

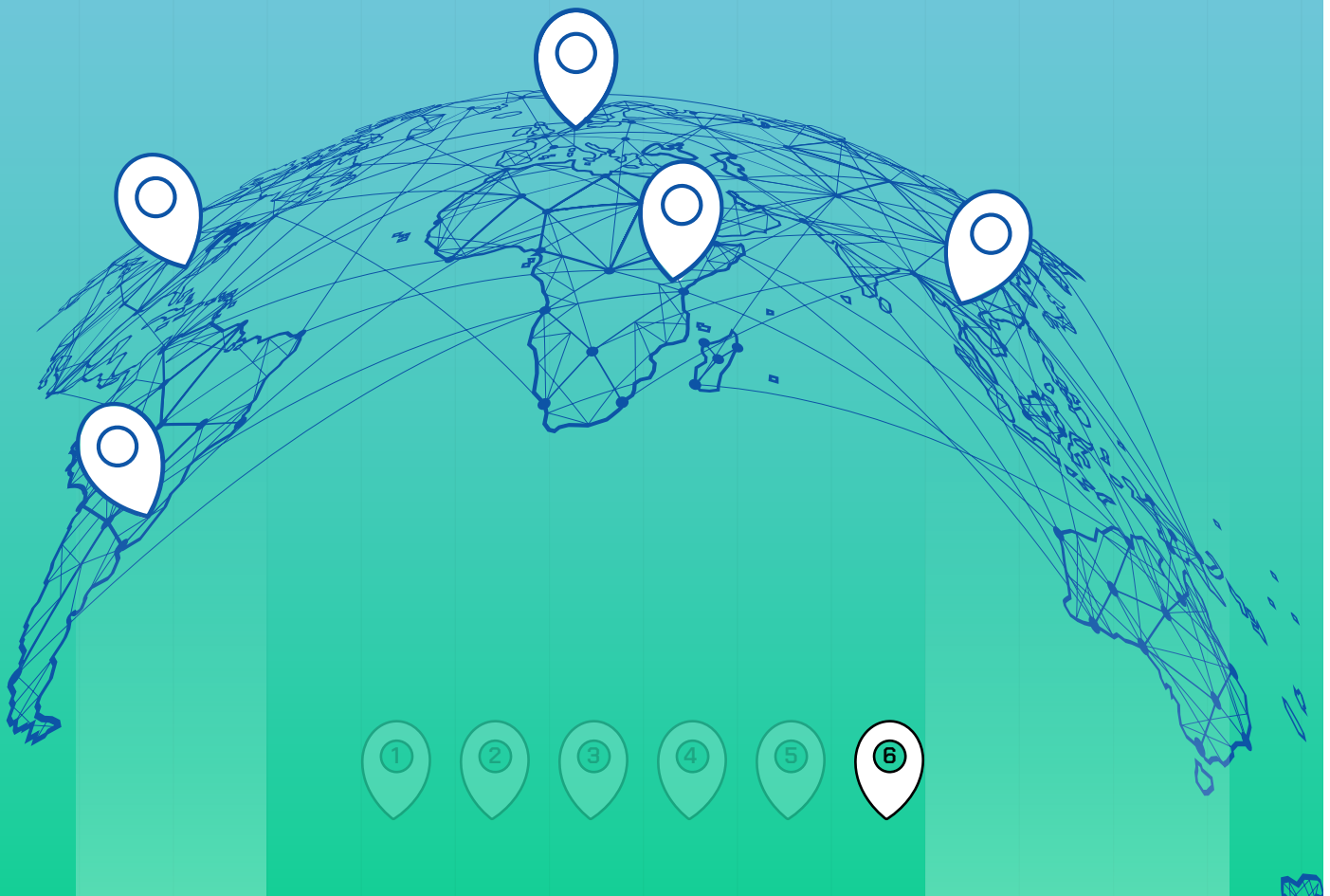
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Research Series: Reinhard Mohn Prize

State actions against disinformation

Towards a healthy public sphere

Clara Iglesias Keller, Charlotte Freihse, Cathleen Berger

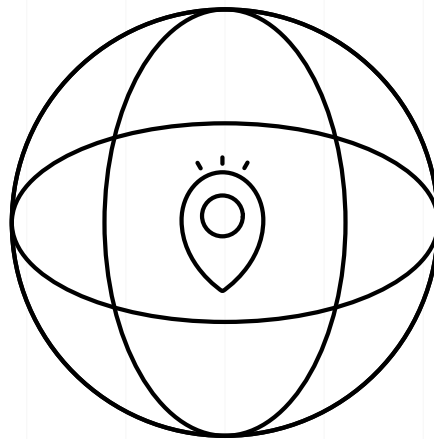


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This report is part of an international research series on
“Strengthening Democracy, Countering Disinformation.”

Preface

Dear Reader,

In today's digital world, countering disinformation has emerged as an essential endeavour to uphold democratic values worldwide. While there is a shared understanding that concerted efforts from various stakeholders and at different levels are needed to address this issue, we still lack a comprehensive understanding of the strategies and initiatives in place, let alone their impact and how to accurately measure it.

As part of the **Reinhard Mohn Prize** – 'Strengthening Democracy, Countering Disinformation', we sought to illuminate the way forward by identifying exemplary models and innovative approaches to countering disinformation around the world. Our goal was to gain insight into the where, how, and why of disinformation, and to respond accordingly. Across the globe, there are countless successful and impactful examples of individuals, initiatives, and organisations dedicated to countering disinformation. Our aim was to learn from them and empower us all to learn from each other.

This series of six reports covering Africa, Asia-Pacific, Europe, North and Latin America, and a global overview of government responses to disinformation, consolidates our findings in the hope of providing you not just with key insights, but also with actionable recommendations. These reports couldn't be clearer: We can all learn from each other. From the technology enhanced fact-checking approaches of **Chequeado** (Argentina) or **Aos Fatos** (Brazil), to the community-driven debunking of **JamiiCheck** (Tanzania) or the rapid response mechanism at **Real411** (South Africa), to the thought-provoking media literacy trainings by **Fact Shala** (India) and **Mafindo** (Indonesia) – there is so much knowledge out there that we could write entire books about it.

We invite you to explore, learn, and be inspired. Because there is hope for a healthier information ecosystem thanks to the efforts of everyone we encountered.

Finally, we would like to express our deepest gratitude to the outstanding authors of these reports, as well as to all the experts who participated in our workshops in Nairobi, Bangkok, Buenos Aires, Washington D.C., and Brussels. It is your expertise and your dedication to strengthening democracy – regardless of the challenges faced – that have made this series so insightful and special.

Our warmest,



Cathleen Berger



Charlotte Freihse

Contents

Preface	3
Executive summary	5
1. Democracies under pressure: What roles do states play in promoting a healthy public sphere?	7
2. Disinformation and the public sphere: Controversial effects	10
3. The role of government	12
4. State actions to promote a healthy public sphere: A typology	14
4.1 Mitigating false information	16
4.2 Governing digital intermediaries	18
4.3 Promoting transparency and quality in government communications	19
4.4 Strengthening media pluralism and professional journalism	21
4.5 Establishing public institutions	23
5. Mitigating policy risks	25
The key: Comprehensive, interlinked countermeasures	27
References	28
Annex I	36
Publishing credits & legal notice	41

Executive Summary

Healthy public spheres are an essential pillar of resilient democracies. In recent years, we have seen increasing pressure on governments to balance citizen rights, such as free expression and representation, with attempts to counter malign interference. Although this pressure is not limited to the digital realm, it is exacerbated by our increasingly digitised environment. The digital spaces in which people around the world follow, read, engage, discuss, participate, and shape public discourse are in large part privately-owned platforms. In addition, digital disinformation campaigns target people with bespoke messaging designed to manipulate and misdirect opinions. This has far-reaching implications for the role of governments and state actions that intervene, interfere, and/or engage with discourse in these spaces. This is why we set out to shed a light on how different governments are tackling these challenges and what measures are being adopted to counter disinformation and/or strengthen public discourse, especially online.

