school curriculum and by engaging with civil society and other stakeholders to raise awareness about these issues." Section 6 a) could be seen as a comprehensive call to action under the guise of "Stakeholder cooperation" as it states,

All stakeholders – including intermediaries, media outlets, civil society and academia – should be supported in developing participatory and transparent initiatives for creating a better understanding of the impact of disinformation and propaganda on democracy, freedom of expression, journalism and civic space, as well as appropriate responses to these phenomena.

However, more detail and specificity could be included in terms of how to grow educational efforts and share best practices with faculty and students worldwide. Education is a key avenue to build a better, more informed next generation, one that moves beyond for example, Millennial digital natives' knowledgeable use of and reliance on communication devices, and promotes a more critical pedagogical application to civic affairs and the public sphere.

Whether we call it disinformation and propaganda, or by other names, like the now weaponized term “fake news,” this declaration is an appropriate rejoinder to those who would address these aforementioned challenges by censorship, algorithmic suppression, outsourcing of fact checkers, or state legislation, all of which create new problems that violate the democratic principles of a truly free press and an open society, and none of which can stand in the place of a critically thinking, well-informed public.

Overall, this is a distinct and comprehensive effort to identify and address morphing issues around propaganda and disinformation. These are not merely quandaries for those in academia or journalism to tackle, under the principles outlined in Article 19 of the UN’s (1948) *Universal Declaration of Human Rights*, it is one in which we all must partake if we are to be more responsible self governors of human affairs. The *Joint Declaration* is appropriately critical of state and other intermediary efforts of censorship and control, proposes these entities be proactive in preventing such behaviors, and repeatedly calls for open, transparent, unrestricted, factually supported public debate and didactic discourse as the best ways to confront and counter the most recent incarnations of a seemingly ceaseless information war.

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United Nations Special Rapporteur on Freedom of Opinion and Expression, Organization for Security and Co-operation in Europe Representative on Freedom of the Media, Organization of American States Special Rapporteur on Freedom of Expression, and African Commission on Human and Peoples' Rights Special Rapporteur on Freedom of Expression and Access to Information. 2017. *Joint declaration on freedom of expression and "fake news," disinformation and propaganda*. March 3. <http://www.osce.org/fom/302796>