

# Report on the Public Consultation for the European Democracy Action Plan (EDAP)

*Disclaimer: This document should be regarded solely as a summary of the contributions made by stakeholders to the public consultation on the European Democracy Action Plan. It cannot in any circumstances be regarded as the official position of the Commission or its services.*

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## EXECUTIVE SUMMARY

The Commission Political Guidelines announced a European Democracy Action Plan (hereafter EDAP) under the headline ambition of a new push for European Democracy. The aim of the EDAP is to ensure that citizens are able to participate in the democratic system through informed decision-making free from interference and manipulation affecting elections and the democratic debate.

The Commission invited citizens and stakeholders all over Europe to share their experience and their expectation for future initiatives in this area. For the preparation of the Action Plan, the Commission has consulted the public on three key themes:

- i. Election integrity and how to ensure electoral systems are free and fair
- ii. Strengthening media freedom and media pluralism
- iii. Tackling disinformation

In addition, the public consultation also included questions to citizens and stakeholders on how to support civil society and active citizenship.

This report summarises what individuals, stakeholders and various organisations expressed in the public consultation on the EDAP open from 15 July to 18 September 2020.<sup>1</sup> This report aims to provide feedback to citizens and stakeholders about the results of the public consultation.

### • Profile of Respondents

The consultation received a total of 338 responses, 208 (61%) of which were submitted by individuals and 130 (38%) by public authorities, NGOs, academia, businesses associations, companies and trade unions). Most replies were received from respondents in Hungary and Belgium (both representing 15% of the total number of respondents), followed by Italy (11%). 7% of the total number of responses came from non-EU countries. Contributions were received from major online platforms, public authorities, civil society organisations and professional associations.

### • Elections integrity and how to ensure electoral systems are free and fair

The majority of respondents reported having been targeted once or several times with online content that related to political or social issues, political parties or political programmes. Proposed actions to address political content were strongly supported by a wide range of respondents. Supported initiatives include disclosure rules of the origin of political content, the creation of open and transparent political ads archives/registries, the disclosure of political parties campaign finances broken down by media outlet and the limitation of micro-targeting of political content. Respondents views were mixed as to limiting targeted political content altogether. With respect to micro-targeting, the majority of respondents agreed that criteria for micro-targeting of political content should be publicly disclosed in a clear and transparent manner for every advertisement. Moreover, most respondents including civil society organisations, national authorities, different associations and some platforms agree that similar rules should apply for offline and online-targeted political content to ensure a level-playing field with broadcasters, radios for which the political advertising is strictly regulated. The threats to electoral

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<sup>1</sup> The sample of respondents to this consultation is not statistically representative of the EU population. All contributions and more information on the Public consultation: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12506-European-Democracy-Action-Plan>.

integrity listed in the public consultation were confirmed by respondents. They further identified cybersecurity as an important issue, which has been further reinforced during the COVID-19 pandemic. Respondents also largely supported the possible initiatives at both national and European level set out in the public consultation, which aim to strengthen the monitoring and enforcement of electoral rules and to support the integrity of European elections.

- **Strengthening media freedom and media pluralism:**

Safety of journalists is an area of concern for a large majority of respondents and EU measures to ensure safety are widely supported. There is support for an own EU alert mechanism. In terms of concrete measures to improve the safety of journalists, a wide range of stakeholders indicated providing guidance to Member States, facilitating exchange of good practices and trainings on the protection of journalists and media workers for law enforcement/judiciary. The need to implement fully the Council of Europe Recommendation is flagged consistently by stakeholders. Strategic lawsuits against public participation (SLAPPs) are acknowledged as an area of great concern and there is support for EU legislative intervention to address them. The role of media councils and the development and enforcement of standards across borders as well as better links between self-regulatory bodies are directions supported by stakeholders.

- **Tackling disinformation**

There is significant support in favour rules to complement the Code of Practice on Disinformation. . Many respondents were in favour of adopting specific rules for disinformation. As to specific measures, there is broad support for increased transparency with regard to false or misleading content (labels, sharing alerts, exposure notifications). Civil society organisations oppose any obligation to remove legal but harmful content, expressing concerns about safeguarding the freedom of expression, possible abuse and political censorship. As to countering foreign interference and influence operations, a broad majority of respondents supported initiatives to address the problem, such as analysing and exposing state-backed disinformation campaigns, raising public awareness, supporting independent media and civil society in third countries and, imposing costs on foreign state actors.

- **Supporting civil society and active citizenship**

There is widespread support for more involvement of the civil society at EU-level to promote democratic debate. A large portion of respondents favours more EU financial support for civil society. Respondents provided detailed suggestions for financial support, suggesting notably rethinking the current focus on transnational projects. Some associations emphasised the key role of non-formal adult learning and education (also as regards media literacy), noting that it is important to provide the skills and competences needed for active citizenship, democratic engagement and critical thinking and suggested to promote civic education for adults.

## ***1. Profile of Respondents***

The Commission invited citizens, stakeholders and various organisations all over Europe to share their experience and their expectation for a European Democracy Action Plan.

### ***1.1. Who took part in the public consultation?***

A total of 338 individuals and organisations from all over the European Union Member States and non-EU countries took part in the 2020 public consultation on the European Democracy Action Plan (hereafter EDAP). 325 of the responses were received via the EU survey and 13 in the form of written position papers. Out of the 325 respondents, 15 respondents also submitted a position paper in addition to the EU survey questionnaire further elaborating on their positions.

Out of 338 responses received (including responses outside EU Survey) 208 representing 61% were submitted by individuals and 130 (representing 38%) by stakeholders/organisations (including public authorities, NGOs, academia, businesses associations, companies as well as trade unions).

### ***1.2. Country of origin of respondents (EU and beyond)***

Respondents from all over the EU Member States as well as from other countries outside the EU replied to the consultation. The most common countries of origin of respondents were Hungary and Belgium both representing 15% of the total respondents, followed by Italy representing 11% of the total number of respondents.

**Figure 1.**

Country of Origin	All	Individuals/ Citizens	% Individuals/ Citizens	Organisation <sup>2</sup>	% Organisation <sup>2</sup>
<i>Total</i>	<b>325</b>	<b>207</b>	<b>64</b>	<b>118 (36)</b>	<b>36</b>
Hungary	50	47	94	3	6
Belgium	50	15	30	35	70
Italy	36	27	75	9	15
Germany	25	16	64	9	36
Spain	23	19	83	4	17
France	22	13	59	9	41
Poland	11	9	82	2	8
Ireland	11	8	73	3	27
United Kingdom	10	3	30	7	70
Austria	9	3	33	6	67
Portugal	8	6	75	2	15
Netherlands	8	3	38	5	62
Greece	8	8	100	0	0
United States	7	0	0	7	100
Finland	6	5	83	1	17
Latvia	5	1	20	4	80
Slovenia	4	3	75	1	15
Romania	4	4	100	0	0
Lithuania	4	2	50	2	50
Czechia	4	2	50	2	2
Sweden	3	1	33	2	67
Estonia	3	2	67	1	33
Luxembourg	2	2	100	0	0
Denmark	2	1	50	1	50
Australia	2	2	100	0	0
Switzerland	1	0	0	1	100
Slovakia	1	0	0	1	100
Philippines	1	1	100	0	0
Norway	1	0	0	1	100
Gibraltar	1	1	100	0	0
Croatia	1	1	100	0	0
Canada	1	1	100	0	0
Bulgaria	1	1	100	0	0

### ***1.3. Respondents profiles (Corporate respondents)***

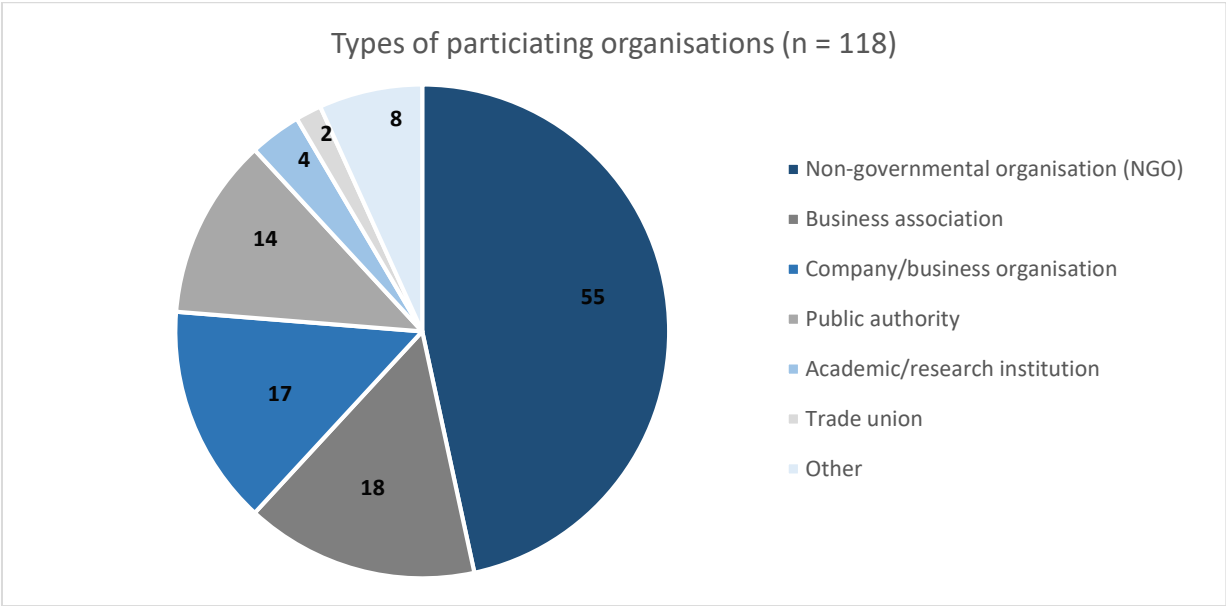
As regards corporate respondents, contributions were received from major online platforms, various organisations, civil society organisations and professional associations with altogether a very rich

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<sup>2</sup> Including NGOs, Business association, company/business organisation, public authority, academic/research institution, trade union and other.

input to the process. The 118 responses completed online by organisations are categorised below – majority being NGOs (n=55), followed by business association (n=18).

**Figure 2.**



For the preparation of the Action Plan, the Commission has consulted the public on three key themes:

- (i) Election integrity and how to ensure electoral systems are free and fair
- (ii) Strengthening media freedom and media pluralism
- (iii) Tackling disinformation

In addition, the public consultation also included questions to citizens and stakeholders on how to support civil society and active citizenship.

**2. Election Integrity and Political advertising**

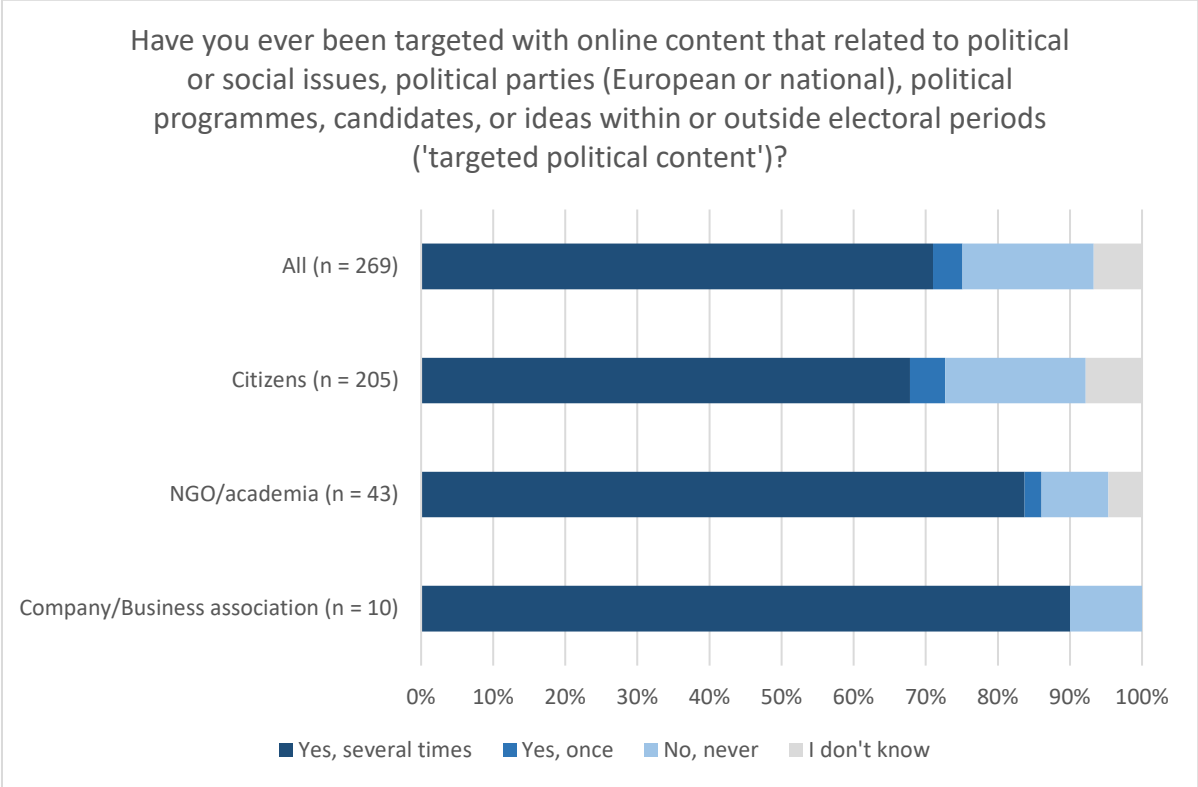
**2.1. Respondents views on the transparency of political advertising**

Respondents were asked whether they have been targeted<sup>3</sup> with online content that related to political or social issues, political parties (either European or national), political programmes, candidates or ideas within or outside electoral periods [referred to as ‘targeted political content’].

The responses received to this question show that most respondents (n=269), whether citizens, NGO/academia or company/business association answering this question were targeted and the majority of these were targeted several times.

<sup>3</sup> From public consultation questionnaire ‘Have you ever been targeted<sup>3</sup> with online content that related to political or social issues, political parties (European or national), political programmes, candidates, or ideas within or outside electoral periods (‘targeted political content’)? [2] Paid for ads and any form of personalised content promoted to the user’

**Figure 3.**



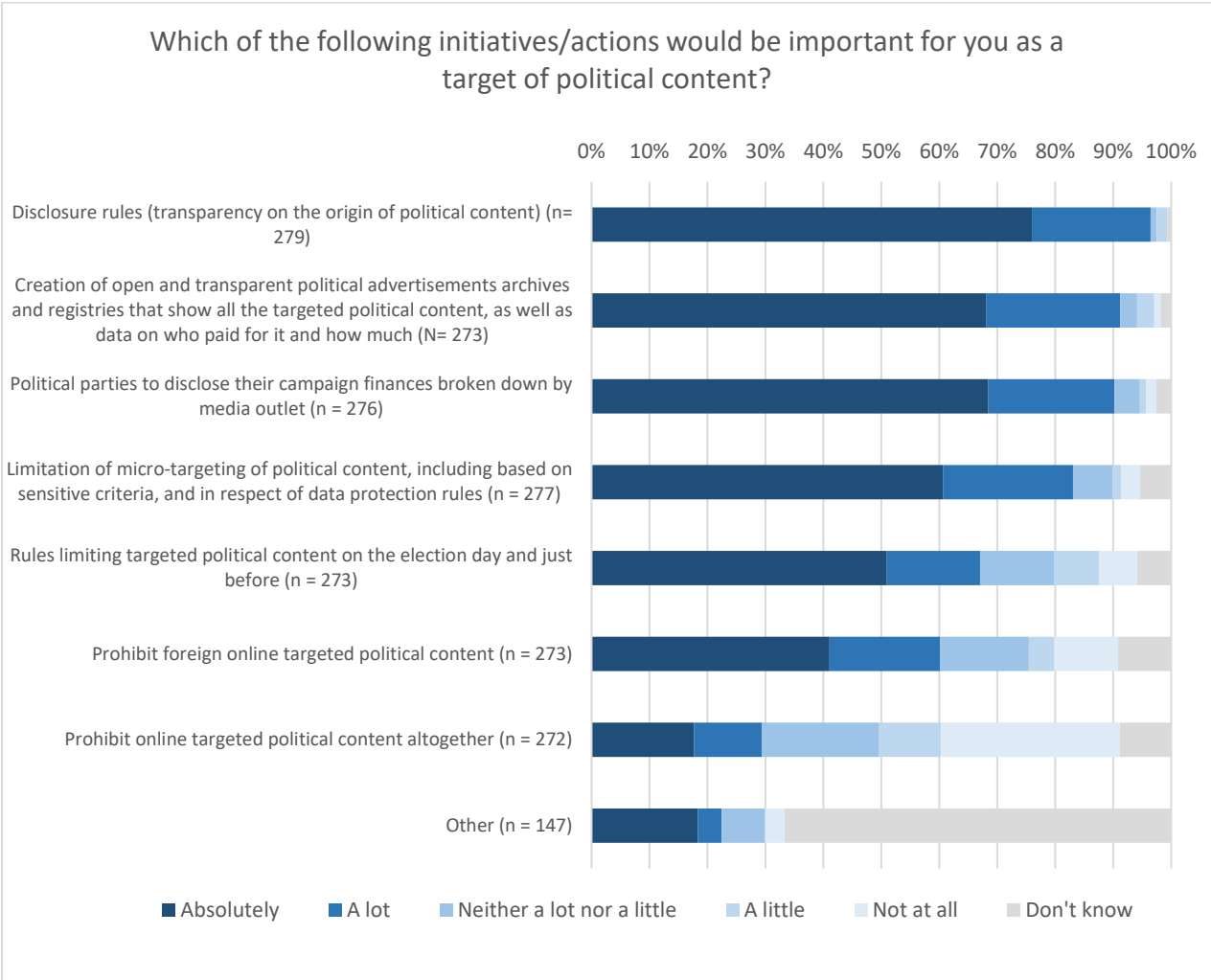
**2.1.1. Actions to address targeting of political content are largely supported**

Figure 4 shows the distribution of responses on the question related to initiatives/actions that would be important for respondents targets of political content.