- In this report, we reviewed 66 state initiatives from 17 countries. The picture that emerged is multifaceted, and the message clear: States must promote a comprehensive approach to countering disinformation and strengthening public discourse.
- “Disinformation” refers to false information that is spread with intent to cause harm. When mapping the state actions that inspired this report, we also included countermeasures directed at “misinformation”, which comprises any false information that is spread accidentally or involuntarily.
- Despite being a global concern, disinformation takes different shapes in different political and social contexts. It can be used to hound political opponents and silence dissent, as the UN Rapporteur for Freedom of Expression Irene Khan pointed out in the cases of Egypt and Turkey (see [chapter 3](#)). It can be used to attack governments, or it can be weaponised by governments themselves to attack democratic institutions (see Brazil, [chapter 4.3](#)). In contexts marked by warfare, it raises concerns related to foreign interference and risks to cyber- and national security (see e. g. Moldova in [chapter 4.1](#), [4.4](#) and the United States (USA) and Canada in [chapter 4.5](#)).
- There is no silver bullet to address and effectively counter all the intricacies and varying dynamics of disinformation campaigns. It is therefore important to consider two premises when reflecting on the role of states in countering disinformation: First, there must always be space for ‘the truth’ to be debated. While this alone is not enough, it is important to promote counter narratives and offer information and spaces for societies to engage in public discourse. Second, the issue must be addressed with a variety of interlinked measures. A comprehensive approach to counter disinformation must be mindful of the socio-political circumstances where it flourishes.
- We analysed these policy options and categorised our mapping across five dimensions, each organised by their respective target: (1) Mitigating false information, (2) Governing digital intermediaries, (3) Promoting transparency and quality of government information, (4) Strengthening media pluralism and professional journalism, (5): Building up public institutions. This report describes each category and refers to selective examples that illustrate the actions in each category (full list in [Annex I](#)).

- To illustrate:
 1. **'Mitigating false information'** tackles the content-related dimension of disinformation. Exemplary actions in this category aim to dispute false information in the public debate and mitigate, contain, or punish its possible effects. Actions in this category were found in Argentina, Australia, Brazil, Canada, Chile, the EU, France, Germany, Israel, Kenya, Malawi, Nigeria, the Philippines, Singapore, Taiwan, and the USA.
 2. **'Governing digital intermediaries'** describes specific actions that target digital disinformation, especially via social media and messaging apps. This can include regulatory frameworks as well as soft law instruments, such as co-regulation or cooperation agreements. Actions in this category were found in Argentina, Brazil, the EU, France, Germany, Israel, Kenya, Nigeria, Singapore, Taiwan, and the UK.
 3. **'Promoting transparency and quality in government communications'** looks at actions that promote transparency for democratic governments, as well as actions geared towards communication and trust in information. Actions in this category were found in Argentina, Australia, the EU, Moldova, Singapore, and the UK.
 4. **'Strengthening media pluralism and professional journalism'** examines actions geared to improve or update media and journalism practices and regulations, including with a view to technological developments. Actions in this realm are not as widespread and were primarily found in Australia, the EU, and Moldova.
 5. **'Building up public institutions'** takes a look at new administrative bodies or institutions tasked with various aspects of countering disinformation. Actions in this category were found in Argentina, Chile, the EU, the UK, and the US.

 - Overall, disinformation is a global phenomenon, yet its narratives and distribution strategies are highly contingent on context. In countries such as Moldova and the US, the threats of Russian warfare led the respective governments to frame disinformation as a national security issue. In Brazil, under former president Jair Bolsonaro, disinformation campaigns were spread by the government itself, and today, a considerable proportion of countermeasures are focused on the electoral process. This means that different governments will weigh the measures available to promote a healthy public sphere against different legal assets, and that initiatives adopted in one country should not be replicated in others without previous critical consideration of their perhaps disparate experiences. It also shows that governments across the democratic-authoritarian political spectrum adopt measures to counter disinformation, which in turn shows that their motives to engage with disinformation differ – and not all seek to establish or nurture a healthy public sphere.
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1 Democracies under pressure: What roles do states play in promoting a healthy public sphere?

Democratic debate can only thrive with the protection of fundamental rights, active citizen participation, and the promotion of conditions to ensure that citizens enjoy both. Public discourse must be free and welcoming to a plurality of opinions, while also protecting people from harms such as discrimination and malign interference. Nurturing a healthy ‘public sphere’ – i. e. the spaces where people debate topics of public interest, where political visions and results are discussed, and where, ultimately, political power is shaped¹ – is a complex task for governments. Especially as the ‘public sphere’ is both a physical and a digital space.

Intentional manipulation of information is not a new challenge for democracies, but its urgency has increased. Following the UK’s 2016 Brexit referendum, a series of electoral processes drew the world’s attention to intentional and massive spread of false information, notably through digital means. These events shed light on the use of personal data collected by digital intermediaries and social media platforms for the purpose of spreading such messages, paired with algorithmic curation and microtargeting techniques. Disinformation grew to be a familiar contingency to debates in and outside of elections. Be it public health, the climate crisis, warfare, religion, gender identity or even as a feature of movements that promote direct attacks on democratic institutions (like the U.S. Capitol riots in January 2021) – disinformation is a dynamic phenomenon. It is entrenched in today’s politics, with ever changing narratives and targets, which makes it extremely difficult to tackle.

Disinformation campaigns are often geared towards manipulating, polarising, and dividing discourse in the ‘public sphere’, a dynamic that has grown in speed and scale in its digital form. Despite the equivocal evidence of their effects, the stakes for democracies and fundamental rights are varied – and growing. This is pushing governments around the world to act, with many exploring a multitude of regulatory and/or policy approaches. For instance, in the European Union (EU), the Digital Services Act (DSA) recognises social media platforms as public spaces that carry significant weight in shaping democratic discourse. This is why digital intermediaries are obliged to increase transparency and carry a slate of responsibilities, including for the moderation of harmful content. The DSA is thus currently one of the most far-reaching legislative attempts to enforce a legal framework for the governance of social media platforms. Its implementation and enforcement will be put to the test in 2024.

Globally, digital intermediaries are considered key actors because their privately owned infrastructures allow for speedy and at-scale content distribution. The evolution of artificial intelligence (AI) technologies further fuels these concerns, as generative AI (Gen AI) makes

1 For an academic discussion on the scientific concept of public sphere, please see Craig Calhoun (org.). *Habermas and The Public Sphere*. MIT Press: London, 1992.

possible the production and distribution of text, audio, image, and video content that accurately mimics people and makes disinformation even harder to debunk (Chesney and Citron 2019, 1757). Despite this, critical studies on the topic have shown that other powerful actors, like traditional media and governments, have a relevant role in replicating and diffusing manipulated information in the public sphere (Hofmann 2024; Miró-Llinares and Aguerri 2023).

Depending on the political context, countermeasures can take different shapes. They can look like shielding government institutions from attacks from political opposition; or they can aim to protect society from communication strategies originating from authoritarian governments, as was the case in Brazil under the government of Jair Bolsonaro (2018 – 2022) and in the US under Trump (2016 – 2020). In other contexts, countermeasures are linked to promoting cybersecurity, notably in times of warfare (cf. Moldova in chapter [4.1](#), [4.3](#), [4.4](#)).

It is fundamental that governments and state actors play their part in tackling these challenges – though how exactly, in which form and role, remains a point of discussion. It cannot be emphasised enough that their measures must be carefully balanced, as there is a risk of infringing on freedom of expression. Governments may even become perpetrators of disinformation themselves. To broaden the understanding of possible countermeasures against disinformation, this report explores a repertoire of recently implemented state actions.² We showcase policy options, highlight their contingencies, contradictions, and how these initiatives unfold in different political contexts.

Our mapping clearly highlights that there is no one silver bullet. Instead, countermeasures must be comprehensive, going beyond mitigating false information to nurturing public discourse at all levels: education, media pluralism, governance of digital intermediaries, government transparency, investments, and administrative bodies, to name just a few.

In the following, we present a selection of 66 state actions, analysing experiences from 17 countries located on five different continents. We categorise these actions along five dimensions, organised according to the target that inspired them:

1. Mitigating false information;
2. Governing digital intermediaries;
3. Promoting transparency and quality of government information;
4. Strengthening media pluralism and professional journalism; and
5. Building up public institutions.

The result is an exemplary list of state actions that address various elements of ‘managing’ the ‘public sphere’. We derive qualitative insights about the tools available for democratic states to take a comprehensive approach towards building healthy public spheres that achieve both: promote freedom and citizens’ rights, as well as counter disinformation.

2 See, for instance, online repositories such as the Poynter Institute’s “A guide to anti-misinformation actions around the world”. Available at: www.poynter.org/ifcn/anti-misinformation-actions/. Accessed on: 10 Jan. 2020; the Law Library of Congress Reports “Initiatives to Counter Fake News in Selected Countries”. Available at: <https://digitalcommons.unl.edu/scholcom/179/>. Accessed on: 06 Jun. 2021; and “Government Responses to Disinformation on Social Media Platforms”. Available at: <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1180&context=scholcom>. Accessed on: 06 Jun. 2021; and (Carson and Fallon 2021).

The following chapters look at the concept of disinformation [\(2\)](#), the role of states in a multi stakeholder setting [\(3\)](#), and then turns to presenting the categories of state actions we identified [\(4\)](#). Finally, [chapter 5](#) carefully proposes guidelines for policymakers.

2 The public sphere and disinformation: Controversial effects

There is a great deal of research on what disinformation is and how it works. However, its features, effects, and the potential of different countermeasures remain disputed among experts. The controversies begin at the very conceptual level. The term, *disinformation*, is commonly used to refer to the intentional spread of false information to cause harm. Distinctly, *misinformation* is the spread of false information by accident or involuntarily (Wardle and Derakhshan 2017, Bernhard et al. 2024). Some researchers also use ‘disinformation’ as an umbrella term that captures any content that is “false and has potential to cause damage” (Cipers et al. 2023, 4). This then includes mis- and disinformation, as well as ‘fake news’, a term that has become a rhetorical weapon to discredit journalism.³ In the debate about how states should act, intention matters, for instance, when it comes to holding individuals criminally accountable for disinformation practices. Creating new criminal sanctions or updating existing criminal legislation to punish people who create and spread disinformation is still a common approach by states, despite the risks to freedom of speech. In other contexts, intent plays a secondary role in trying to understand how false and manipulate messages impact individuals, institutions, and our public spheres. For the sake of clarity and analysis, this distinction matters, and we generally place greater emphasis on *disinformation*, i. e. content spread with the intent to cause harm. However, since we are taking a comprehensive approach to healthy public spheres, our analysis of state actions includes measures to address any false information, whether spread intentionally or not.

This disagreement is also reflected in the realm of the actual impact of *disinformation*, referring to the different assessments of its threatening character. Despite initial impressions, empirical evidence has shown that people usually spread *disinformation* not because they believe it, but to express their identity and reach audiences (Mourão and Robertson, 2019). While it can still put the integrity of a fair electoral debate at stake, fears that *disinformation* would swing elections appear unfounded, since voters’ preferences mostly remain stable over time (Lorenz-Spreen et al. 2022). There are controversies in academic research as to whether we live in a *disinformation* ‘epidemic’, since some studies show that “the majority of people rarely or never come into contact with disinformation in their everyday lives” (Hofmann, 2024, Boberg et al. 2020; Grinberg et al. 2019), or that its popularity is particularly relevant in right-wing and populist currents (Humprecht et al. 2021). Other quantitative surveys do, however, indicate that confusion and insecurity about the veracity of information is increasingly widespread (Bernhard et al. 2024).

3 Beyond this definition we’ve adopted, there are many different understandings of the term ‘fake news’ in the literature. In this report, we avoid using the term because it is too often weaponised in public discourse as a rhetorical resource for attacking or discrediting political opponents.

In general, there is concern that the broader democratic process and the integrity of the public sphere are negatively impacted. *Disinformation* is “fundamentally toxic to well-functioning democracies” (Karpf 2019) for various reasons. It can undermine trust in institutions, potentially lowering the cost for authoritarian politicians to bypass societal and institutional checks on their power (Iglesias Keller et al. 2022). In this connection, *disinformation* strategies are associated with populist movements, as a way of creating segmented narratives that engage crowds (Hofmann 2024, 22). Beyond governmental institutions, people may come to distrust established media and professional journalism, as well as their reliability in reporting on key political disputes and holding power accountable. The spread of false and manipulated information can also weaken established ways of producing and legitimising information and knowledge in a democracy (Hofmann, 2024). What happens when people deliberately disregard evidence and scientific methods lose credibility? Ultimately, *disinformation* can hamper the idea of a shared reality and the collective processes through which societies are shaped and developed.



3 The role of government

As a multilayered phenomenon, *disinformation* cannot be effectively addressed by any single entity in isolation. Rather, a collaborative approach is essential, with multiple actors embracing their respective roles and obligations, including civil society, academia, the private sector (platform providers in particular), and the media (Berger et al. 2023, 9).

Alongside these various stakeholders, governments are in a crucial position to establish safeguards and incentives to make sure public debate is fair, safe, and inclusive – a precondition for healthy democracies. Addressing *disinformation* is an important part of this task, which comes to the fore in critical moments like the one we are witnessing in 2024, when 70+ elections are taking place around the world.

And yet, we observe that nurturing healthy public spheres has not been the only rationale behind governmental strategies in this field. The scientific literature on *disinformation* countermeasures accounts for several cases where ‘fighting *disinformation*’ serves as a foil for implementing (digital) policies designed to impose governmental narratives and silence dissent. UN Rapporteur on Freedom of Expression and Opinion, Irene Khan, identified the misuse of laws that criminalise *disinformation* across broad legal categories to prosecute journalists and human rights activists in Turkey, Egypt, and Bangladesh. According to Khan, these measures have in many cases led to arrests, with some allegations of subsequent torture and even death in custody (Khan 2021, 11). Criminalisation of *disinformation* is commonly associated with authoritarian contexts (Iglesias Keller 2021, 508; Cipers et al. 2023, 3), while “democracies with high levels of press freedom have a more holistic approach (...) focusing comparatively more on the integrity of their election process, media and education initiatives” (Cipers et al. 2023, 3). Extreme cases from authoritarian contexts illustrate the dangers of regulating *disinformation* through criminalisation, and the warning should be taken seriously by all countries, democracies included. As we show in this report, restrictions on the right to free expression vary and are sometimes touted as justifiable measures against disinformation in a variety of contexts (see [chapter 4.1](#)).

Finding effective mechanisms that balance mitigation of the harmful effects of *disinformation* with freedom of speech, privacy, and minority rights (among many others) continues to be a challenge. Narrow strategies or a focus on selected measures often face limitations. Fact-checking is one example that is frequently highlighted: Can it really help people correct their misbeliefs, or prevent them from sharing *disinformation* (Batista Pereira et al. 2022; Barrera et al. 2020)? During the Covid-19 pandemic, it was undeniably an important part of public health strategies focused on promoting scientifically proven information on the virus and possible treatments. At the same time, fact-checking does not address dimensions such as information bias or lack of science literacy. Moreover, whatever effects fact-checking might have also depends on the form in which alternative narratives are presented, as well as on the different target audiences, with some demographic groups perhaps being more receptive than others (Bateman and Jackson 2024).

Another example of why we need a set of multilayered measures is the EU's Digital Services Act. The DSA imposes a series of obligations on digital platforms, including transparency and due process requirements, risk assessments, and the adoption of crisis protocols. It introduces a set of legal mechanisms to hold digital platforms accountable and to better understand the flow of content – including *disinformation* – on their platforms. Nevertheless, the effectiveness of the DSA has yet to be tested; and one of the sources of scepticism is its potential to mitigate the circulation of *disinformation* online. On the one hand, much of the parliamentary debate behind the DSA was concerned with *disinformation*. Shortly after it entered into force, the Commission's Directorate-General for Communications Network, Content and Technology published a risk assessment study of Russian *disinformation* campaigns, linking their research to the DSA's rationale (European Commission Directorate-General for Communications Network, Content and Technology 2023, 7). On the other, implementation procedures and mechanisms provided by the DSA still need to be fleshed out. There is also concern about the EU's role and (over-)reach in setting standards for global platforms (i.e. creating a Counter-Brussels effect). In addition, (European) policymakers mustn't lose sight of the offline dimensions of *disinformation* campaigns.

When reflecting on how states should address this delicate scenario, it is important to consider two premisses:

1. **Providing space for debating 'the truth':** Democracies must provide space for 'the truth' to be debated. It is therefore important to promote counternarratives and offer information and spaces for societies to engage in this discussion. This means not only protecting freedom of expression and safeguarding political participation, but also promoting policies that impose checks and balances without restricting the debate. But given that *disinformation* is connected to deeper socio-political circumstances, merely countering false information is far from enough to properly address the issue.
2. **Addressing the issue on a systemic level:** Much of the effort required to address the challenges of our current (digital) information ecosystem isn't about *disinformation* at all. In some cases, new paradigms need to be addressed, e.g. by expanding connectivity and limiting the power of (global) corporate actors (like digital platform providers). In others, institutions and practices that have long shaped our public spheres need to be upgraded, which will involve investment in media pluralism and professional journalism and improving the quality of and access to information originated by governments. These actions speak to the diagnosed need for a comprehensive approach to *disinformation* (Bateman and Jackson 2024; Cipers et al. 2023; Iglesias Keller 2021; European Commission. Directorate General for Communications Networks, Content and Technology. 2018) – one that considers not only how false information can be corrected, but also addresses the socio-political circumstances in which it flourishes.

In the following sections, we present an illustrative sample of the actions already adopted by various states. Besides unfolding the idea of a "comprehensive approach" for state measures, this analysis allows us to highlight their contingencies, contradictions, and how they relate to the features of our public spheres.

4 State actions to promote a healthy public sphere: A typology

What strategies do states currently pursue to counter *disinformation*? Do they focus on specific phenomena, adopt complementary measures, or approach the issue comprehensively? To what degree are democratic standards, human rights, and citizens' rights considered and where do we see a need for improvement?