- (i) disclosure rules (transparency of the origin of political content) supported by 96% of respondents (supporting ‘absolutely’ or ‘a lot’) including civil society organisations, stakeholders and individuals.
- (ii) creation of open and transparent political advertisements archives and registries supported by 91% (supporting ‘absolutely’ or ‘a lot’)
- (iii) political parties to disclose their campaign finances broken down by media outlet supported by 90%.
- (iv) limitation of micro-targeting of political content supported by 83% (‘absolutely’ or ‘a lot’)

Significant support was also received for limiting targeted political content on the election day/just before (supported by 67% ‘absolutely’ or ‘a lot’) and prohibiting foreign online targeted political content (supported by 60% ‘absolutely’ or ‘a lot’). The views of respondents were rather mixed with respect to limiting targeted political content altogether, which is the option receiving the lowest supporting rate with 29% in favour.

**Figure 4.**



**2.1.2. Micro-targeting is an important topic for most respondents**

Online-targeted political content may make use of so-called micro-targeting techniques allowing advertisers to target specifically individuals for instance residing in a specific area/location, of a certain age, ethnicity group or sexual orientation or with particular interests. The public consultation also included questions on these types of techniques exploring the views of respondents on possible ways to regulate their use.

The majority of respondents agree that criteria for micro-targeting of political content should be publicly disclosed in a clear and transparent manner for every advertisement (83% support ‘absolutely’ or ‘a lot’). Such support was expressed by a diversity of stakeholders, ranging from platforms and intermediaries to NGOs. A majority of respondents also agrees that micro-targeting criteria should be strictly limited (69%). Less than half (39%) of respondents expressed support (‘fully agree’ or ‘somewhat agree’) for fully banning micro-targeting criteria.

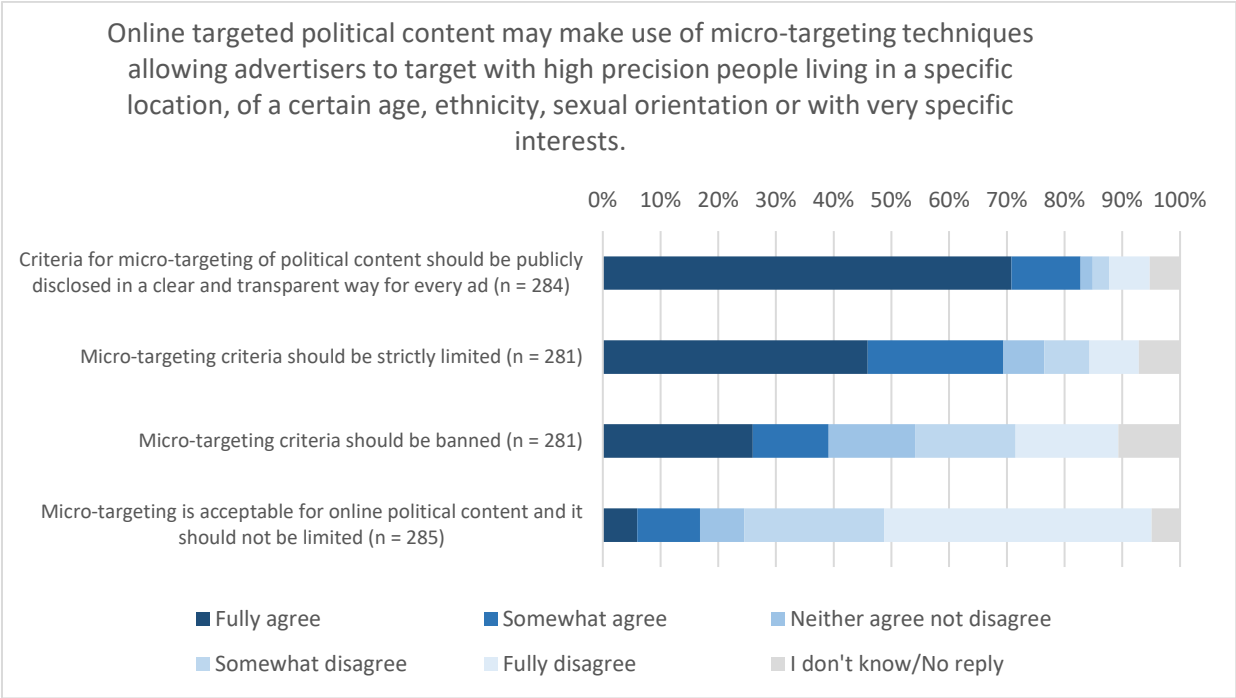
Some civil society organisations and various other organisations pointed to the need to adapt to ever-evolving technology and means to reach audiences that would otherwise be politically inactive. Some stakeholders and platforms also considered that micro-targeting is a normal practice used in political



campaigns but needs to be more transparent and that there needs to be the possibility of verification, for instance by creating an election advertisement repository.

Some respondents raised the need to establish a clear problem definition, provide clarifications and definitions and avoid using sensitive information/data with appropriate limits on targeting. Respondents further stressed the importance to respect the fundamental principles set out by the General Data Protection Regulation (GDPR) and ensure transparency with regard to the persons concerned.

**Figure 5.**



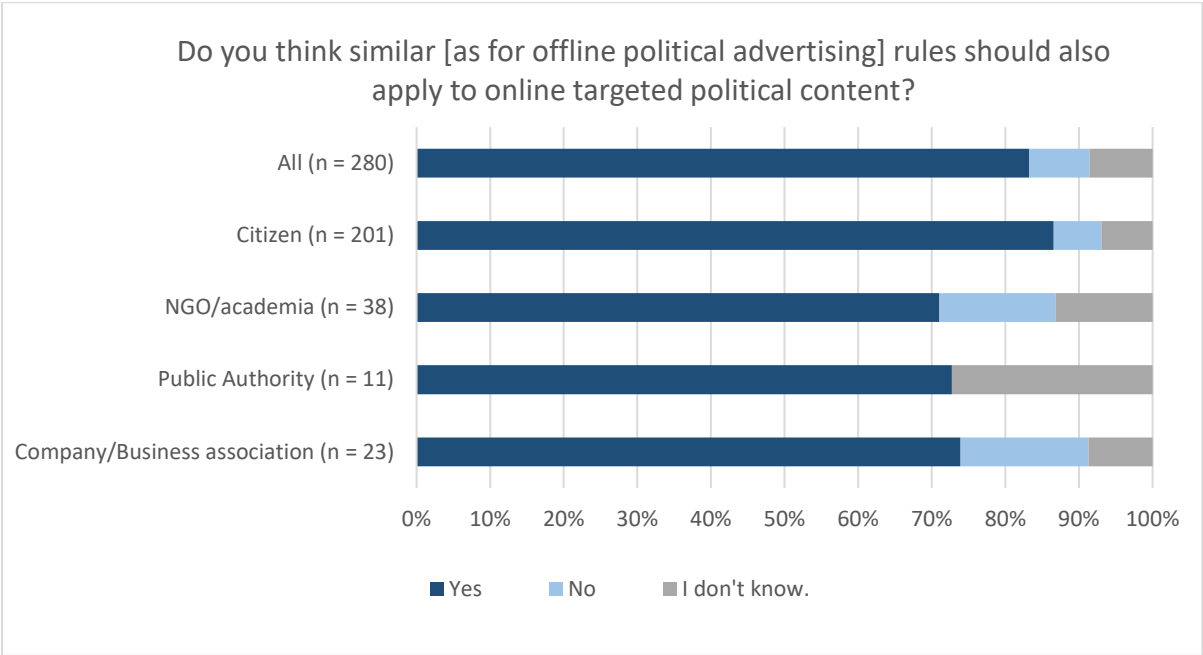
**2.1.3. Offline vs. online political targeting**

Most EU countries strictly regulate offline political advertising on traditional media for instance press or television in the context of local, national or EU elections by determining the amount of airtime or spending permitted for political advertising on broadcasting TV or print media. The public consultation included question on whether these rules applying for the offline political advertising context should also apply to the online-targeted political content.

A broad majority of respondents (83%; n=280) including civil society organisations, national authorities, different associations and some platforms agree that similar rules should apply for offline and online-targeted political content to ensure level-playing field with broadcasters and radios<sup>4</sup>. Figure 6 shows the distribution of responses across different categories of respondents.

<sup>4</sup> Some respondents, however say that it would be rather difficult to extrapolate all rules applying to traditional media and apply them to the online context.

**Figure 6.**

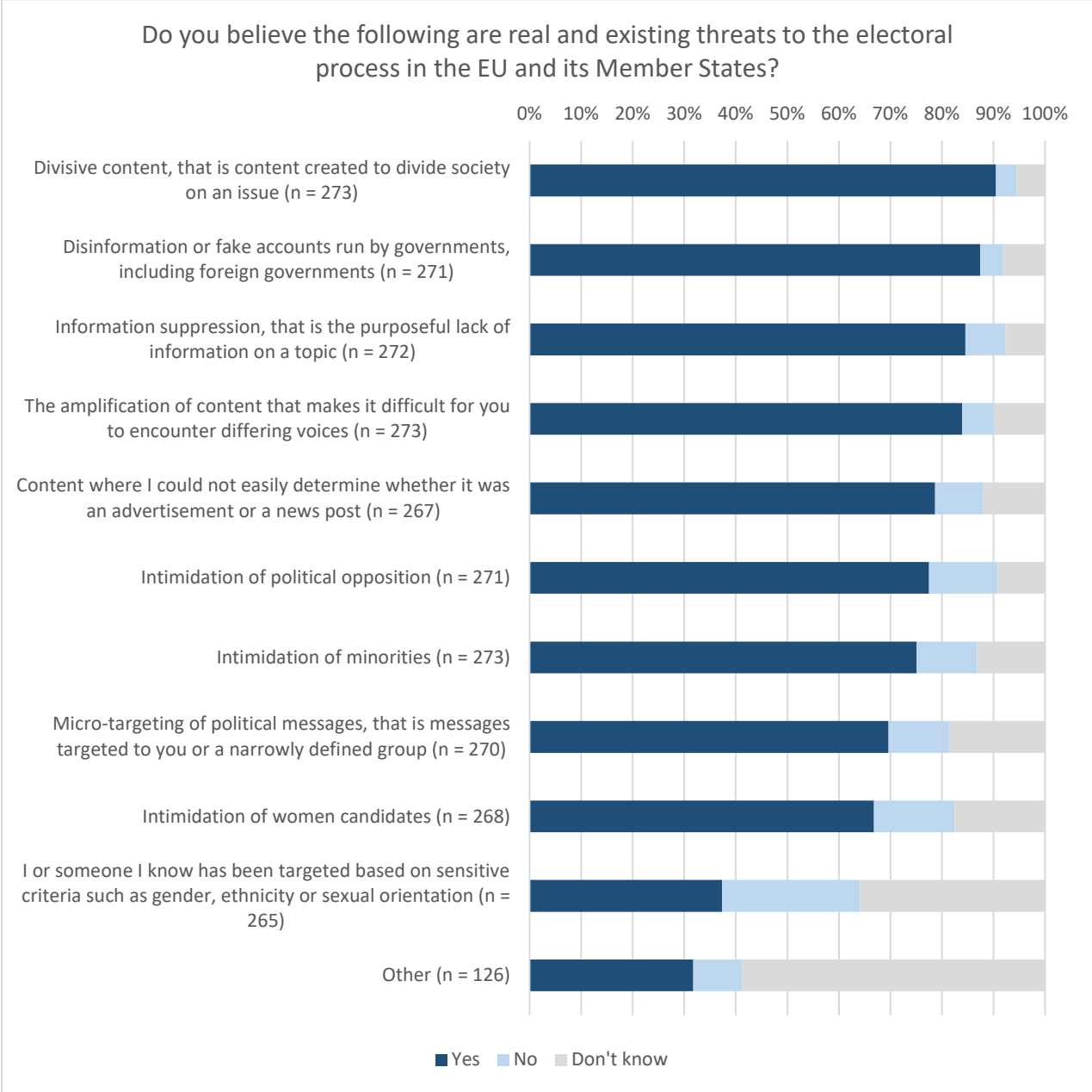


**2.2. Threats to electoral integrity**

The public consultation also included questions on possible threats to electoral integrity. Most respondents agree that the following practices pose threats to electoral integrity: divisive content (90% from 273 who provided an answer), disinformation or fake accounts run by governments (including foreign governments) (87%), information suppression (84%), amplification of content (84%), identifiable ad/news post (79%), intimidation of political opposition (77%) intimidation of minorities (75%), micro-targeting of political messages (70%), intimidation of women candidates (67%). (see Figure 7).

Furthermore, 37% (from 265 who provided an answer) of respondents said they have direct or indirect personal experience of targeting based on sensitive criteria (such as gender, ethnicity or sexual orientation) versus 27% who did not.

**Figure 7.**



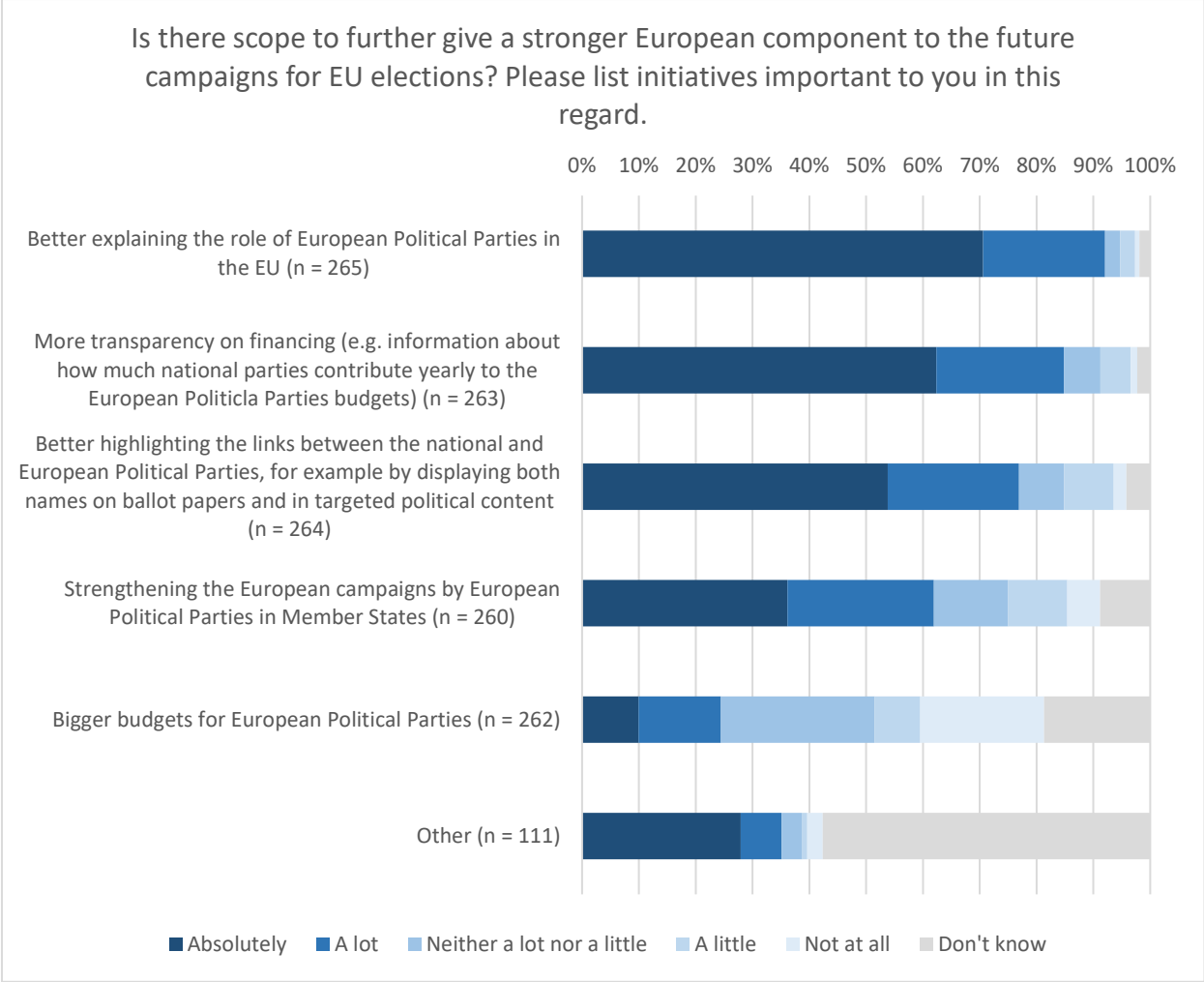
Respondents also provided indicated additional threats such as unethical campaign practices, drastic inequality in expenditure in the electoral campaigning, external and domestic disinformation campaigns, fake accounts, populism, and cyberattacks. In addition, respondents noted that the current COVID-19 pandemic highlighted the need for safer information space for the sharing of election information.

**2.3. European Political Parties**

As figure 8 shows, an overwhelming majority of respondents (91%; n= 265) think there is scope for better explaining the role of European political parties in the EU, 84% (from n=263) of respondents support more transparency on financing and 77% (from n= 264) of respondents supported better

highlighting the links between the national and European political parties. 62% (from n=260) of respondents asked to strengthen the European campaigns by European political parties in Member States. 24% (from n=262) support enlarging the budget for European political parties.

**Figure 8.**



A number of respondents, mainly civil society organisations, flagged the limited understanding about European political parties in their respective Member State or noted the need for further visibility to bring European political parties closer to European citizens. To enhance the EU-wide dimension of European election, the creation of transnational lists and using the Conference on the Future of Europe for this purpose were also suggested. Some respondents also called for the Revision of Regulation 1141/2014 on the statute and funding of European political parties<sup>5</sup> to prohibit not only direct funding of European parties through foreign interests but also indirect foreign funding of them (through national parties or private donations). They call for this revision to come into force before the next European elections in 2024.

<sup>5</sup> Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations.