To explore these questions, we offer a typology that categorises state actions along five dimensions. We focus on the measures adopted since 2016 by various states aiming to mitigate the harmful effects of *disinformation*. We selected countries from each continent, including the European Union as a supranational entity, **Argentina, Australia, Brazil, Canada, Chile, Ethiopia, France, Germany, Kenya, Malawi, Moldova, Nigeria, the Philippines, Singapore, Taiwan, the United Kingdom, and the United States of America**. And we focused on state actions from each of these countries that are available in English, Spanish or Portuguese languages, and that were described as a *disinformation* countermeasure.

By 'state action' we mean legislation (including proposed legislation) and a broad range of non-legislative measures, including co-regulatory and cooperation initiatives, soft-law documents, funding, campaigns, task forces, strategies, and institution-building. Our typology distinguishes not by legal form, but by target. In other words, we focus on the rationale behind a given countermeasure. For instance, if the action is meant to regulate the business models of social networks, it is included under 'Governing Digital Intermediaries', regardless of whether this is done by passing a law or through a cooperation agreement.

In addition to desk research on all included countries, we also assessed state actions originally covered in pre-existing research that included additional countries. Where we use these insights, we do so with reference to their original source, and do not account for them within our sample:

- Poynter database: www.poynter.org/ifcn/anti-misinformation-actions
- Lexota: <https://lexota.org/>
- ADTAC disinformation inventory: https://inventory.adt.ac/wiki/National_Policies_Affecting_Disinformation
- Report by the law library of Congress (US): <https://irp.fas.org/eprint/lloc-fake-news.pdf>
- EU Disinfo Lab database of initiatives by EU member states: www.disinfo.eu/resources/member-state-actions
- OECD Working Paper "Governance responses to disinformation: How open government principles can inform policy options": www.oecd-ilibrary.org/content/paper/d6237c85-en

We then checked on the updated status quo of the actions selected in each country and applied a time criterion, adopting 2016 – i. e. the time right after the UK's Brexit referendum – as a reference for the increased relevance of disinformation as a political concern (Cipers et al.

2023). We only examine actions after 2016 and exclude pre-existing legislation to counter the phenomenon (as seen e. g. in Canada and Singapore). Pre-existing legislation was only included in cases where it has been updated since 2016. After analysing the results, we divided state actions into five categories:

1. **Mitigating false information:** actions aimed at the circulation of false information in public discourse;
2. **Governing digital intermediaries:** actions directed at the activity of digital platforms and/or internet service providers;
3. **Promoting transparency and quality of government information:** actions that improve the quality of governmental communications and thus contribute to the reliability of public interest information;
4. **Strengthening media pluralism and professional journalism:** actions meant to improve or update media and journalism practices and regulations, including with regard to technological developments; and
5. **Building up public institutions:** innovative institutional forms designed to diversify the toolset used by public administrations to promote a healthy public sphere.

We identified many measures directed at protecting electoral integrity and/or election-related processes. Electoral periods can sometimes serve as a testing ground for a measure's effectiveness. If the results are considered positive, governments may decide to expand their scale and/or scope. We see this in countries where electoral periods are marked by exceptional regimes for free expression. In **Brazil**, for example, electoral periods are subject to a special regime for freedom of expression in which extra reassurance that voters will have access to diverse sources of information are coupled with special standards for settling and sanctioning abuses. The risk in these cases is to turn rules meant for an exceptionally delicate period of the democratic process into standards that apply to everyday life.

This typology serves as an overarching orientation – it is not exhaustive. For one thing, language barriers restrict the information we can gather about each action, so we rely considerably on secondary sources. This means we may have missed information on their status and results. Also, we needed to make judgement calls when classifying the initiatives, notably when one state action or measure could technically be assigned to more than one category. For instance, **Canada** has implemented a fact-checking initiative to correct information about the war on Ukraine. While this could also be classified as 'Promoting transparency and quality of government information', we included it under 'Mitigating false information' because the initiative is meant to offer a counternarrative to false information disseminated by third-party sources. Similarly, the 'German Network Enforcement Act' (NetzDG) adopted in 2017, which introduced obligations for digital platforms to remove content in line with the German criminal code, such as defamation or hate speech. While this could be classified as 'Mitigating false information', we included **Germany's** NetzDG under 'Governing digital intermediaries' because its scope is broader than disinformation and represents a structural approach to content moderation, including the obligation to provide transparency reports.

4.1 Mitigating false information

Definition: Actions that address the content dimension of disinformation, especially whether this content expresses factual truth or not. Their aim is to dispute, mitigate, contain, or punish the possible effects of, false information in the public debate, either by promoting counternarratives, educating people to identify disinformation, or through state coercion (i.e. imposing civil and criminal sanctions on conduct related to the production and dissemination of disinformation).

Measures that focus on the nature of content usually entail at least two challenges: the risk of silencing legitimate speech and the necessity of selecting one or more arbiters responsible for deciding that a given version of facts is the legitimate one. Depending on who this arbiter is, e.g. courts, government authorities, or private actors, the state action will entail different consequences for human rights, notably freedom of expression. Examples include the imposition of criminal liability for the production, spread, distribution, and publication of disinformation ('disinformation practices'); obligations for social media platforms to moderate content; and the promotion of fact-checking and media literacy.

Measures that **criminalise disinformation practices** pose disproportionate risks to human rights. These initiatives are usually associated with authoritarian traditions (Iglesias Keller 2021; Cipers, et al. 2023), but they have also been adopted by countries with different political contexts. Under **Nigeria's** Cybercrimes Prevention Act, it is a criminal offence for anyone to intentionally publish news known to be false (Lexota Nigeria). This provision is similar to a law **Singapore** implemented in 2019 (Cheong 2023; ADTAC Singapore). In **Taiwan**, criminalisation of disinformation practices is codified in both the 2019 Anti-Infiltration Law, which prohibits the spread of *disinformation* promulgated by "hostile foreign forces" (Freedom House 2023) and the Social Order Maintenance Act, amended to include the prosecution of *disinformation*-related conduct (Deutsche Welle 2019).

Broad legal categories can also be used to prosecute *disinformation*. In **Malawi**, the 2016 Electronic Transactions and Cybersecurity Act criminalises content that can "disturb the peace and quiet or right to privacy of any person" without the purpose of a legitimate communication (Laws.Africa – Malawi). Other cases amend pre-existing criminal legislation to punish *disinformation* practices. In the **Philippines**, for instance, the Criminal Code was amended to allow for the prosecution of sharing 'fake news' (ADTAC Philippines).

Sanctions usually vary between financial penalties and incarceration. In **Brazil**, criminalisation of *disinformation* applies within the electoral process only. According to Law 13.834/2019, it is a penal infraction to accuse someone of a crime or infringement for electoral purposes, when this accusation provides grounds for initiating a police investigation or judicial lawsuit (Presidência da República do Brasil 2019).

Other measures aimed at mitigating false content include **hard- or soft-law obligations** to act on false information, **directed at information intermediaries**. One example is the European Code of Practice on Disinformation, a document initiated by the **European Commission** in 2022. This voluntary code was signed by a group of digital platforms and other actors, pledging their commitment to curbing the spread of *disinformation* through measures such as demonetisation, transparency of political advertising, and cooperation with independent fact checkers (European

Commission 2022). Similarly, **Brazil's** Electoral Court has agreements with social networks and messaging platform companies to promote actions that supposedly mitigate *disinformation* during elections, including prioritised treatment of the Court's messages on the electoral organisation, chatbots, and search prompts to steer citizens towards official sources of information. In a similar context, but with less formal safeguards, **Nigeria's** Information Minister met with Twitter and Google ahead of the 2023 presidential elections in Nigeria. He requested that special measures be taken during the electoral period, including "increased visibility for government content, and flagging as 'unverified' all content with election results originating from unofficial sources" (Onuah 2023).

In **France**, Law 2018-2012 amended the Electoral Code to include special procedures for judges to order *disinformation* takedown; transparency obligations for platforms; and permission for the *Conseil Supérieur de l'Audiovisuelle* to suspend television channels "under the influence" of foreign states. The provisions of French Law are under scrutiny for their potential to over-suppress the right to freedom of expression, a tension that showed in its legislative process – the law was rejected by the Senate before being approved in Parliament (Boring 2018).

The best-known and most frequently adopted measures to mitigate false information are **fact-checking and media literacy**. Fact-checking is often carried out by civil society and journalists, but states can play an important role in encouraging it. Beyond providing funding as the **European Union** does (European Commission 2023), governments can also establish public fact-checking initiatives. Both the **Canadian** and **U.S.** governments, for instance, have implemented fact-checking tools specifically to correct information on the war in Ukraine (Government of Canada; US Department of State). Similarly, the European External Action Service (**EEAS**) established a fact-checking task force focused on 'Foreign Information Manipulation and Interference' in 2015 – "when the problem first appeared on the EU's political agenda" (EEAS 2021). In **Brazil**, the federal government has implemented a fact-checking tool to correct information about government policies (Presidência da República do Brasil).