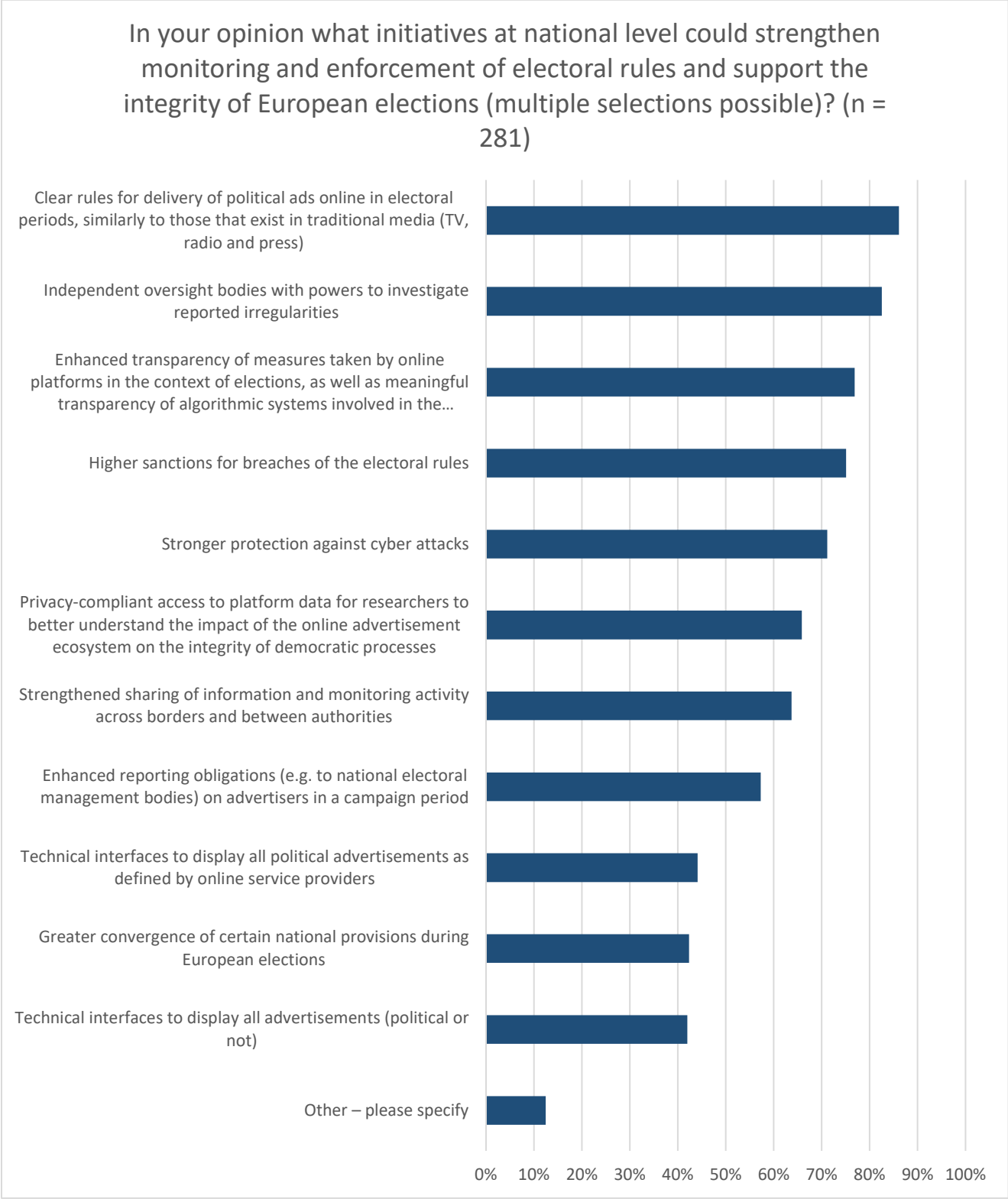
## ***2.4. European Elections***

This section of the public consultation listed possible initiatives at both national and European level, which could strengthen monitoring and enforcement of electoral rules and support the integrity of European elections. These received equal support by NGOs, civil society, platforms as well as individuals.

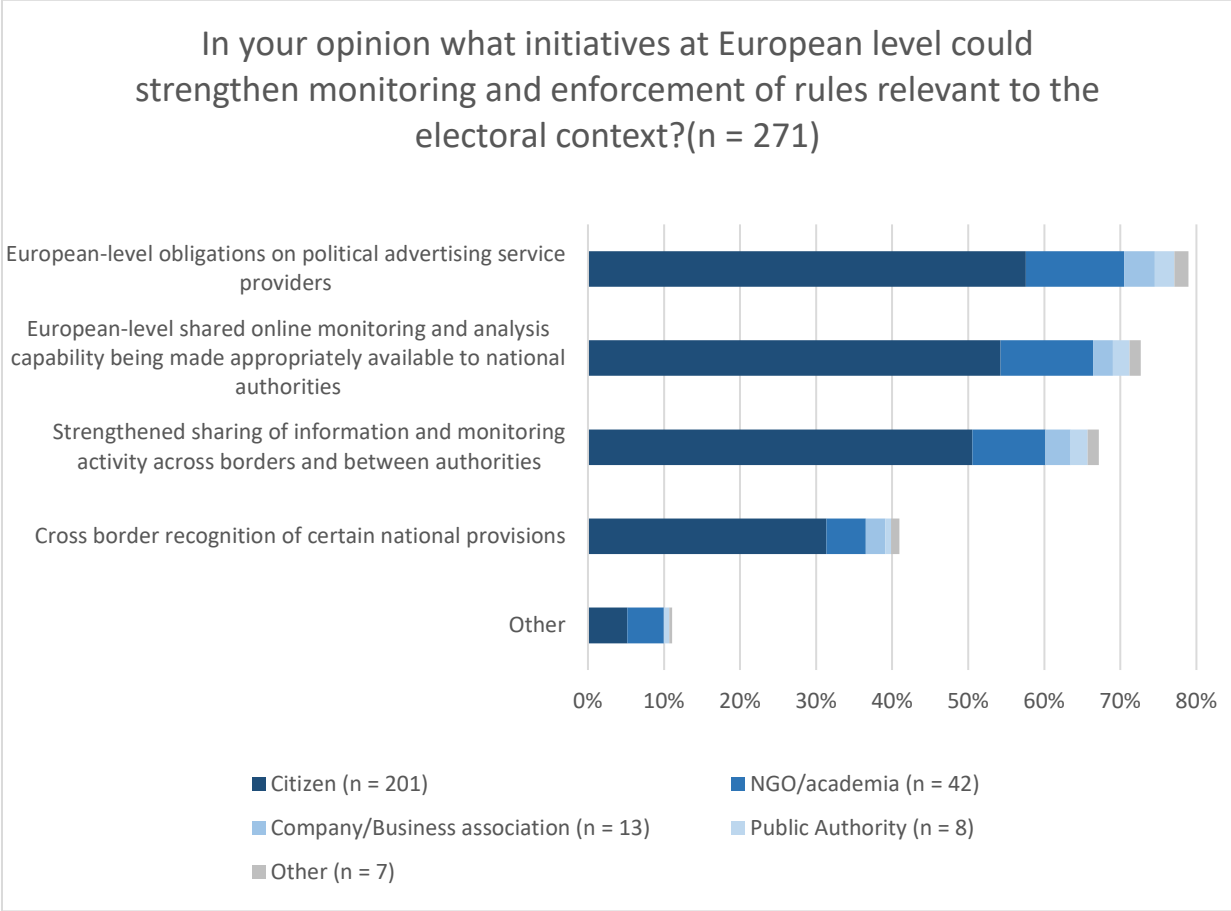
At national level (see Figure 10), strong support was received for clearer rules for the delivery of political advertisements online in electoral periods (similar to those existing in traditional media TV, radio and press) (86%). 83% support was also expressed for independent oversight bodies investigating reported irregularities on this issue. 77% of respondents also encourage enhanced transparency of measures taken by online platforms in the context of elections, including transparency of algorithmic systems (used for the recommendation of content). Respondents also supported higher sanctions in case of breaches of the electoral rules (75%) and stronger protection against cyber-attacks (71%). Amidst the initiatives listed, a significant support was also received for access to platform data for researchers to better understand and examine the impact of the online advertisement systems (66%) and strengthening information sharing and monitoring activities across borders and between authorities and Member States (64%).

At the European level (see Figure 11), the proposed initiatives receiving most support included: European-level obligations on political advertising service providers (supported by 79%), European-level shared online monitoring and analysis capability made available to national authorities (73%) and strengthened exchange of information and monitoring activity across borders and between authorities (67%). Cross-border recognition of certain national provisions received the lowest percentage (41%).

Figure 10.



**Figure 11.**



Respondents also pointed to other initiatives (e.g. establish transnational lists, protect against foreign interference and combat the manipulation of information within the framework of the European elections). Some respondents (mostly national authorities) also welcomed the role of the EU cooperation network on elections in enabling information exchange and sharing of best practices between Member States. National authorities further proposed the creation of ‘a joint election protection mechanism’ composed of national experts who could assist any Member State requesting support to protect its election system from attacks.<sup>6</sup> Some civil society respondents suggested creating a structure in the form of a group of experts tasked to gather and examine various national models concerning digital election campaigns regulation. Some respondents further stressed the importance to ensure the stability and predictability of electoral laws to increase overall trust. Respondents also suggested European electoral reforms to make elections more inclusive, transparent and representative (e.g. strengthening the ‘Spitzenkandidaten’ principle, ensuring the equality of suffrage rights, the right to vote and inclusiveness of persons with disabilities as well as the overall accessibility of elections, ensuring the transparency of political party and campaign funding and strengthening election debates and monitoring).

**3. Strengthening Media Freedom and Media Pluralism**

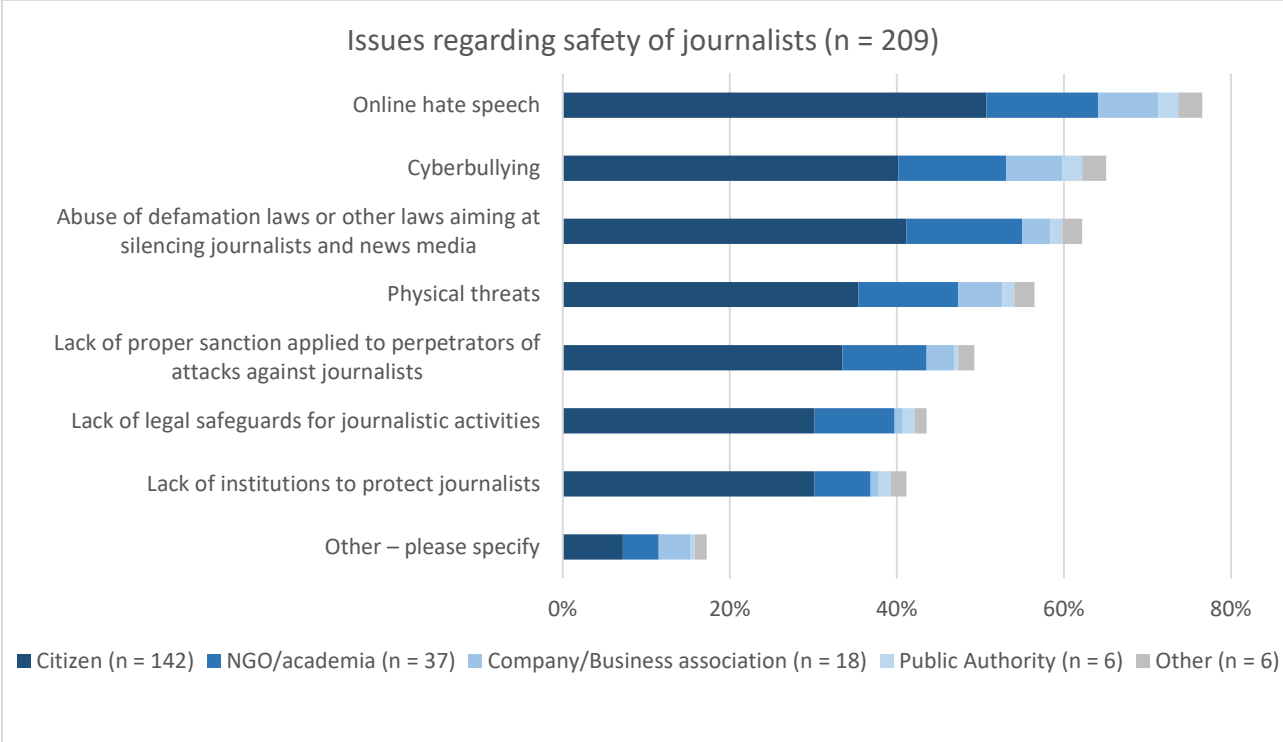
<sup>6</sup> [Proposal by France, Lithuania and Latvia on a Joint EU Mechanism to protect EU elections]

Freedom of expression as well as freedom and pluralism of the media are protected by the Charter of Fundamental Rights of the EU and this further underpinned by the European Convention on Human Rights. These elements are vital components of a healthy democratic system. Whilst overall the EU and its Member States score well on a global scale, there are signs of deterioration and there remain weaknesses (as shown by the Media Pluralism Monitor<sup>7</sup>). The media sector is facing numerous challenges ranging from threats to the safety of journalists (including for instance strategic lawsuits against public participation) to the transformation of the sector (with evolving digital technologies and new players transforming the established business model of advertising revenue). The COVID-19 pandemic has also worsened the situation, both inside and outside the EU, posing additional strain with issues from restrictive national legislation to significant loss of revenues for the media sector.

**3.1. Safety of journalists a concern for a large majority of respondents**

Figure 12 shows that 71% of all respondents are aware of issues regarding safety of journalists and other media actors as well as about the conditions for journalistic activities in their respective countries. The safety of journalists and other media actors is a major concern. Respondents rate online hate speech (73%), cyberbullying (62%), abuse of laws aiming at silencing journalists (60%) and physical threats (53%) as the top threats to the safety of journalists and other media actors.

**Figure 12.**



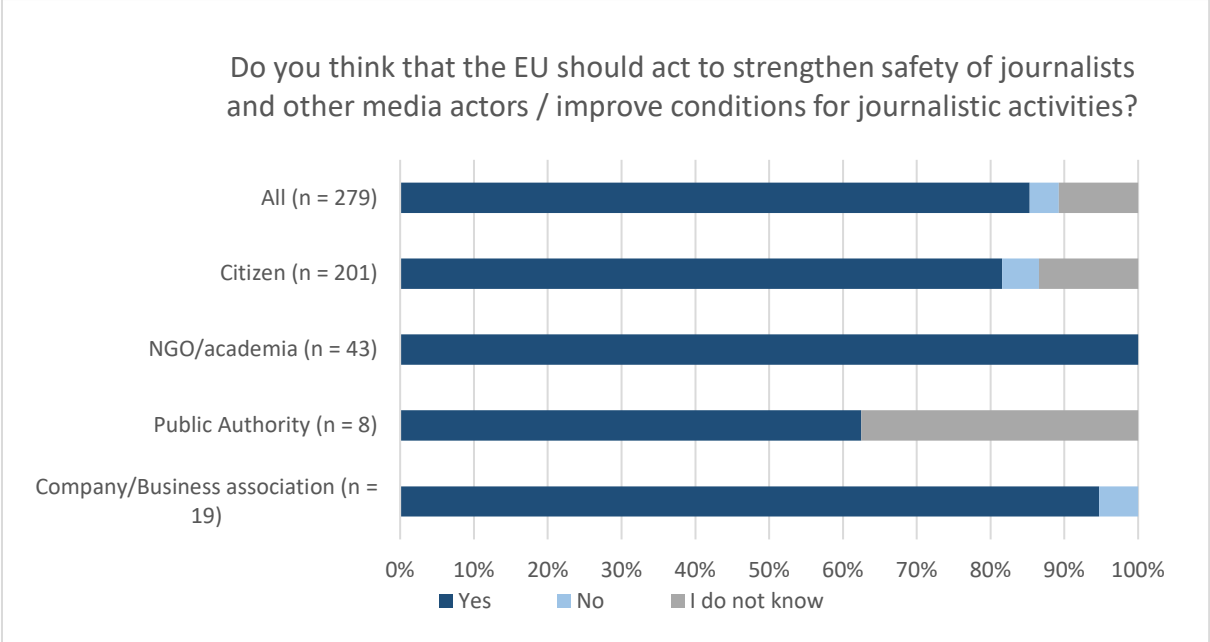
Respondents were also asked whether they think the EU should act to strengthen the safety of journalists and improve conditions for their activities. Figure 13 shows that overall a wide-range of respondents support EU action in this regard (85%), with strong support across all categories of

<sup>7</sup> Further information on Medium Pluralism Monitor can be found here: <https://ec.europa.eu/digital-single-market/en/media-pluralism-monitor-mpm>.

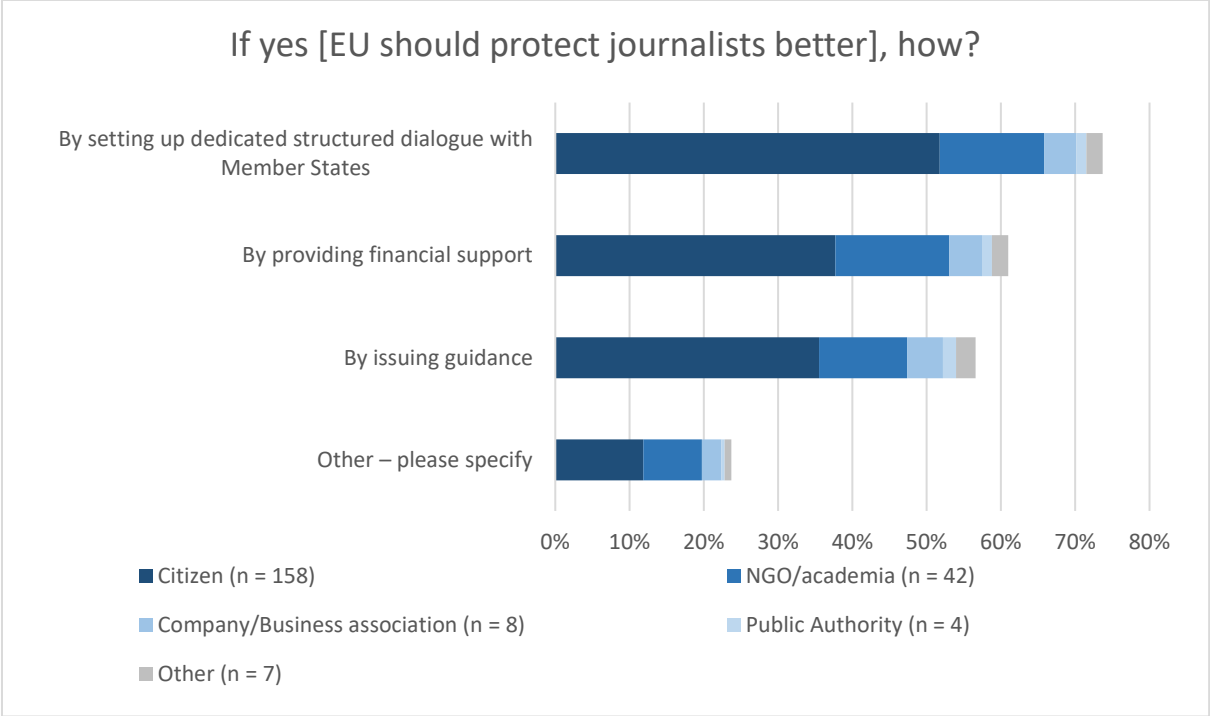


respondents. As regards types of support, as Figure 14 shows, setting up dedicated and structured dialogue with Member States is supported most (72%), followed by financial support (59%) and issuing further guidance (55%).

**Figure 13.**



**Figure 14.**



In addition, some NGOs and journalists associations suggest to conduct studies on journalist safety and establish an own EU alert mechanism. Respondents further propose facilitating the exchange of good practices for the safety of journalists and media workers with government officials (including

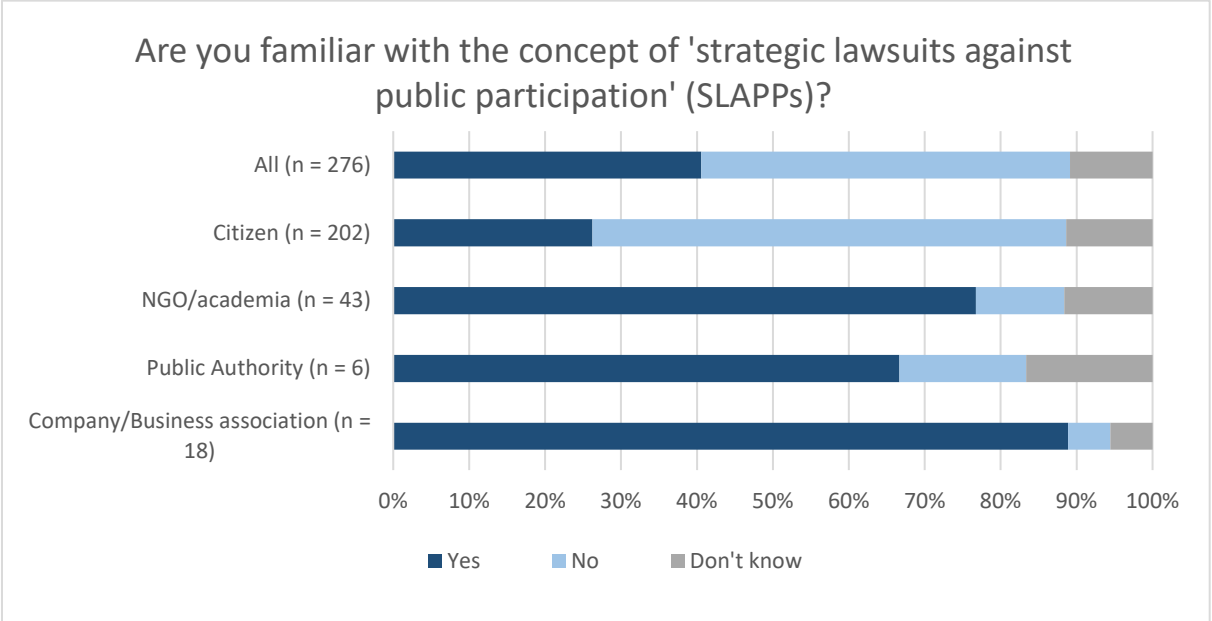
members of the judiciary, prosecution and law enforcement), strengthening training for police and law enforcement actors on freedom of expression as well as for journalists covering demonstrations.

Respondents also strongly encourage the full implementation of CM/Rec(2016)4<sup>8</sup> of the Committee of Ministers. Some highlighted the need to boost the European Centre for Press and Media Freedoms<sup>9</sup> work by supporting the development of other such points of contact offering persecuted journalists a safe haven for their work. An EU-wide network of such points, providing both refuge and training courses, would underscore the importance of media freedom both within and beyond the EU while also offering concrete help to individual journalists.

**3.1.1. Strategic Lawsuits against Public participation (SLAPPs)**

Figure 15 shows that 26% of individual respondents were familiar with the concept of strategic lawsuits against public participation (SLAPPs), unlike NGO/academia, public authorities and company/business association, where [77%, 67%, 89%].

**Figure 15.**

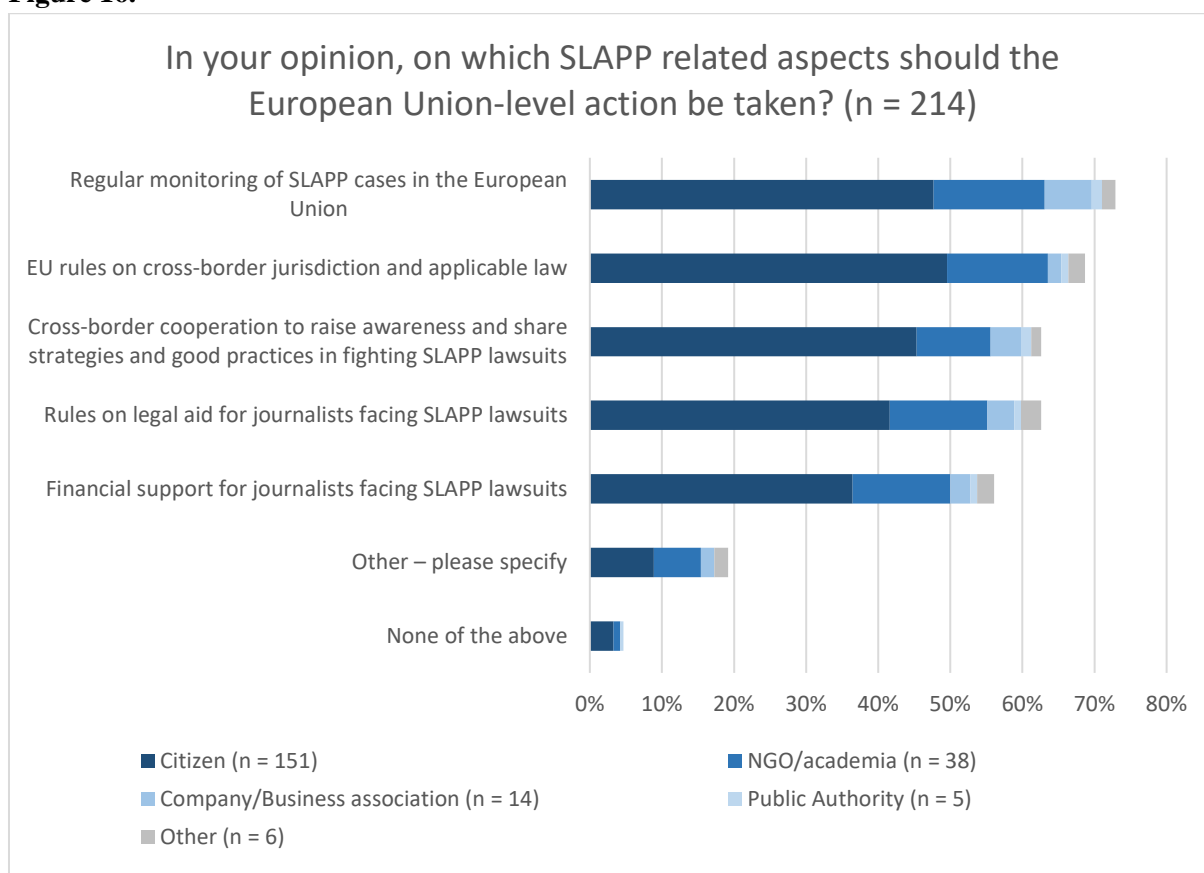


As regards EU action in tackling this issue, Figure 16 shows that action aimed to regularly monitor SLAPP cases received the strongest level of support among respondents (71%), followed by EU rules on cross-border jurisdiction and applicable law (68%) and cross-border cooperation to increase awareness and exchange strategies and best practices between Member States (63%).

<sup>8</sup>Committee of Ministers of the Council of Europe adopted Recommendation CM/Rec(2016)4 on the protection of journalism and safety of journalists and other media actors providing set of specific Guidelines to Member States to act in the areas of prevention, protection, prosecution, promotion of information, education and awareness rising.

<sup>9</sup> <https://www.ecpmf.eu/>

**Figure 16.**



NGOs and professional organisations further recommended to adopt an EU anti-SLAPP directive protecting everybody (the scope covering citizen or organisation including journalists and media works, activities, trade unionists, academics, digital security researchers, human rights defenders, media and civil society organisations amidst others).

Respondents also suggested that Brussels I Regulation (recast)<sup>10</sup> and Rome II Regulation<sup>11</sup> could be amended to address forum shopping in defamation case.

The need for moral and financial support to all victims of SLAPPS, in particular to assist with legal defence, was raised. Training judges and practitioners and a system to publicly name and shame those engaging in SLAPPS were also highlighted in some responses.

<sup>10</sup> Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast) available here: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02012R1215-20150226>

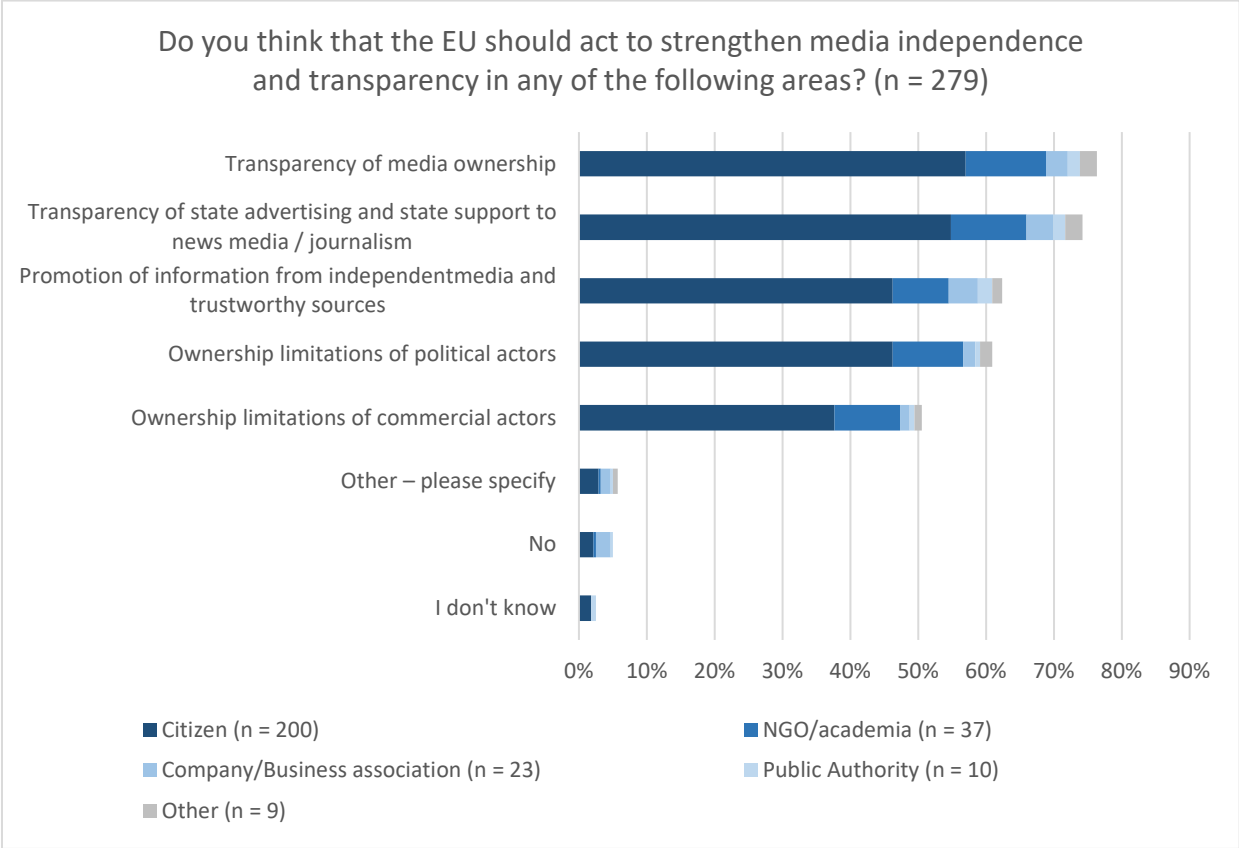
<sup>11</sup> Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II) accessible here: <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A32007R0864>

Some associations which did not support harmonisation beyond the Brussels I Regulation (recast) and Rome II Regulation, noted that the EU should be empowered to hold Member States to account on breaches of fundamental rights and press freedom.

**3.2. Media independence and transparency**

Figure 17 shows respondent’s views on possible EU measures to strengthen media independence and transparency. Transparency of media ownership is supported by 75%, while 73% support transparency of state advertising and state support to news media and journalism (overall supported by 73%). Promotion of information from independent media and trustworthy sources is supported by 59% and ownership limitation of political actors and commercial actors is seen favourably by 58% and 50%, respectively. As regards civil society, strong support was received for EU action in these areas as well. In addition, civil society strongly encouraged actions in ownership limitation for political actors and commercial actors.

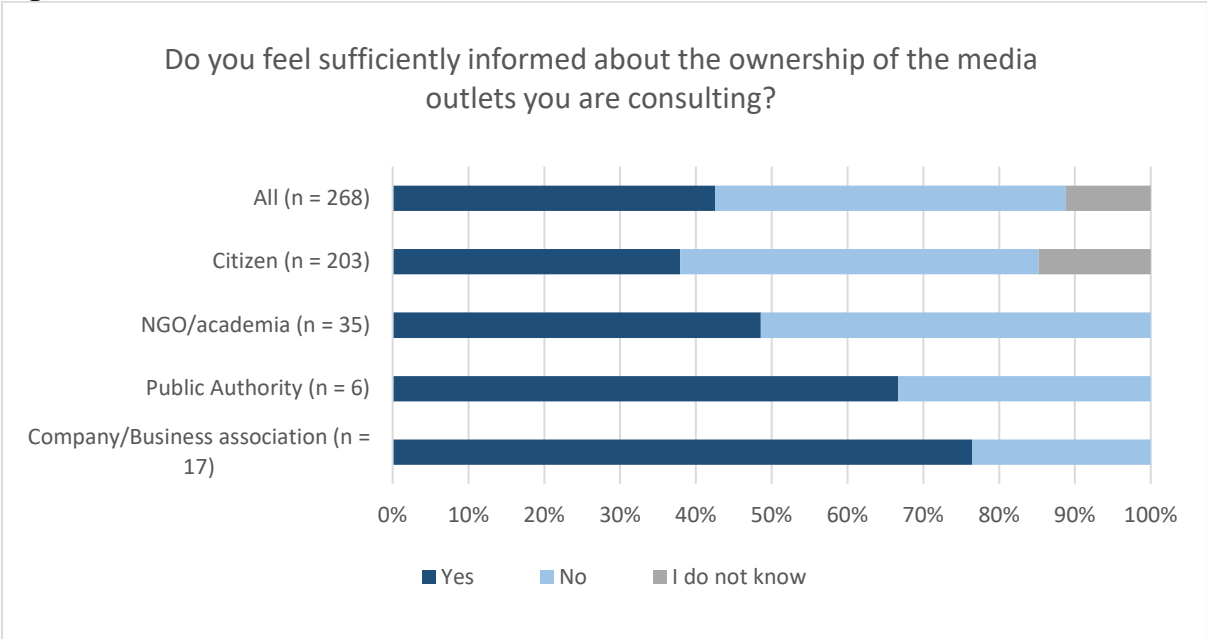
**Figure 17.**



**3.2.1. Transparency of ownership and measures to avoid concentration**

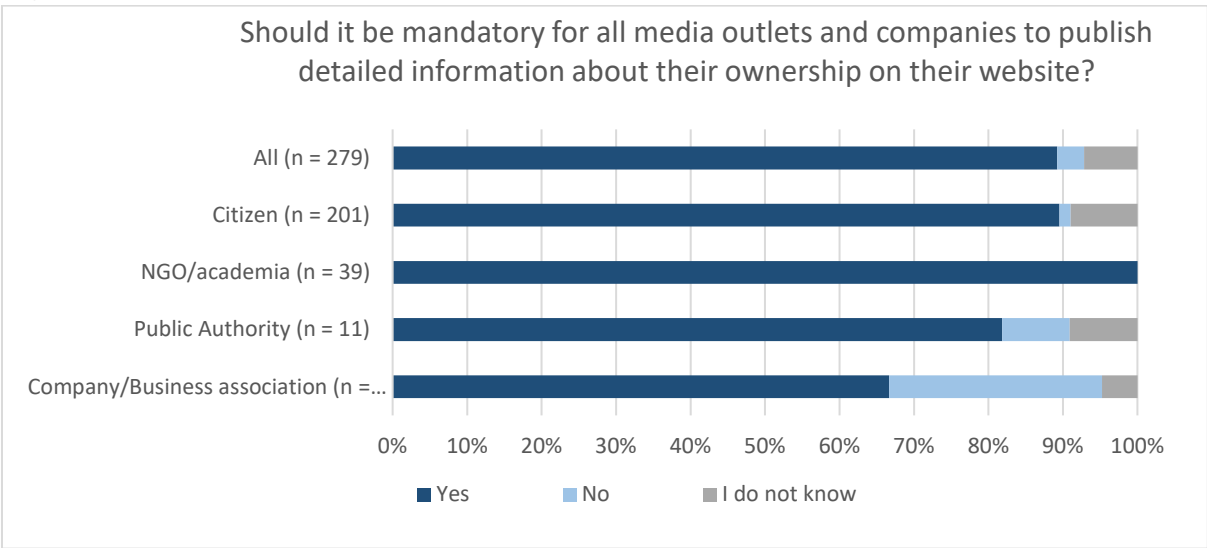
Figure 18 shows that 46% respondents do not feel sufficiently informed about the ownership of consulted media outlets, 11% do not know and 43% say they do feel informed. Stakeholders and citizens point to difficulties in determining the majority owner, in particular when there is a complex company ownership chain.