Media literacy actions are focused less on disputing the truth and more on averting potential harm by empowering citizens to identify and cope with *disinformation*. Beyond training people to use technologies, the idea behind media literacy is to prepare them to engage with information in all media, including "instilling knowledge of the media industry and journalistic practices, awareness of media manipulation and disinformation techniques" (Bateman and Jackson 2024, 23). **Germany**, **Canada**, and the **United Kingdom** are examples of countries that provide funding and support for media literacy initiatives (Bundesregierung 2023; Government of Canada; United Kingdom Government 2022). The governments of **Moldova** (CJI 2021) and **Taiwan** (DW 2019) have mandated that media literacy be included in school curricula.

4.2 Governing digital intermediaries

Definition: Actions that govern digital platforms – especially social media and messaging apps – on matters of how content flows, is curated, and how phenomena such as disinformation are addressed. Rather than mandating the removal or moderation of content, these measures often oblige these companies to adapt their business models and/or adhere to values like transparency, due process, and safety standards.

Legislative proposals to govern digital intermediaries abound, but only a few have been successfully approved, the DSA included. Other countries have introduced codes of practice and cooperation, as well as drastic measures, such as **Nigeria's** 6 month-long ban of Twitter, following a takedown of then President Buhari's tweets and his account on the grounds of incitement to genocide (Akinwotu 2022).

Digital intermediaries run by private companies host (and control) much of public and private digital communications, leading to concerns about their influence over information and discourse online (Jungherr and Schroeder 2021). Many of these companies have established dominant market positions, with both consumers and small businesses increasingly relying on their infrastructure (Busch et al 2021, 15). Furthermore, the digital platforms' business models rely heavily on the collection and analysis of personal data, which feeds their recommendation systems and allows for targeted advertising. This includes the promotion of targeted political ads, especially during electoral periods – a practice that raises multiple concerns and faces growing pressures in a number of jurisdictions.

The role and responsibilities of digital intermediaries (esp. social media platforms) in the spread – or mitigation – of *disinformation* remain contested. Their reach, scale, algorithmic curation, and dynamic content sharing make them a prime target for investigations and countermeasures. That said, *disinformation* frequently spills over and jumps between online and offline forces, e. g. “the rhetoric of political elites, programming on traditional media sources like TV, and narratives circulating among trusted community members” (Bateman and Jackson 2024, 3). Either way, digital platforms are a crucial part of today's public discourse, which is why measures aimed at building a healthy public sphere need to involve these very powerful actors. Regulating digital platforms, holding them to account, and linking their business models to public values is therefore an essential element in the mosaic of anti-disinformation actions.

The **European Union's** DSA stands out as a milestone of regulating digital platforms. It is the first European initiative to implement a comprehensive regulatory framework for these services, complemented by the Digital Markets Act (DMA) that approaches competition and consumer law concerns.⁴ Prior to the harmonisation on the EU level, some European countries had already experimented with legislation that, despite not addressing disinformation expressly, could be used to mitigate it, like the already mentioned **German** “Network Enforcement Act” (NetzDG). Though the NetzDG faced its share of controversies and hurdles (Heldt 2019), it was one of the first legislations to take a step towards introducing procedures designed to hold platforms accountable, beyond the intermediary liability regime provided by the previous E-Commerce Directive. Similarly, the **United Kingdom** ratified the Online Safety Act, which relies heavily on duties of care to regulate content on digital platforms (United Kingdom 2023). The idea is that digital platforms need to be aware of the harm their services can cause and “take measures to prevent or mitigate reasonably foreseeable harms” (Kira et al. 2023).

In a rather different approach, **Singapore** in 2022 passed the ‘Online Safety (Miscellaneous Amendments)’ Act, which amends the country's 1994 Broadcasting Act. The law allows the Media Authority to disable access by Singapore users to “egregious content” found on online com-

4 For a more in-depth analysis of the DSA/DMA package, please refer to Hoxtell “Mitigating disinformation in Europe”, published as part of this research series in May 2024.

munication services, i.e. content promoting suicide or self-harm, physical or sexual violence, and terrorism, among others (Singapore Ministry of Communications and Information 2023). The Act does not concern itself with false information and represents a take on platform regulation that focuses on harmful content, to the detriment of structurally regulating business models. The Media Authority has also released a Code of Conduct that complements the obligations imposed by this law (IMDA 2023).

Despite these legislative developments, regulating digital platforms is a power struggle that many countries have not yet won. A regulatory proposal fizzled out in **Taiwan** (Access Partnership 2023), and others are still pending, for instance, in **Israel** (Roudik et al. 2019) and **Brazil**. In the latter case, voting on a ‘Bill of Law for Liberty, Transparency and Responsibility on the Internet’ has been postponed twice, a development interpreted as a victory for digital platforms as well as right-wing parties (Campos Mello 2023).

4.3 Promoting transparency and quality in government communications

Definition: Actions that aim to enhance government communication quality help promote trustworthy public information and confidence in public institutions. This involves providing reliable information and strengthening public bodies to handle disinformation during crises and beyond.

Governments are not always invested in advancing best communication practices and a healthy public sphere, as the following example shows. During the Covid-19 pandemic, a group of journalists and news outlets in **Brazil** organised a consortium to provide reliable data and information on the virus, its impacts on the population, and recommended treatments. The initiative was born in June 2020, when the government of then President Jair Bolsonaro omitted data and delayed the release of bulletins on the pandemic status, including the number of infected people and deaths (G1 2023). This example presents an alarming case of a government not just lacking transparency-based policies, but fully adopting disinformation and hate campaigns as a political communication strategy (Ozawa et al. 2023). In fact, the possibility of governments acting as perpetrators rather than opposers of disinformation has sparked academic and civil society concerns in other contexts, like **Argentina** (Campo 2021). These concerns highlight the importance of having states improve the transparency and quality of information that is of public interest. If information and data on implemented government policies are accessible and reliable, then disinformation will be less likely to thrive, at least in the foundational realm of public policy. Besides being a vehicle for “transparent, truthful and accurate information”, “Public Communications” can also promote mutual understanding between government and citizens, thus benefiting participatory policymaking (Alfonsi et al. 2020).

As an overarching pillar of democratic governments, the promotion of transparency and quality of governmental information is not necessarily presented as a disinformation countermeasure. Nevertheless, when governments establish mechanisms for citizens to consult and communicate with public authorities or invest in reaching their citizens through new channels, including digital media, they can potentially improve trust and access to information, and contribute to a transparent and fair public sphere (Alfonsi et al. 2020, 20–22). Implementing, enforcing, and updating regulatory frameworks that safeguard access to information is key here, as well as civil service

training and harmonising open government structures across public administration bodies.

As well as setting structural standards for public communications, governments can also provide official channels to disseminate information on specific topics according to their contextual relevance. In **Moldova**, for instance, the federal government established an official Telegram channel to broadcast information on the Russian war against Ukraine (Cravenco-Zaharia 2022, 3). Targeted public communication strategies were also adopted during the Covid-19 pandemic, e. g. in **Argentina** (Télam S.E. 2024) and **Singapore** (Tsang 2020). In fact, studies on contact-tracing applications implemented in different countries during the pandemic show that one of the collateral functions of these tools was to provide citizens with an official, reliable source of information to help them navigate the deluge of information in times of crisis.

Because *disinformation* became a contingency for different spheres of statecraft, public communications can also improve mechanisms for dealing with it during and outside of crises. In this sense, the **United Kingdom**'s Government Communications Service developed a toolkit to help the government and other organisations to deal with *disinformation*. The toolkit provides standards for the identification of different types of mis- and disinformation; instructions on how to prevent and tackle their spread; and on how to develop responses to the kind of mis- and disinformation that affects organisations' ability to do their job or protect their reputation, or that represent a threat to the general public (UK Government Communication Services).

4.4 Strengthening media pluralism and professional journalism

Definition: Actions aimed at improving or updating media systems in general and journalistic practices in particular, including applicable regulations. This category includes the interactions of governments with traditional media and journalism in the context of countering disinformation and promoting a healthy public sphere.

There are various ways in which the current state of traditional media relates to the expansion of digital communications and shifts in news consumption. We know, for instance, that the decline in advertising revenue correlates with “cost-cutting, journalistic lay-offs, and the slimming down (or closure) of print editions” (Newman et al 2023, 17). Despite hopes that digital communications would democratise news production and promote a more diverse public sphere, a “large proportion of digital subscriptions still go to just a few upmarket national brands” (Newman et al 2023, 11). Regarding the interactions between digital and traditional media, there are indications that news outlets are influenced by the technical design of social media platforms, such as recommender systems. News media sometimes amplify selected, even false content from social media (McGregor 2019), which can lead to “blowing marginal phenomena out of proportion”, as information that was originally shared within a limited online community is disseminated through professional wide-reach outlets (Jungherr and Schroeder 2021). This concern becomes particularly important in the context of disinformation countermeasures: journalists and news outlets carry significant responsibility not to amplify disinformation.