**Figure 18.**



As figure 19 shows, there is widespread support for clear-cut obligations for all media outlets and companies to publish detailed information about their ownership on their website receiving significant support across all categories of respondents including civil society organisations, businesses, and individuals.

**Figure 19.**

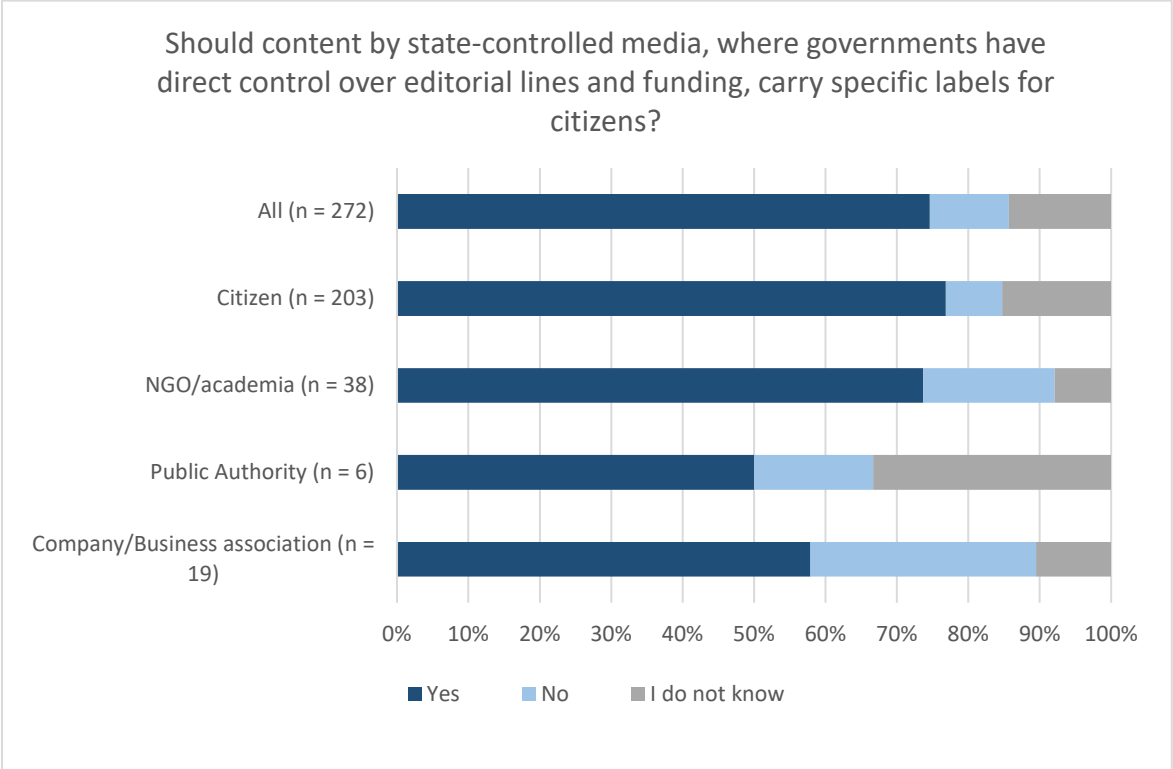


**3.2.2. Labelling state-sponsored content**

75% of respondents support labelling content by state-controlled media (Figure 20). NGOs, academia and civil society organisations broadly support this policy option. Some respondents noted that media

companies should ensure that state-controlled content and accounts are accurately labelled as such. Some respondents point to the importance of such labels for users who are attempting to assess validity or bias in content, suggesting that this could be done through a self-assessment system introduced by the platforms, which includes more rigorous transparency requirements for accounts above a certain threshold of reach and frequency.

**Figure 20.**



Some respondents also noted that several online platforms have already begun to categorise state-controlled media accordingly, but the criteria on which this is done is not always transparent. Transparency of criteria and judicial review are essential according to these respondents.

Media companies and associations agree with labelling as well but warn that the existing labelling practices of major online platforms are all too often opaque and are difficult to assess and monitor objectively. Respondents in this category suggest media labelling should be done on basis of independent international expertise.

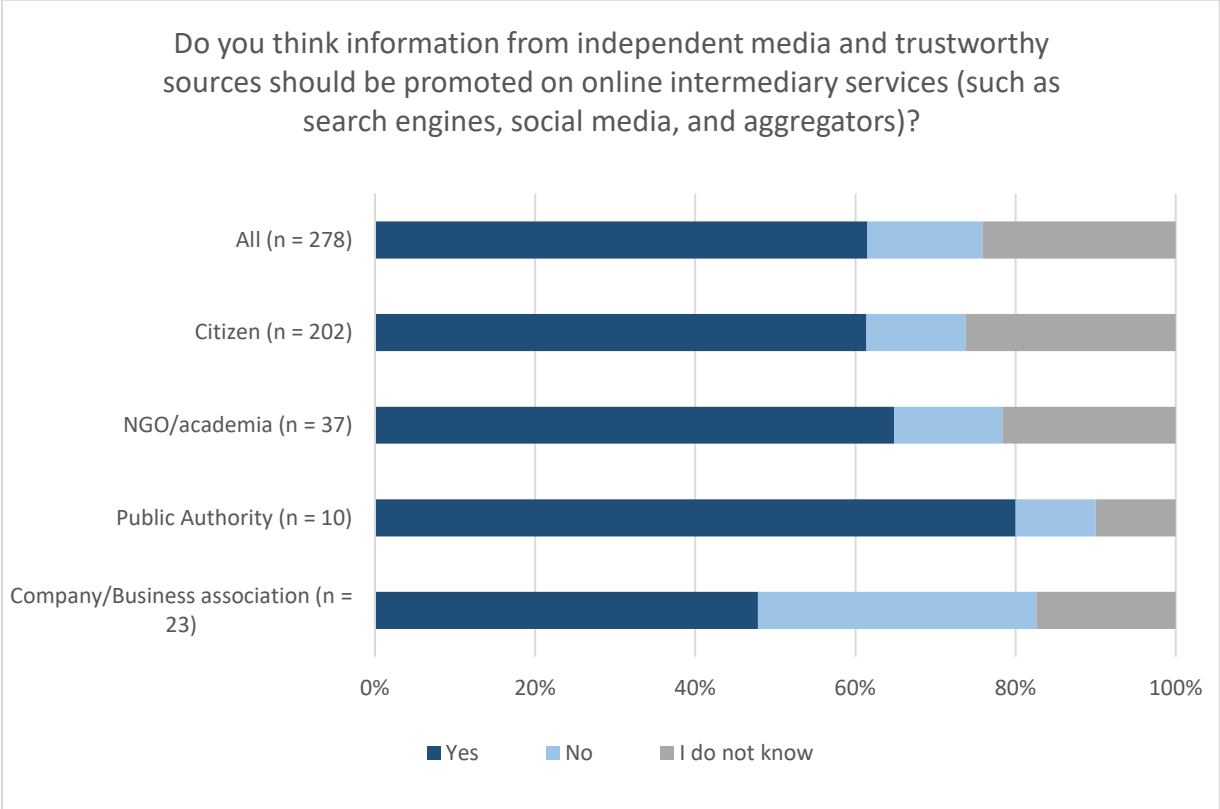
Online platforms responding to the consultation supported labelling of such content, noting however challenges to ascertain whether a government's interaction with a news outlet is strictly limited to public funding, or whether that public funding is used as an instrument of influence over that outlet's personnel and editorial line. Some suggest setting up a relevant oversight body in charge of listing state-controlled media outlets.

**3.2.3. Promoting information from independent media and trustworthy sources**

While the importance of this issue is flagged in contributions from media associations, media companies, civil society organisations and platforms, some responses point to concerns as regards who

determines what is trustworthy and which content derives from independent media outlets. Overall 61% of the respondents favour this policy option, 14 % do not and 24% say they do not know (see Figure 21).

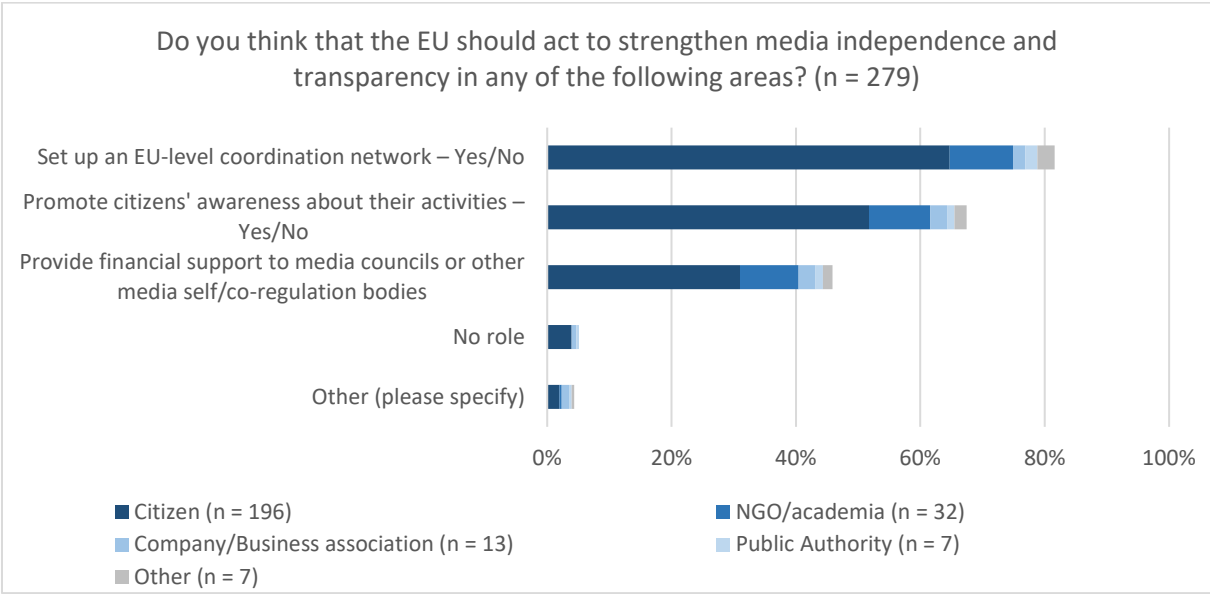
**Figure 21.**



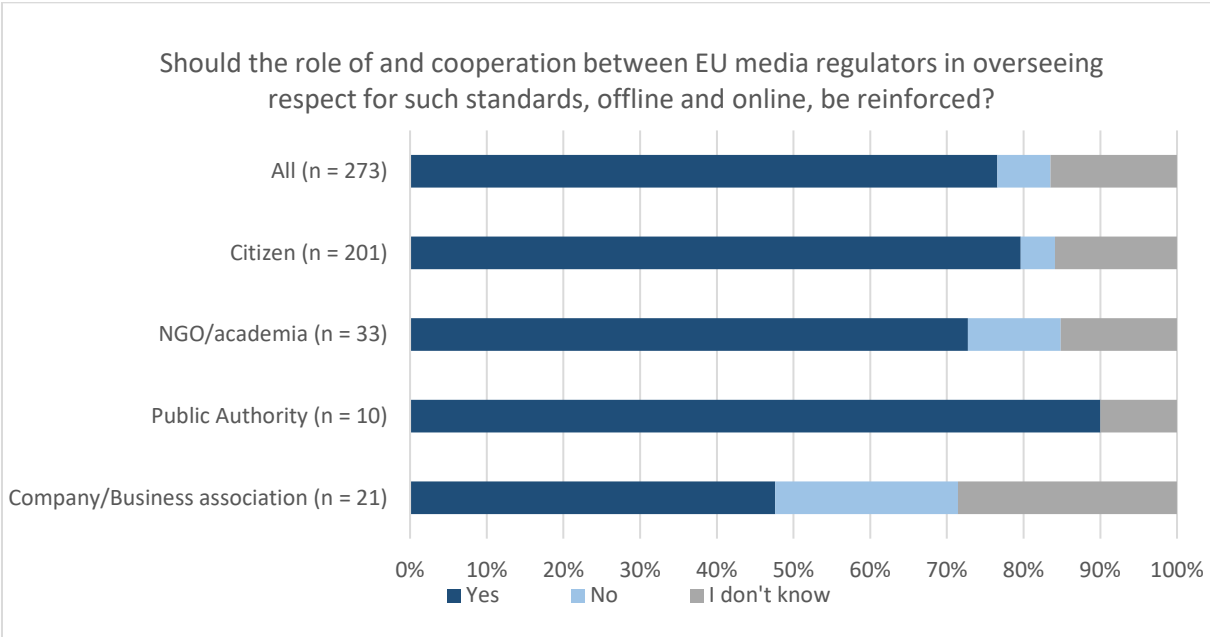
**3.2.4. Cross-border cooperation – media and press Councils, self-regulation**

Respondents largely support setting up an EU-level coordination network (79%) and action in the aim to increasing citizens’ awareness about press or media council activities (66%) (see Figure 22). The majority of respondents (mainly individuals, public authorities and NGOs/academia) strongly support (76%) the reinforcement of the role and cooperation between EU media regulators in overseeing respect for standards offline and online (see Figure 23).

**Figure 22.**



**Figure 23.**



**3.2.5. Further issues related to the media sector**

Stakeholders called for more emphasis on the economics and financial sustainability of the media sector and focus on disruptive factors, such as the spread of disinformation on platforms, the digital transformation and surge of level playing field where new online players have a much bigger role to play but remain highly unregulated (raised by some associations). Further noting that the financing models of media services must be underpinned by a fair regulatory framework that addresses asymmetries to ensure that information reaches citizens online or offline while respecting similar standards.



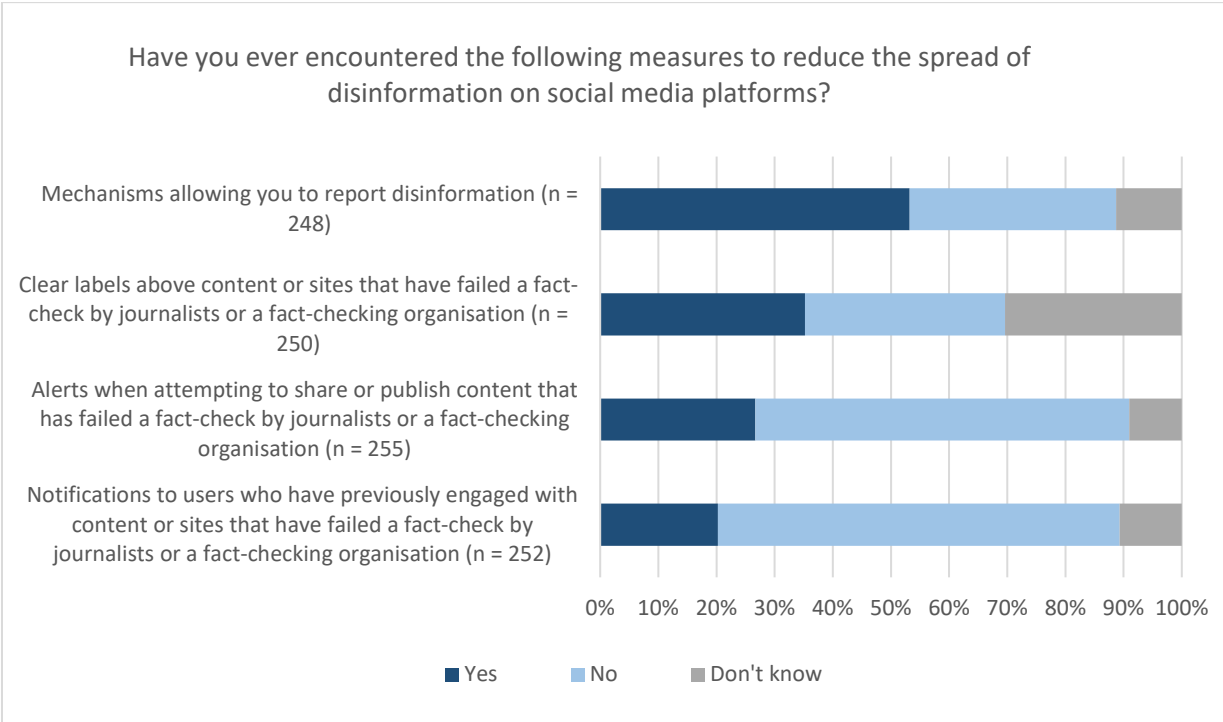
Support for public service media, independent media and investigative journalist was also voiced. Some respondents noted that ensuring fair competition on merits with tech giants and public service broadcasters is necessary. Respondents also flagged a series of measures called for at national level and which could get EU support. Amidst these possible tax reliefs at national level for broadcasting costs, an adjustment of the tax calculation to take into consideration the losses resulting from the crisis, a reduced VAT for audiovisual media services, tax credits for advertising investments and also compensation for COVID-19-related damage to film productions.

Respondents also voiced the need to further support local media. Some recommend setting up a mechanism for funding local independent media and journalistic start-ups, which is government-funded but run independently. At the Member State level, some noted that tax cuts could also help support smaller media organisations with a focus on quality, and notably local, journalism. Measures to support local journalists are also flagged as necessary by civil society and journalist associations.

### 4. Tackling Disinformation

In the public consultation, respondents were asked whether they have ever encountered any of the measures listed to reduce the spread of disinformation on social media platforms (see Figure 24). 53% of respondents encountered mechanisms allowing them to report disinformation. 35% encountered clear labels above content or sites that have failed a fact-check (by journalist or a fact-checking organisation). A majority of respondents (64%) has however not encountered alerts when attempting to share or publish content failed a fact-check and 69% have never been notified of previously engaging with content or sites that have failed a fact-check by journalist or fact-check organisation.

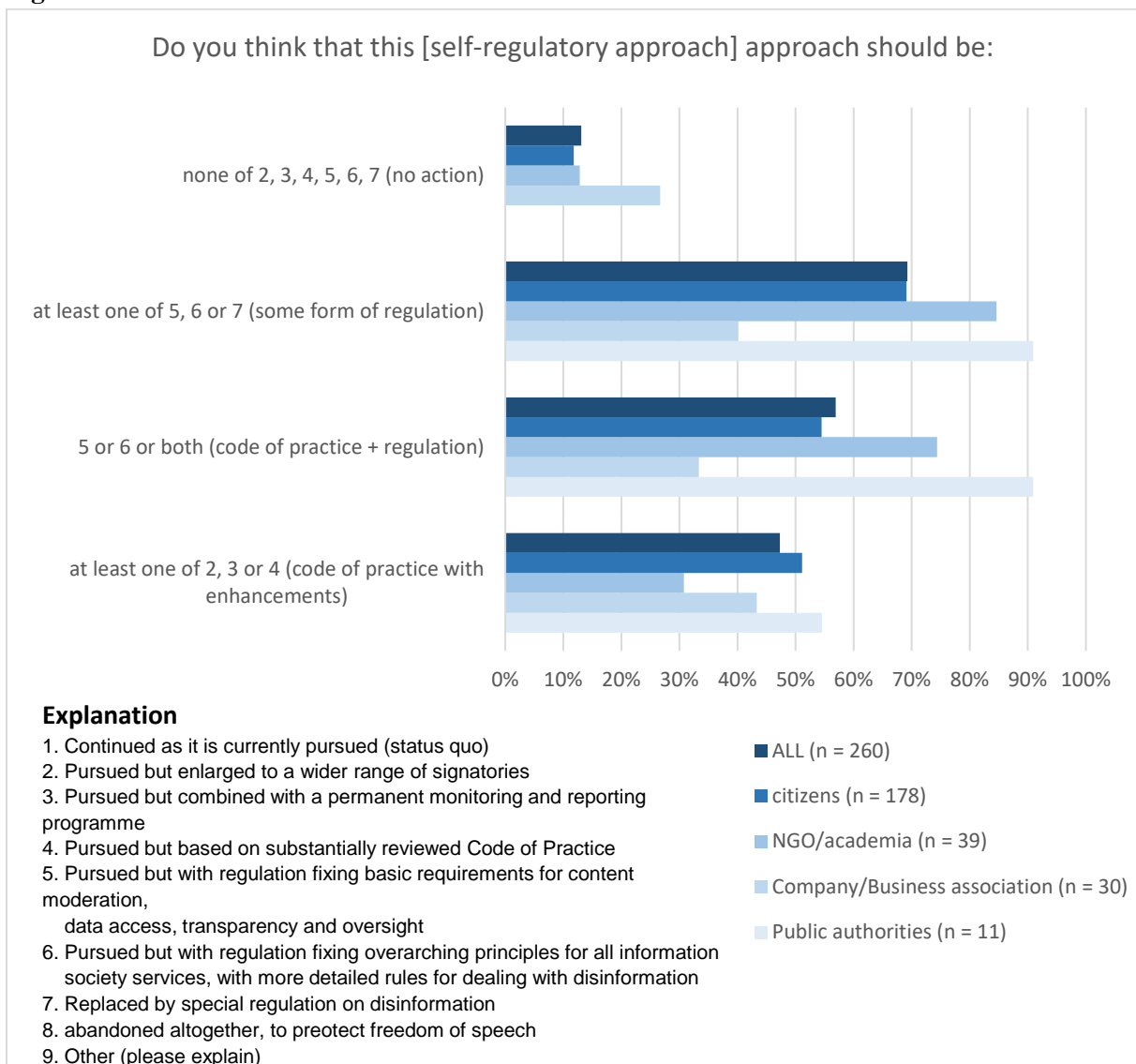
Figure 24.



#### 4.1. Review of and follow-up to the Code of practice on disinformation: self-regulatory approach or regulation?

The Commission has so-far addressed disinformation through a self-regulatory approach by facilitating the 2018 code of practice on disinformation. In the public consultation, respondents were asked whether: (i) this approach should be continued (status quo meaning no action); (ii) whether there should be some form of regulation (either actions 5, 6 or 7, see the explanation in Figure 25); (iii) whether the code of practice should be maintained in parallel to regulation (either actions 5 or 6 or both) or (iv) whether there should be only the code of practice with possible enhancements (actions 2, 3 or 4).

**Figure 25.**



There is little support (13%) among respondents to maintain the status quo. The option of having some form of regulation on disinformation received overall 69% support (mainly by public authorities, NGOs and individuals). A significant number of respondents (57%) support the option of pursuing the Code of Practice and combining it with some form of regulation (mainly supported by public authorities, NGOs and individuals). Lastly, a total of 47% of respondents supported one or all of the options of having only the Code of practice enhanced by a wider range of signatories, complemented by a monitoring and reporting programme or in a substantially reviewed form. This option was supported by most of the large online platforms and industry representatives (see Figure 25).

Civil society organisations further highlighted the need to ensure more transparency on a range of aspects to enable public authority scrutiny, to ensure better access to data for academia and civil society as well as to impose requirements/obligations for algorithmic decision-making systems. Civil society organisations further encourage the establishment of an independent audit body, a better enforcement of the GDPR and the adoption of an ambitious ePrivacy Regulation. Some also advocate to focus on mechanisms for verifying trustworthy content.

## ***4.2. Disrupting economic drivers for disinformation***

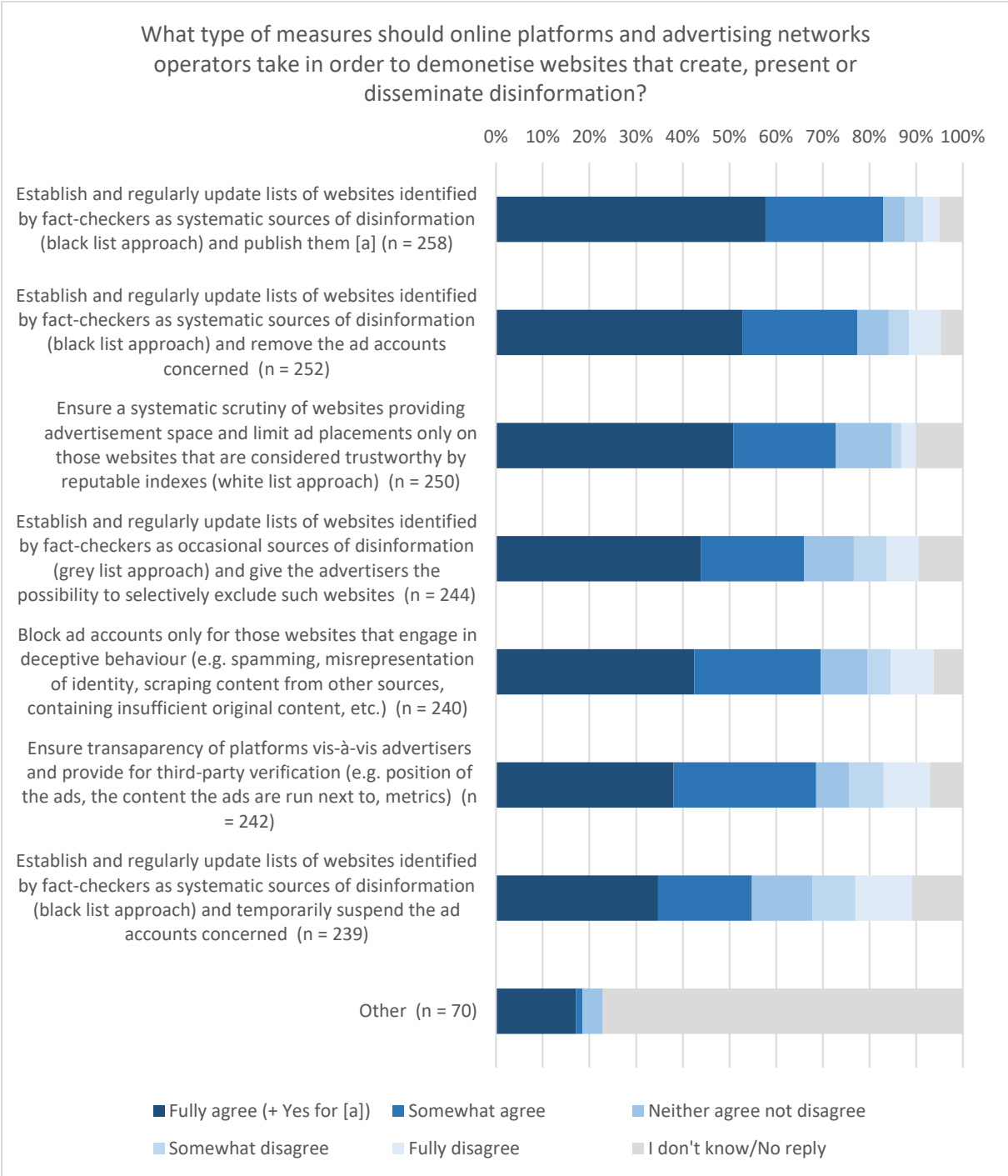
### ***4.2.1. Demonetising websites presenting/disseminating disinformation***

When it comes to efforts to demonetise websites that spread disinformation, there is broad support among respondents (including among civil society organisations and institutional stakeholders) to put mechanisms in place for online platforms and advertising networks operators allowing them to make informed choices about where they place advertisements and discourage them from placing advertisements on websites that are purveyors of disinformation.

Figure 26 shows that more than three thirds of respondents (83%) support the approach of drawing up and publishing a blacklist of websites identified as systematic sources of disinformation, 78% support blacklisting websites and removing the ad accounts concerned and 73% support a white list approach. There is also considerable support for the idea to establish grey lists of websites identified by fact checkers as occasional sources of disinformation and to give advertisers the possibility to exclude such websites (66%). Platforms seem to prefer this option (see Figure 26).

As an alternative policy option, some respondents proposed to use rating systems which would assess the credibility of a website in order to encourage ethical advertising and the demonetisation of disinformation. Several civil society organisations also point to the need to step up enforcement of the GDPR to reduce economic incentives for disseminating false or misleading information. They further advocate for the adoption of a “strong and clear” ePrivacy Regulation which would allow users to avoid being tracked, thereby limiting online profiling and making it more transparent for users.

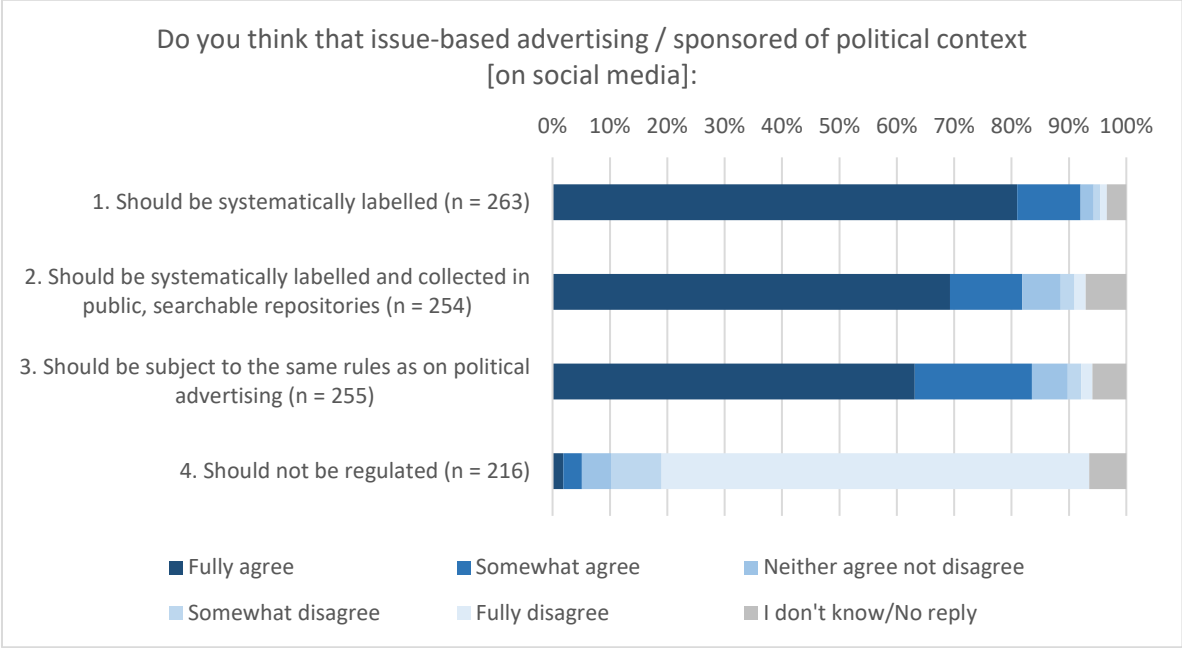
**Figure 26.**



**4.2.2. Issue-based advertising and sponsored content in a political context**

There is broad agreement by respondents (see Figure 27), including platforms, civil society organisations and other stakeholders to label sponsored issue-based advertisement (92%). The public consultation also revealed some divergence of views on the issue whether issue-based advertisement should be treated the same way as political advertisement. Several stakeholders pointed to the difficulties to distinguish between the different categories of advertisement. 81% of respondents also support mandatory advertisement repositories/libraries for issue-based advertisement.

**Figure 27.**



**4.3. Integrity of platforms’ services**

There is strong support (88%) from a wide-range of respondents including individuals, public authorities, NGOs and academia for targeted regulation at EU or national level to prohibit deceptive techniques including the use of spam accounts and fake engagement to boost posts or products. Companies and business organisations expressed less support towards this type of regulation (see Figure 28).

**Figure 28.**

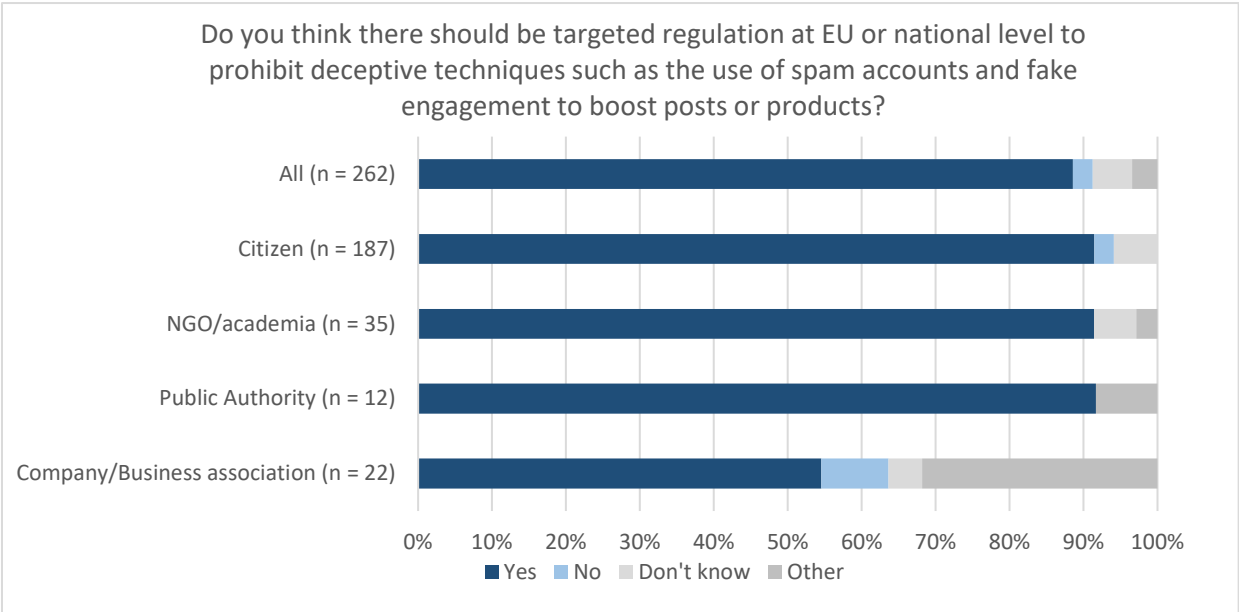
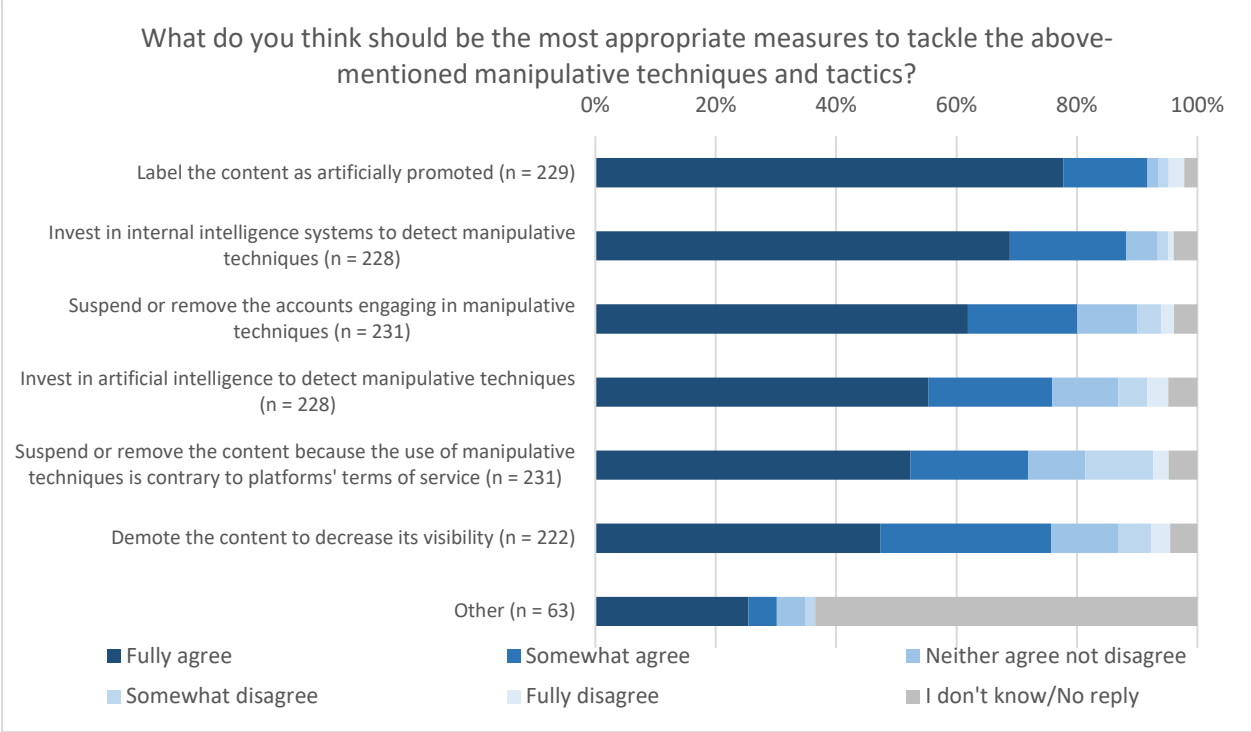


Figure 29 shows that there is also overwhelming support (92%) from respondents for regulation requiring the labelling of artificially promoted content (spam accounts, fake accounts). This option is also strongly supported by civil society and regulators. There is slightly less, but still substantial

support from respondents (80%) for suspending or removing content or accounts engaging in manipulative techniques (88%) and for demoting false or misleading content to decrease visibility (75%).