With this in mind, strengthening the conditions that (public) media systems and professional journalists work under is a critical part of building a healthier public sphere.

In many countries, established media are concentrated in the hands of a few political and economic elites. This can threaten diversity and pluralism in the public sphere. For this reason, various countries have implemented media ownership regulations designed to limit the influence of private actors on public opinion (Medel et al. 2017). Concerns regarding economic dominance are exacerbated by the possibility of media partisanship. In countries such as the **U.S.**, established media have used their reach and infrastructure to promote specific political ideologies (Grossmann et al. 2018). Among other perils of the traditional communications landscape, such challenges to democracy are now boosted by the dynamic pace of the digital domain.

It must be emphasised that professional journalism and media are crucial elements in the fight against disinformation, which is why they should be supported and strengthened. This can happen through updating existing regulatory frameworks for journalism and with a view to technological developments; strengthening press and media freedom; or through training and other support measures.

And yet, measures to stimulate media pluralism are still less widespread than those to boost fact-checking or the governance of digital intermediaries. Ideally, the actions mapped in this category would show efforts to invest, promote, and regulate established media, but we also found initiatives that deviate from this. Evidence from **Moldova**, for instance, shows that in 2022 Parliament amended the Code of Audiovisual Media Services to allow for banning audiovisual media that spread *disinformation*, in the process creating a mandate for the broadcasting council to monitor the presence of *disinformation* in these services (CSO Meter 2022). In many settings, broadcasting activities have traditionally been regulated, mostly due to their reliance on public infrastructure (like radio frequencies) and the public interest imperatives that come with this. Nevertheless, providing a way to suspend broadcasting activities on grounds of disinformation could be interpreted as a threat to press freedom.

Moldova also recently bolstered its media and communications regulatory framework. In July 2023, Parliament approved ‘National programme to Develop the Media’, with the goal of “implementing coherent public policies in the field of mass media” and thus “strengthening the role of the media system in ensuring the constitutional right to information” (APEL 2024). The package includes tax incentives for national and local media (Orbitax 2022), as well as obligations to register media outlets and provide transparency on sources of funding and owners (Media Azi 2023).

Australia approved, in 2021, the ‘News Media Bargaining Code’, with the goal of “supporting the sustainability of public interest journalism in Australia,” notably through “addressing bargaining power imbalances between digital platforms and Australian news businesses” (ACMA). Ultimately, the Code focuses on income redistribution; it forces big tech companies like Meta and Google to establish commercial deals with a variety of news organisations and pay them for the use of news content (see Meese and Hurcombe 2022, 152). In Australia, this Code put an end to a longstanding argument between press and platforms that was also addressed in the 2018 revision of the **EU’s** Copyright Directive (Reynolds 2019). This type of measure sparks several controversies. On one hand, the Australian government sees the Code as a success; the Australian Competition and Consumer Protection Commission feels it had the “appropriate and intended impact”, “with Google and Facebook (now Meta) hav[ing] reached voluntary commercial agreements with a significant number of news media organisations” (ACCC 2021). On the

other, there is evidence that the Code favours “older, established media over small digital publishers” (Meese and Hurcombe 2022, 165), and can ultimately be interpreted as a demonstration that relationships between sections of the media and government are not to be underestimated when it comes to the platforms’ power (Meese and Hurcombe 2022, 153). Either way, it represents a narrow approach to media pluralism and professional journalism frameworks, one that does not address further interactions of traditional and digital media.

The EU, meanwhile, is currently discussing the ‘European Media Freedom Act’ (EMFA), a proposal for regulating media governance at the European level. The Act’s declared primary goal is to protect freedom and plurality of the media. The proposal asserts that independent, quality media are “an antidote against disinformation, including foreign information manipulation and interference” (European Commission 2022, 17). Approval of the final text is pending, and the ‘media exemption’ clause is still subject to some controversy, as it risks being exploited by malignant actors.

4.5 Building up public institutions

Definition: Actions to create new institutions or administrative bodies with the aim of diversifying the toolset public administrations use to promote a healthy public sphere, at both the national and supranational level.

Finally, we looked at measures introduced to equip public administrations with new institutions (including new agencies, organs, committees, and task forces) and mechanisms. Here, we observed that many initiatives complement actions in our other categories, while others represent a stand-alone approach to one or more dimensions of information ecosystems. In both cases, these actions represent a response from public administrations to the new challenges of the digital information ecosystem. Together, they paint an illustrative picture of the short- and long-term transformations in the institutional landscape that is flourishing in this field.

Many of the actions consist of creating new agencies or new functions for existing bodies, as well as committees and other formats. In- and outside of parliaments, there is much discussion about the possibility of creating public agencies that can regulate and enforce legislation on digital platforms, or even monitor and regulate *disinformation*.

The Public Defender’s Office of **Argentina** implemented NODIO – ‘Observatorio de la Desinformación y la Violencia Simbólica en Medios y Plataformas Digitales’, a body tasked with producing qualitative and quantitative studies about the spread of disinformation and ‘symbolic violence’ in the country. Its creation sparked great concern and was opposed on grounds of violating freedom of the press and fostering ideological persecution (Directorio Legislativo; Nalvarte 2021), but we have not found recent reports on its activities and associated impacts on freedom of expression in the country. Regardless, given its form as an institution within the Public Defender’s Office and mostly research-related remit, it remains unclear to what extent NODIO’s competency was ultimately meant to be enforced.

In the **United Kingdom**, Article 152 of the Online Safety Act provides for the creation of an ‘Advisory Committee on Disinformation and Misinformation’ within the Office for Communi-

cation (OFCOM). OFCOM is the country's long-standing Communications regulator, whose remit under the new Act also includes enforcement. The Advisory Committee is supposed to advise OFCOM, regulators, and digital platforms "on their exercise of power in relation to *disinformation*, as well as their media literacy approach" (UK Parliament 2023). As of this report's publication, the Committee has not yet been formed, as Article 152 (3) requires some level of multistakeholder participation, including representatives of the users of digital services, of the service providers and persons with technical expertise on mis- and disinformation. In a similar move, **Chile's** Ministry of Justice created the Commission Against Disinformation as a multi-stakeholder body with advisory capacities. Tasked with advising Chile's Justice Minister and the federal government on the "global phenomenon of disinformation and its manifestation at the local level in Chile," it is an advisory board composed of digital media and disinformation experts from academia, civil society, and fact-checking institutions (MinCiencia 2023). Established media were expressly excluded from this Commission's analysis, and its two reports focus on disinformation on digital platforms. Unlike the United Kingdom's Committee, it is unclear whether the Chilean board will remain a separate institutional body.

Given *disinformation's* geopolitical dimension, other countries have implemented bodies charged with identifying foreign interference and coordinating responses. Again, **Moldova** is one country where this concern is prevalent. Its "Centre for Combatting Disinformation" was inaugurated in 2023, with the mission to "consolidate and improve inter-institutional efforts in the fight against disinformation and manipulation of information" (CSO Meter 2023). The Centre's blueprint reflects the country's concern with cybersecurity and apprehension of foreign interference. The Centre's competences include identifying threats and coordinating governmental efforts, as well as recommending actions to the private sector (CSO Meter 2023).

Similarly, **France's** Decree 2021-922 created a secretary known as "Vigilance and Protection Service against Foreign Digital Interferences (VIGINUM)" (Premiere Ministre 2021) within the Ministry of Defence. And in the **U.S.**, the "Foreign Malign Influence Centre" is an operating disinformation office activated in 2022 in the U.S. government's National Counterintelligence and Security Centre. It is tasked with overseeing and coordinating intelligence efforts to target any disinformation in elections and/or that seeks to influence US public opinion (FCMI; Klippenstein 2023; U.S. Congress 2023).

5 Mitigating policy risks

All need for comprehensive action to counter disinformation notwithstanding, states must be mindful of risks when implementing policies. Unless accompanied by safety measures, some initiatives may be ineffective, abused by malign actors, or infringe on freedom of speech. By following some guidelines, governments can mitigate the potential drawbacks of their actions and employ an effective combination of policies to foster a healthy public sphere.

In the following, we discuss the risks and potentials of implementing initiatives in each of the five categories of our typology.