**Figure 29.**



Online platforms mostly agree that the above-mentioned measures would reduce the spread of disinformation, they suggest tackling the problem by their internal policy in handling spam and bots and are opposed to additional regulation. Some also caution against granular regulation of inauthentic behaviour, noting that the challenges continuously evolve and usually manifest themselves differently across platforms. Instead, they recommend establishing a general regulatory framework for content responsibility, which provides companies with the flexibility and incentives to deploy the particular measures that are appropriate for their particular situation and threat landscape.

Stakeholders showed support for the use of Artificial Intelligence for detecting and labelling spam accounts, automated bots and deceptive techniques (fake engagement) but some caution against the use of AI for the suspension or removal of content and/or accounts as this could potentially entail a high error rate.

***4.4. Reduce the spread of disinformation, increase users’ awareness about how platforms operate and prioritise what users see first***

- The questionnaire listed four main categories of measures to reduce the spread of disinformation:
- (i) increased transparency for users (labelling content, being informed if exposed to fact-checked content, alerts when attempting to share content),
  - (ii) the possibility to flag false/misleading information for fact-checking,
  - (iii) reducing visibility of misleading/false content (demoting content) and

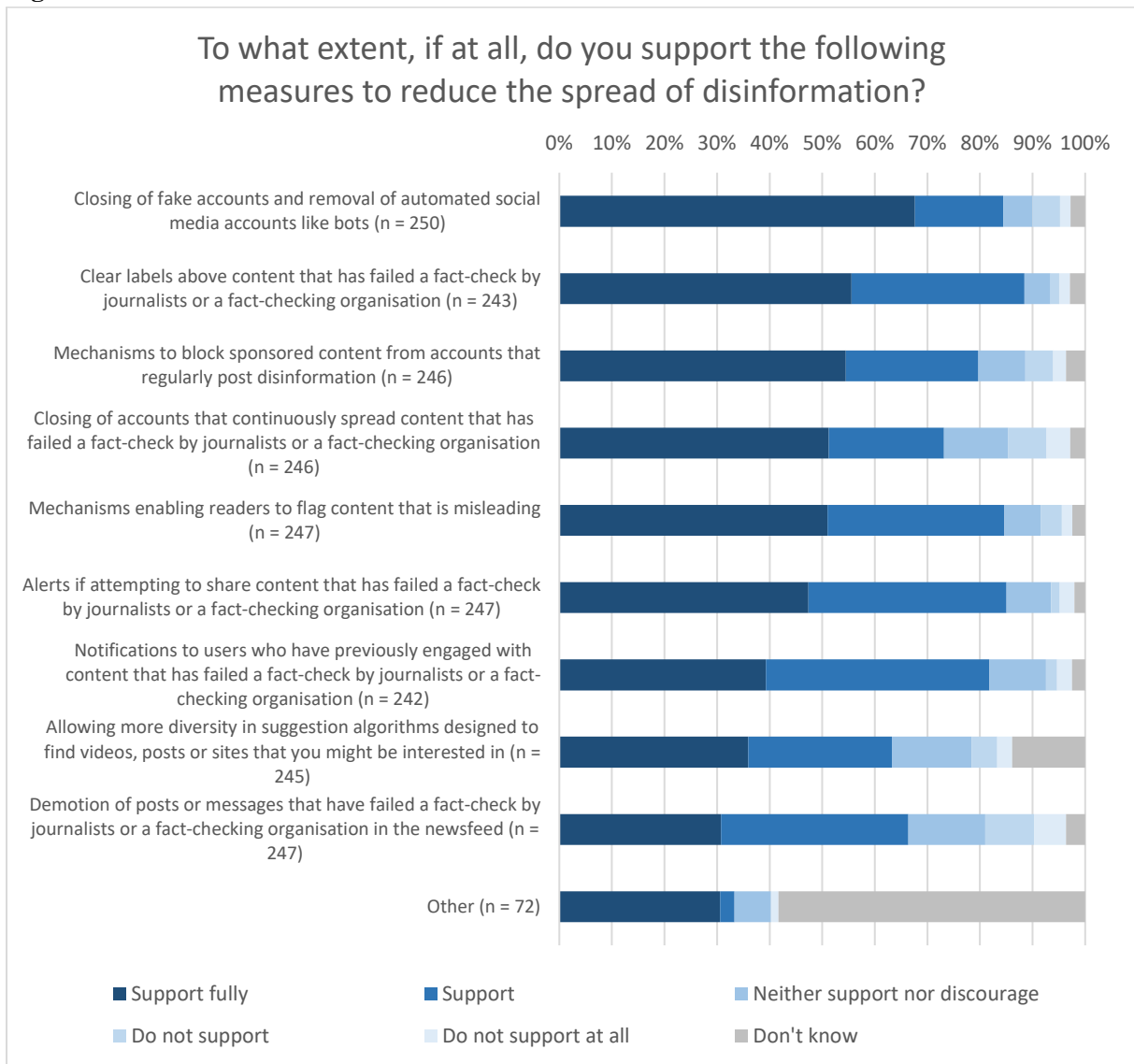
- (iv) the removal of false/misleading content or the closure of accounts (blocking content from or closure of accounts that continuously spread disinformation, closure of fake accounts and bots.)

Figure 29 shows that there is broad support for increasing transparency for users through various means (see Figure 30). The option of labelling false/misleading content received most support (88%), followed by the notifications about fact-checked content and alerts when sharing disinformation (85%). The latter option is supported by many stakeholders and considered to have a major contribution to reducing disinformation. There was also broad support for the option of giving users the possibility to flag false or misleading information for fact-checking (85%). Stakeholders also stress the importance of such a mechanism. The option of demoting content that failed a fact-check also received substantial support from respondents (66%), although some civil society organisations cautioned against a lack of transparency in the algorithms applied by platforms for identifying content that should be demoted.

As to the closure of accounts that continuously spread disinformation or the removal of their content, these measures are supported by a majority of respondents (84%). However, many civil society organisations strongly oppose the introduction of obligations to remove harmful but legal content/accounts, expressing concern about safeguarding freedom of expression. Some cautioned against overregulation and the creation of a form of political censorship. Civil society organisation further stressed the need to improve access to justice through appropriate redress mechanisms, to improve transparency about how platforms moderate content and to ensure appropriate access to data for fact checking organisations. These concerns are less prominent for the removal of fake account or bots which are supported by a large number of respondents (73%).

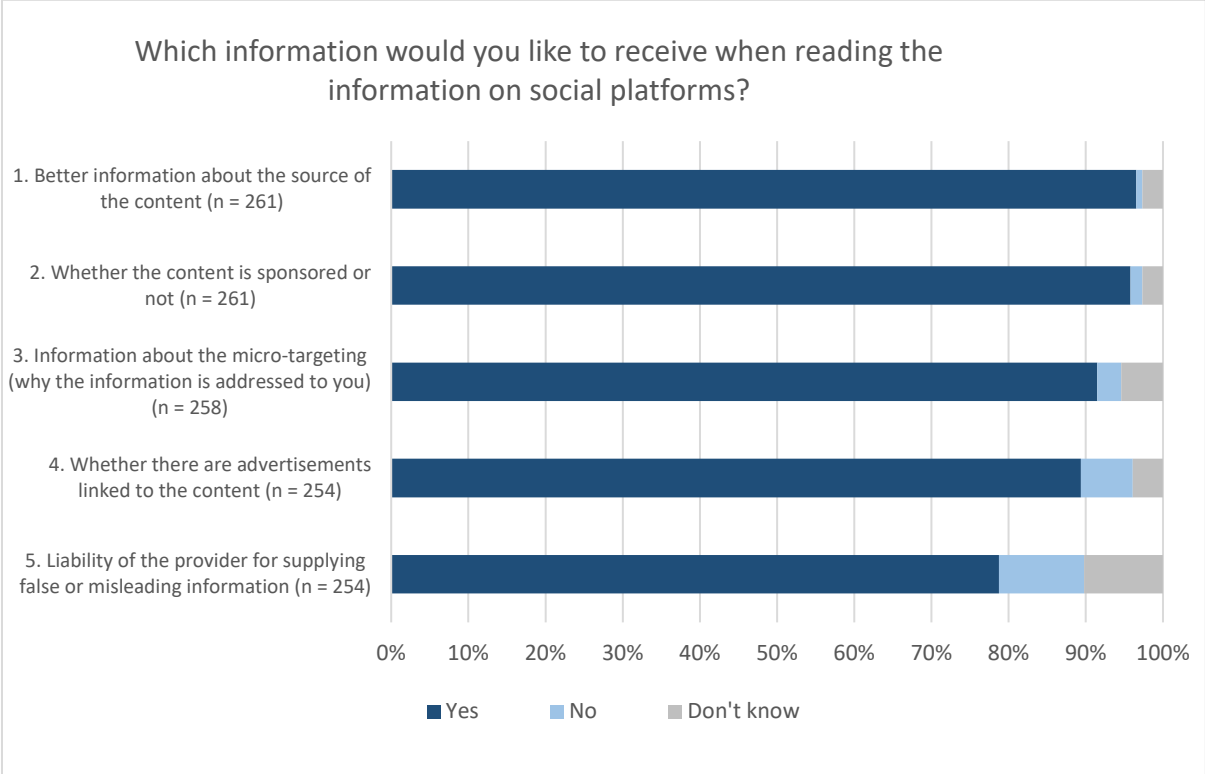
As regards users' awareness, respondents were also asked which information they would like to receive when reading the information on social platforms (see Figure 31). All types of information suggested were strongly supported with the source of content receiving the most support (97%) and information on the liability of the provider for supplying false or misleading information receiving the least (79%).

**Figure 30.**





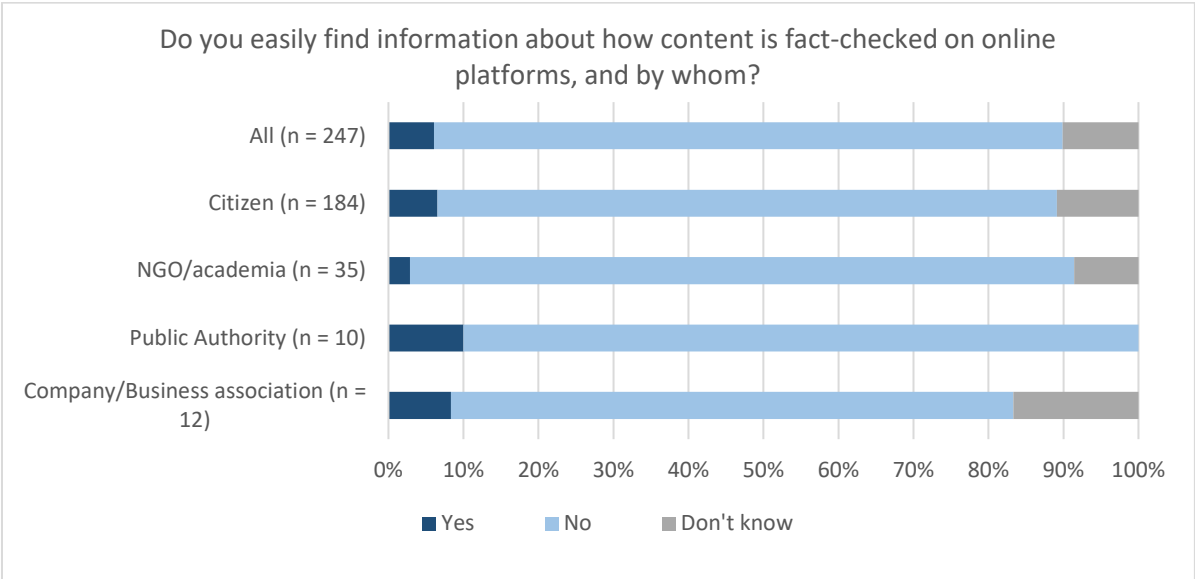
**Figure 31.**



**4.4.1. Fact checking**

With respect to fact-checking, respondents were asked whether they can easily find information about how content is fact-checked on online platforms and if so, information about who conducts these fact checking activities. 84% of respondent consider this information difficult to find (Figure 32).

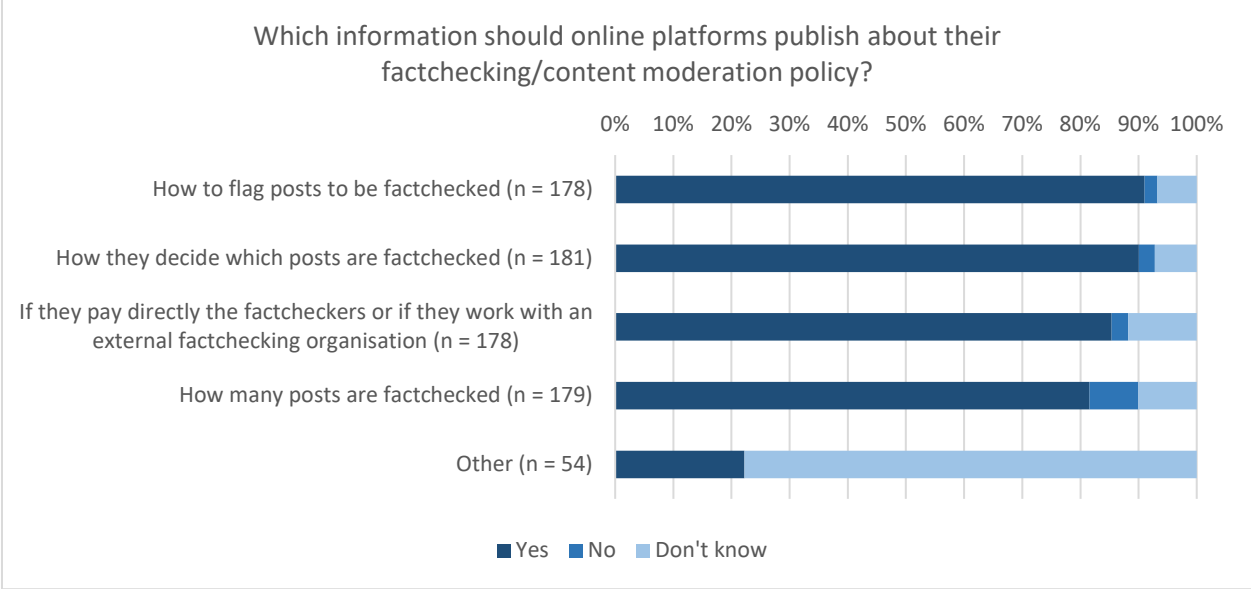
**Figure 32.**



Respondents were also asked what information they would like online platforms to publish about their fact checking/content moderation policy (see Figure 33). 91% of respondents agreed that posts to be

fact-checked should be flagged, 90% agreed that platforms should publish how they decide which posts are to be factchecked. Respondents also agreed to a very large degree that platforms should publish information on whether they pay factcheckers directly and whether they work with an external factchecking organisation (85%). Lastly, respondents considered it important that platforms publish information about how many posts are factchecked (support by 81%).

**Figure 33.**



**4.5. Responding to foreign state/non-state actors’ disinformation interference**

Respondents were asked whether they think the EU should respond to foreign state and non-state actors who interfere in our democratic systems by means of disinformation.

**Figure 34.**

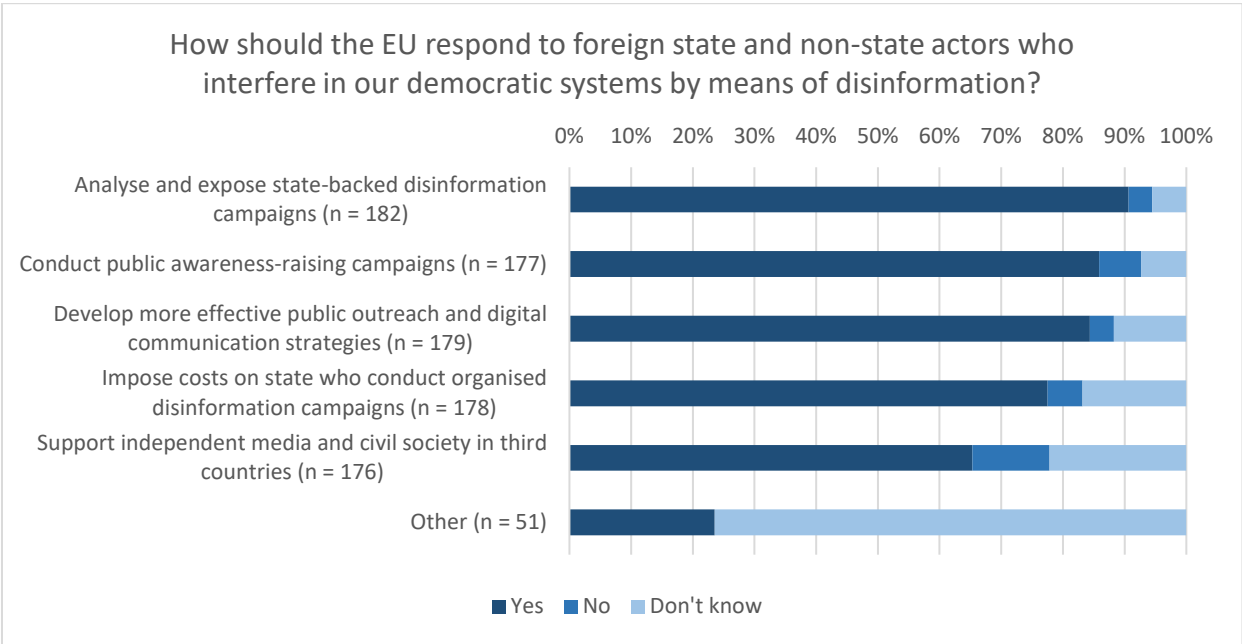


Figure 34 shows that a broad majority of respondents including civil society support several or all of the suggested options, namely:

- Analyse and expose state-backed disinformation campaigns
- Conduct public awareness-raising campaigns
- Develop more effective public outreach and digital communication strategies
- Support independent media and civil society in third countries.
- Impose costs on state who conduct organised disinformation campaigns

Civil society organisations notably emphasised the need to make the threat of targeted sanctions more credible and frequent, thereby raising the cost of influence operations and deterring foreign interference. They further noted that cooperation with NATO and G7 allies is important in that respect.