Mitigating false information

- In general, we won't be able to ban or permanently delete disinformation. Attempts to criminalise the spread of disinformation come with questionable benefits, while carrying great risks for civil liberties. In particular, the prosecution of individuals who perpetuate disinformation only has a limited effect on the larger-scale dynamics of digital disinformation. Researchers Miró-Llinares and Aguerri even argue that there is no correlation between individual conduct and the known harmful effects of disinformation, and therefore, no legal justification for its criminalisation (2023, 369).
- Conversely, there is a greater upside to promoting fact-checking and media literacy initiatives with funding, advertising and educational campaigns. Fact-checking initiatives can help maintain trust in the accuracy of information by promoting a standard, professional measure of journalism. In addition, it minimises any restrictions on freedom of expression. That said, fact-checking at the scale and speed needed to mitigate false information online is challenging at best (Bateman and Jackson 2024, 29)⁵. Similar to rolling out media literacy campaigns at scale and for all age groups, this requires mobilising substantial economic resources in support of civil society organisations and journalistic fact-checkers, which not all governments have at their disposal (Cipers et al. 2023, 12). Additionally, states need to display caution when taking fact-checking into their own hands, as this puts them in the delicate position of determining the legitimate narrative while still protecting the plurality of views that is characteristic of a democracy. Government-implemented fact-checking must build on transparent standards and societal oversight of the respective fact-checking operation.

Governing digital intermediaries

- Legislation targeting digital intermediaries leads to a similar risk of concentrating judgement over truth and falsehood in the hands of a few. Obligating digital intermediaries to remove or mitigate the circulation of *disinformation* on their platforms may strengthen their already outsized power over online discourse (Helberger 2020).
- It is critical that regulatory efforts directed at platforms include multistakeholder oversight, redress, and transparency mechanisms – if implemented and enforced successfully, the DSA may prove an example worth emulating. Though the DSA, too, will require adjustments to account for power imbalances and market dynamics outside the European Union.

⁵ See our brief discussion on these controversies in the section “The Role of Governments”.

Promoting transparency and quality of government information

- Improving the transparency and quality of government information based on standards of reliability, factuality, and open data, is an important measure that can improve democratic standards for government-originated information. Like governmental fact-checking activities, such actions may require caution when there are indications that governments are using official communication channels to promote unreliable narratives that favour their own political interests to the detriment of those of the population.
- Authoritarian states are known for adopting communications strategies that further their own purposes, and the line between public communication and state propaganda can be thin. Implementing governance structures that allow for oversight of policymaking and communications can be a valuable tool in identifying and addressing cases where this line is crossed. Combining them with citizen councils and/or multistakeholder advisory bodies can serve to minimise, though not eliminate, this risk.

Strengthening media pluralism and professional journalism

- Strengthening media pluralism and professional journalism is a powerful remedy for counteracting the challenges of disinformation. Cultivating professional journalism practices can help keep citizens well enough informed to identify and understand, e. g., the economic and political pressures that determine how the social media customise and target the content they interact with every day (Jungherr and Schroeder 2021).
- In this connection, the decline of local journalism is associated with the erosion of civic engagement, knowledge, and trust – all fundamental features of a healthy public sphere. Therefore, strengthening the role of public media and professional journalism “could plausibly help to arrest or reverse such trends” (Bateman and Jackson 2024, 4), and thus contribute to fruitful public debate. Policymakers should refrain from taking professional journalism for granted or leaving media systems to private market dynamics – building trust in public systems is slow and arduous work, and it is quickly eroded if the working conditions of professional journalists are grim.

Building up public institutions

- Establishing new administrative bodies dedicated to protecting national security entails risks to civil liberties. Within the information ecosystem, an [over]emphasis on national security can lead to privacy, free speech, and other rights being undermined and eroded. This can impede the ability of some individuals to participate in the public sphere, which runs counter to the goal of protecting public discourse. This notion is corroborated by evidence from the **United States**, where the creation of ‘intelligence agencies’ has engendered widespread implementation of state surveillance, compromising citizens’ rights to privacy and data protection.
- For this reason, democratic oversight of such bodies is a prerequisite for maintaining a balance between national security and a healthy public sphere, rooted in fundamental rights. Also, the implementation of new agencies can be complicated by high costs, again making this policy only available to states with larger fiscal resources. As in the case of bodies dedicated to *disinformation*, the democratic threshold is high; in a democratic society, the task of telling truth from falsehood should be left up to societal debate, and not handed to administrative authorities. If this approach is pursued, states should ensure oversight and, where possible, include civil society in its administrative structures to increase accountability.

The Key: Comprehensive, interlinked countermeasures

Approaching *disinformation* through a comparative perspective is a fruitful exercise for understanding our democracies, but one that comes with a built-in contradiction: Despite increasingly becoming a global concern that affects many realities, *disinformation* takes very different shapes depending on context. Our mapping clearly underscores that there is no silver bullet that states can resort to when taking action. Instead, countermeasures must be wide-ranging and comprehensive: Apart from mitigating false information, public debate must also be nurtured at all levels: education, media pluralism, governance of digital intermediaries, government transparency, investments, and administrative bodies to name a few.

It is the mix of tools and measures that matters: No state can tackle the challenges of *disinformation* on their own, nor will a single measure solve the problem. Carefully assessing the impact of actions taken to foster a healthy public sphere for each political and social context, and continuously reflecting on and evaluating their risks in multistakeholder settings, is crucial. States have an important role to play in strengthening our democracies, but they do need to be mindful that our information ecosystem thrives on plurality and a carefully maintained balance.

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Annex I

Category 1: Mitigating false information

Country	Action	Form	Source
Australia	Electoral and Other Legislation Amendment Act 2017	Legislation	www.aph.gov.au/Parliamentary_Business/Bills_Legislation/bd/bd1617a/17bd101
Australia	Electoral Integrity Assurance taskforce	Task Force	www.aec.gov.au/about_aec/electoral-integrity.htm
Australia	Combatting Misinformation and Disinformation Bill	Legislative Proposal	www.infrastructure.gov.au/sites/default/files/documents/communications-legislation-amendment-combatting-misinformation-and-disinformation-bill-2023-factsheet-june2023.pdf
Argentina	Amendment on Campaign Financing Law	Legislation	http://servicios.infoleg.gob.ar/infolegInternet/anexos/120000-124999/124231/texact.htm
Brazil	Jurisprudence and updated regulation of rules applicable to disinformation and digital content during elections	Jurisprudence	www.tse.jus.br/comunicacao/noticias/arquivos/assinatura-de-acordos-plataformas-digitais
Brazil	Fact-checking	Fact-checking initiative	www.gov.br/secom/pt-br/fatos/brasil-contra-fake
Brazil	Amendment to Electoral Law (Law 13.834/2019)	Legislation	www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/lei/113834.htm#:~:text=LEI%20N%2013.834%2C%20DE%204%20DE%20JUNHO%20DE%202019,-Mensagem%20de%20veto&text=Mensagem%20de%20veto-,Altera%20a%20Lei%20n%204.737%2C%20de%2015%20de%20julho%20de,par%C3%A1grafo%205%20do%20art.
Canada	Countering disinformation about the war on Ukraine	Fact-checking	www.international.gc.ca/world-monde/issues_development-enjeux_developpement/response_conflict-reponse_conflits/crisis-crisis/ukraine-fact-fait.aspx?lang=eng
Canada	Elections Modernization Act	Legislation	https://laws-lois.justice.gc.ca/eng/Annual-Statutes/2018_31/page-1.html
Canada	Digital Citizen Government Initiative	Government Strategy	www.canada.ca/en/canadian-heritage/services/online-disinformation.html
Chile	Legislative Bills approaching disinformation	Legislative Proposal	www.fastcheck.cl/2023/08/28/los-proyectos-de-ley-que-quieren-regular-la-desinformacion-en-chile-actualizado/
European Union	European Digital Media Observatory	Promotion of fact-checking and media literacy initiatives	https://edmo.eu
European Union	Code of Practice against Disinformation	Code of Practice (soft-law)	https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation
European Union	Proposal for Political Advertisement Regulation	Legislative Proposal	https://epd.eu/what-we-do/policy/digital-democracy/