Stakeholders also supported the continuation of the work of the European External Action Services (EEAS) Strategic Communication Task Forces<sup>12</sup> and the EU Rapid Alert System (RAS)<sup>13</sup> in identifying and exposing disinformation. However, some respondents cautioned that governments and EU institutions should limit their role in monitoring and debunking disinformation to situations where national security, political, societal or economic stability, or public health in the EU and its Member States are at stake.

In addition, civil society organisations stress the need to increase the cost of personal data abuse by online platforms, suggesting that the business model of online platforms financially benefits from placing disinformation on their services (revenue being generated from advertising fees and increased screen time, but also user data transactions with advertisers). Civil society organisations consider that the Generalised Data Protection Regulation (GDPR) offers the necessary tools noting that online platforms may not enforce it fully. Platforms' compliance with the GDPR through the possible imposition of fines is suggested to be prioritised, to allow tackling disinformation while preserving freedom of expression.

## ***5. Civil Society Engagement***

Civil society plays a key role in the democratic system, holding those in power to account and stimulating public debate and citizen engagement, as well as in combatting some of the identified threats. In addition to this, participatory and deliberative democracy gives citizens a chance to actively and directly participate in the shaping of planned or future public policies.

### ***5.1. Civil society involvement at EU level and support for participatory/deliberative democracy actions***

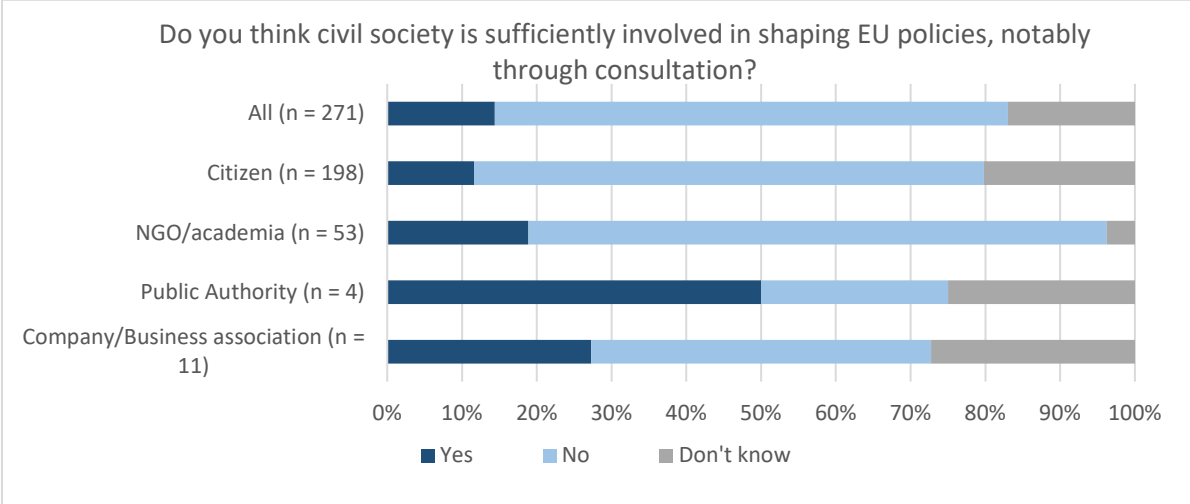
Civil society involvement, active citizenship and participatory engagement of citizens featured prominently in the results of the public consultation. The general perception is that civil society is not sufficiently involved in shaping EU policies through consultation. As Figure 35 shows, only about 14% of the respondents are satisfied with the status quo.

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<sup>12</sup>More information available here: <https://euvsdisinfo.eu/about/>

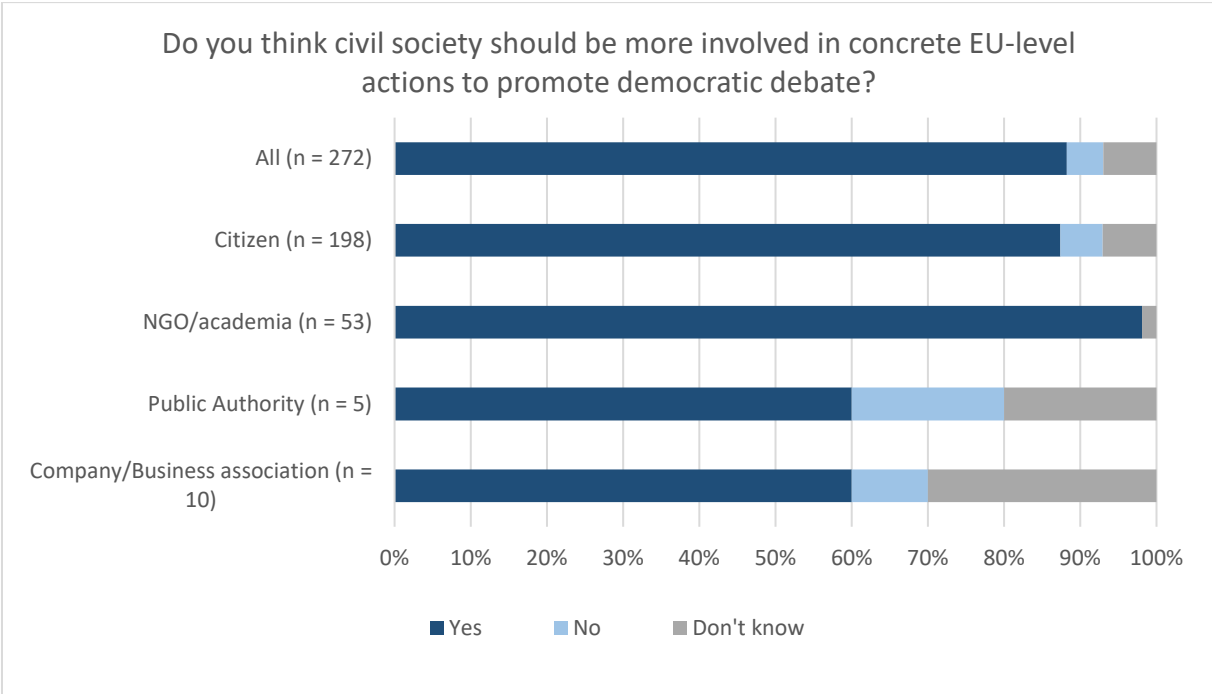
<sup>13</sup> More information available here: [https://eeas.europa.eu/sites/eeas/files/ras\\_factsheet\\_march\\_2019\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/ras_factsheet_march_2019_0.pdf)

**Figure 35.**

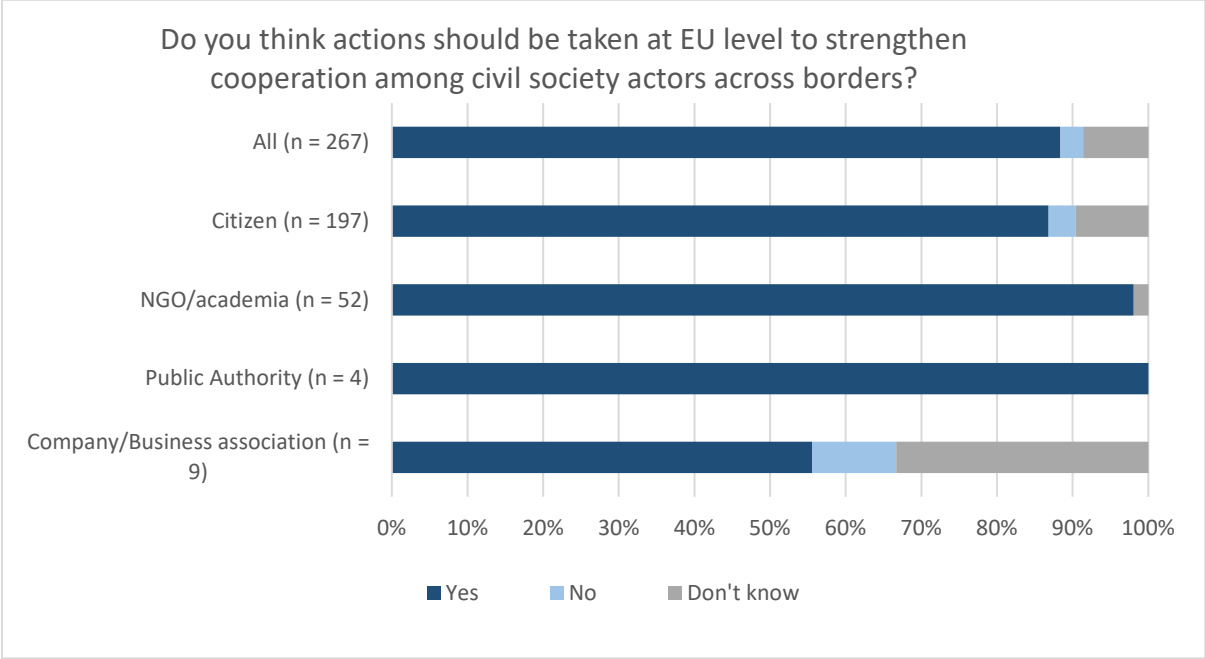


Conversely, there is widespread support (88%) for more involvement of the civil society at EU-level to promote democratic debate (see Figure 36). As Figure 37 shows support for EU action to strengthen cross-border cooperation among civil society actors is also high (88%). Respondents clearly favour active involvement beyond public consultations, with participatory/deliberative democracy at European level and more possibilities for public deliberation and citizen engagement receiving almost unanimous support. Moreover, if given the opportunity, the vast majority of respondents also stated that they would participate in a European participatory or deliberative event.

**Figure 36.**



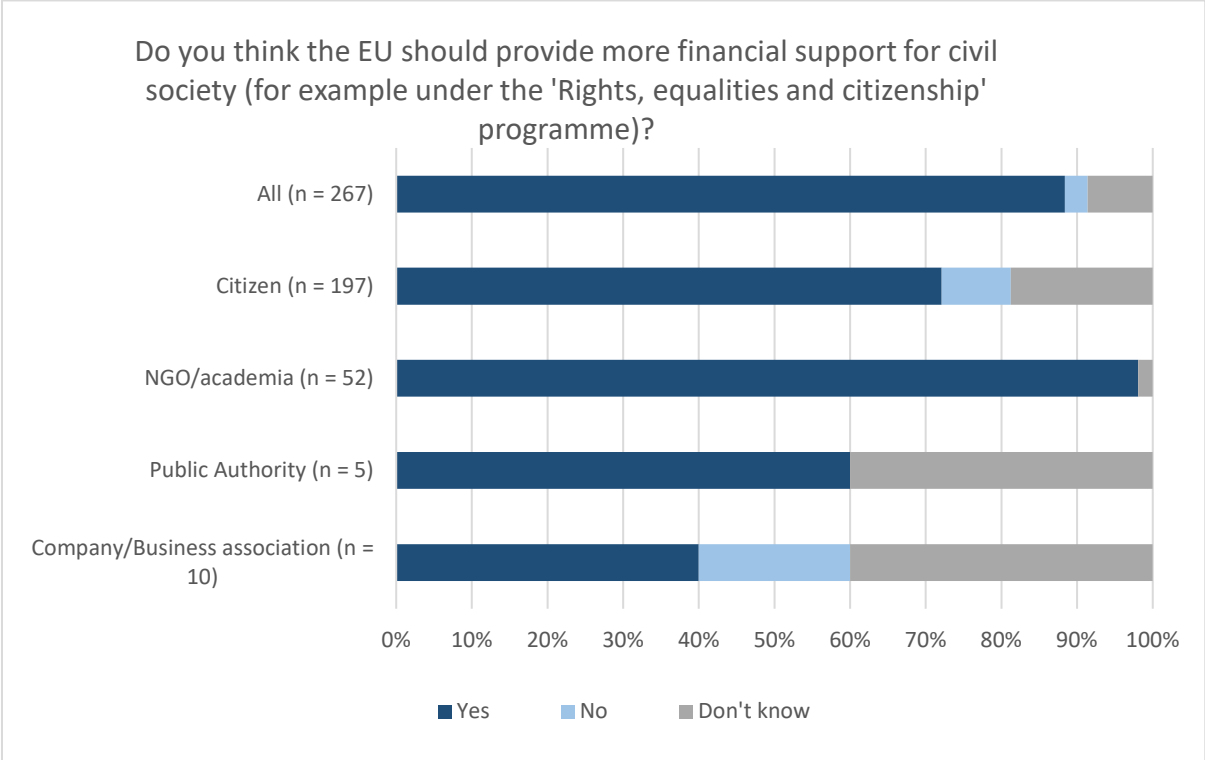
**Figure 37.**



**5.2.Funding civil society**

As regards supporting civil society and enhancing their involvement, as figure 38 shows a large portion of respondents favour more EU financial support (88%) most significantly NGOs/academia and individuals.

**Figure 38.**



In addition, respondents provided detailed suggestions for this financial support, suggesting rethinking the current focus on transnational projects and instead including more flexible funding instruments in programmes such as the Rights and Values Programme in the next Multiannual Financial Framework (MFF). In their view, this could help make sure money can actually reach local organisations.

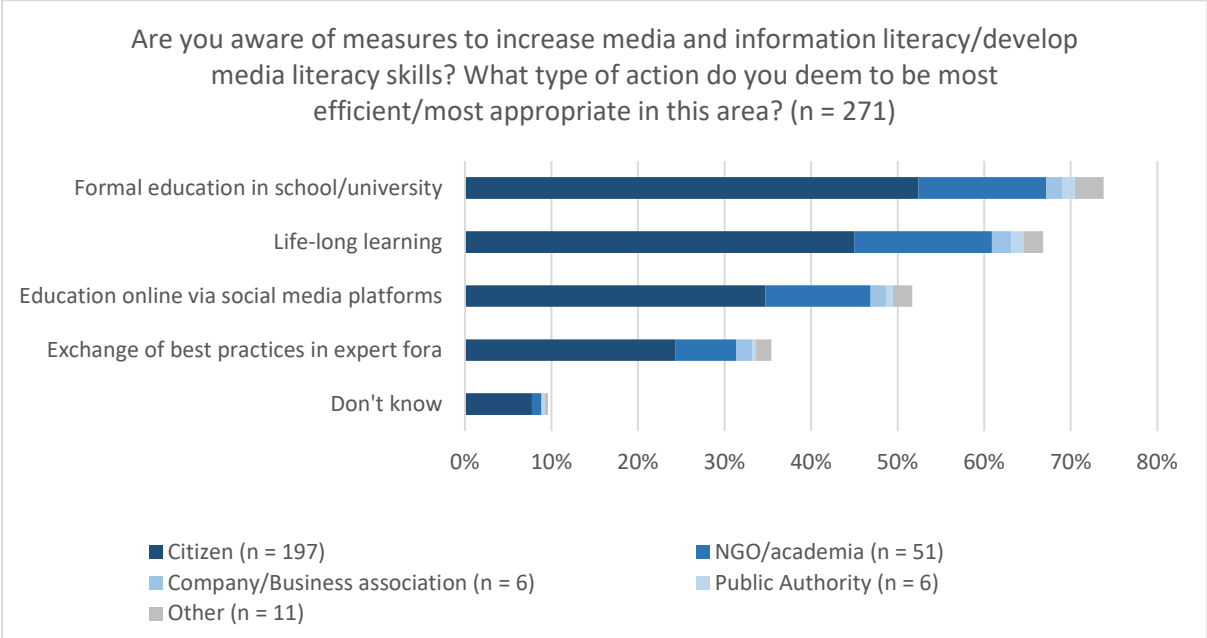
Some NGOs and associations also suggest that EU direct financial instruments need ambitious allocations. The Rights and Values Fund should cover operational costs as well as litigation, capacity building and watchdog activities. Access to financing by small organisation and disadvantaged sectors was also raised as an important element.

**5.3. Actions centred on civil society to fight disinformation: media-literacy**

Formal education in school and university is seen as the most efficient way to develop media and information skills in citizens (65%). This is followed by life-long learning (70%) and education online via social media platforms (50%). Exchange of best practices in expert fora is favoured by 33% of respondents (Figure 39).

In their contributions some associations emphasised the key role of non-formal adult learning and education. They noted that it is important to provide the skills and competences needed for active citizenship, democratic engagement and critical thinking suggesting to promote civic education (or ‘citizenship education’) for adults by strengthening this key area within EU programmes and by allocating specific funding to this area.

**Figure 39.**



Stakeholders proposed including increased participation by civil society in European elections as a goal under the European Democracy Action Plan. Some respondents suggested fostering this goal by addressing inequalities and called for an EU Roadmap for an inclusive electoral process.

Some respondents also suggest the establishment a set of common standards to defend and promote civil space in the Union and Member States, which could be regularly monitored through the introduction in a European Semester on Democracy or a dedicated component on the state of civil

society in the Rule of Law review cycle. Respondents also advocated strengthening the dialogue between EU institutions and organized European civil society.