Upgrade Democracy

State actions against disinformation: Towards a healthy public sphere

European Union	Funding for Disinformation Research	Funding and Development	www.eeas.europa.eu/sites/default/files/action_plan_against_disinformation.pdf
European Union	Defence of Democracy Package	Strategy	www.europarl.europa.eu/legislative-train/theme-a-new-push-for-european-democracy/file-defence-of-democracy-package ; https://epd.eu/content/uploads/2023/12/Defence-of-Democracy-Handout_27-Nov-2023.pdf
France	Amendments to the Electoral Law	Legislation	www.assemblee-nationale.fr/dyn/15/textes/l15t0190_texte-adopte-provisoire.pdf ;
Germany	Governmental support for diverse media literacy initiatives	Funding and Institutional Support	www.bundesregierung.de/breg-de/schwerpunkte/umgang-mit-desinformation/gefaehrliche-falschnachrichten-1905340
Germany	Research Funding	Funding and Development	www.bundesregierung.de/breg-de/schwerpunkte/umgang-mit-desinformation/forschung-desinformation-1870924
Israel	Committee on Electoral Law Reform	Consulting Committee	https://irp.fas.org/eprint/lloc-fake-news.pdf
Kenya	Guidelines on Prevention of Dissemination of Undesirable Bulk and Premium Rate Political Messages and Political Social Media Content via Electronic Communication Networks (published in 2017)	Administrative Regulation	www.ca.go.ke/sites/default/files/2023-06/Guidelines-on-Prevention-of-Dissemination-of-Undesirable-Bulk-and-Premium-Rate-Political-Messages-and-Political-Social-Media-Content-Via-Electronic-Networks-1.pdf
Malawi	Electronic Transactions and Cyber Security Act, 2016	Legislation	https://lexota.org/country/malawi/
Moldova	Media Literacy Strategy	Support for Media Literacy Initiatives	https://cji.md/wp-content/uploads/2022/02/ML_Moldova_Country_Report_2021-1.pdf
Nigeria	Cybercrimes Act	Legislation	https://lexota.org/country/nigeria/
Philippines	COVID-19 National Emergency law, Republic Act No. 11469	Legislation	www.officialgazette.gov.ph/2020/03/24/republic-act-no-11469/
Philippines	Amendments to the Penal Code	Legislation	www.poynter.org/ifcn/anti-misinformation-actions/#taiwan
Singapore	Media Literacy	Support for Media Literacy Initiatives	www.imda.gov.sg/how-we-can-help/media-literacy-council
Singapore	Protection from Online Falsehoods and Manipulation Act: In 2019	Legislation	https://sso.agc.gov.sg/Acts-Supp/18-2019/Published/20190625?DocDate%3D20190625
Taiwan	Media literacy education	Support for Media Literacy Initiatives	www.dw.com/en/how-taiwan-is-countering-chinese-disinformation/a-62931086
Taiwan	Anti-Infiltration Law	Legislation	https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=D0080067
United Kingdom	Media Literacy Strategy	Funding and Support for Media Literacy Initiatives	www.gov.uk/guidance/media-literacy-taskforce-fund
United States	Global Engagement Center Communication on Disinformation	Fact-checking	www.state.gov/disarming-disinformation/

Category 2: Governing digital intermediaries

Country	Action	Form	Source
Argentina	Promoting the right use of social media" initiative	Cooperation	www.argentina.gob.ar/consejo/redes-para-el-bien-comun/acuerdo-amplio-sobre-buenas-practicas-en-internet
Argentina	Redes para el bien comun	Various	www.argentina.gob.ar/consejo/redesparaelbiencomun
Brazil	Bill for the "Liberty, Responsibility and Transparency Online"	Legislative Proposal	www.camara.leg.br/propostas-legislativas/2256735
European Union	Digital Services Act - DSA	Legislation	https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R2065; www.bundesregierung.de/breg-de/schwerpunkte/umgang-mit-desinformation/gefahrliche-falschnachrichten-1905340
Germany	Network Enforcement Act (NetzDG)	Legislation	https://www.gesetze-im-internet.de/netzdg/BJNR335210017.html
Israel	"Facebook Laws"	Legislative Proposal	https://irp.fas.org/eprint/lloc-fake-news.pdf
Kenya	Guidelines on Prevention of Dissemination of Undesirable Bulk and Premium Rate Political Messages and Political Social Media Content via Electronic Communication Networks	Administrative Regulation Proposal	www.article19.org/resources/kenya-new-draft-guidelines-on-dissemination-via-electronic-communications-networks-should-be-scrapped/
Nigeria	Request for social media cooperation	Cooperation	www.reuters.com/world/africa/nigeria-asks-social-media-giants-curb-fake-news-ahead-election-2023-02-03/
Nigeria	6 Months Ban on Twitter	Prohibition	www.amnesty.org/en/petition/end-twitter-suspension-in-nigeria/
Nigeria	Draft Code of Practice for Interactive Computer Service Platforms/Internet Intermediaries	Administrative Regulation	https://nitda.gov.ng/wp-content/uploads/2022/10/APPROVED-NITDA-CODE-OF-PRACTICE-FOR-INTERACTIVE-COMPUTER-SERVICE-PLATFORMS-INTERNET-INTERMEDIARIES-2022-002.pdf
Singapore	2021 Foreign Interference (Countermeasures) Act	Legislation	www.mha.gov.sg/mediaroom/press-releases/hic-provisions-of-the-foreign-interference-countermeasures-act-to-take-effect-from-7-july-2022/
Singapore	Infocomm Media Development Authority's Online Safety Code	Administrative Regulation	www.imda.gov.sg/resources/press-releases-factsheets-and-speeches/press-releases/2023/imdas-online-safety-code-comes-into-effect
Singapore	Cooperation with Social Media Companies	Cooperation	https://govinsider.asia/intl-en/article/how-can-singapore-partner-big-tech-to-fight-fake-news-twitter-mci-disg
Singapore	Online Safety (Miscellaneous Amendments) Act	Legislation	www.mci.gov.sg/media-centre/press-releases/online-safety-act-takes-effect-on-1-february-2023/
Taiwan	Digital Services Intermediary Proposal	Legislative Proposal	https://verfassungsblog.de/taiwans-participatory-plans-for-platform-governance/
United Kingdom	Cooperation with Social Media Platforms	Cooperation	Engagement with Social Media Platforms

United Kingdom	Online Advertising Programme		www.gov.uk/government/consultations/online-advertising-programme-consultation/online-advertising-programme-consultation
United Kingdom	Online Safety Act	Legislation	www.gov.uk/government/news/britain-makes-internet-safer-as-online-safety-bill-finished-and-ready-to-become-law

Category 3: Promoting transparency and information quality in government communications

Country	Action	Form	Source
Australia	Advertising campaign "Stop and consider"	Campaign	www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook46p/FakeNews
Argentina	CONFIAR	Official Communication Channel	www.argentina.gob.ar/noticias/confiar-la-plataforma-oficial-para-combatir-la-infodemia
European Union	EEAA – Tasks Forces to Promote Effective Communication on EU Policies	Various	www.eeas.europa.eu/eeas/tackling-disinformation-foreign-information-manipulation-interference_en
Moldova	Information Security Strategy (2019– 2024)	Strategy	https://iep-berlin.de/site/assets/files/2083/informd_study_against_disinformation_in_moldova.pdf
Moldova	Telegram Information Channel on Russia's war in Ukraine	Official Communication Channel	https://freedomhouse.org/sites/default/files/2022-11/fh-pb_18-Society-wide-Battle-Against-Disinformation_Eng-v5.pdf
Singapore	COVID-19 Information	Official Communication Channel	https://eu.boell.org/en/2020/07/28/activists-asia-fear-anti-disinformation-efforts-will-suppress-free-speech-0
United Kingdom	RESIST 2 Counter-Disinformation Toolkit	Protocol for government communications	https://gcs.civilservice.gov.uk/publications/resist-2-counter-disinformation-toolkit/

Category 4: Strengthening media and professional journalism

Country	Action	Form	Source
Australia	News Media and Digital Platforms Mandatory Bargaining Code	Legislation	www.acma.gov.au/news-media-bargaining-code
Australia	Select Committee on the Future of Public Interest Journalism	Legislative Committee	www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook46p/FakeNews
European Union	European Media Freedom Act	Legislative Proposal	https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022PC0457
Moldova	National Media Development Concept	Strategy	https://apel.md/en/the-national-media-development-program-for-the-years-2023-2026-approved-by-the-parliament/
Moldova	Code of Audiovisual Media Services	Legislation	https://seenpm.org/moldova-parliament-adopted-new-audiovisual-media-services-code/

Moldova	Blockage of Russian-Language Websites by the Security and Intelligence Service	Blockage based on Law 753/1999	https://euvsdisinfo.eu/how-moldova-is-trying-to-regain-control-of-its-informational-space/
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Category 5: Building up public institutions

Country	Action	Form	Source
Argentina	NODIO (Observatorio de la Desinformación y la Violencia Simbólica en Medios y Plataformas Digitales)	Administrative Unit	https://defensadelpublico.gob.ar/nodio-una-iniciativa-de-la-defensoria-para-fortalecer-la-pluralidad-de-voces/
Chile	Comisión contra la desinformación	Administrative Unit	https://www.minciencia.gob.cl/areas/comision-contra-la-desinformacion; https://minciencia.gob.cl/uploads/filer_public/f5/fc/f5fc81c1-a990-4eec-87be-f3b43108beeb/informe_ii-comision_contra_la_desinformacion-04-12-23.pdf
European Union	The European Centre of Excellence for Countering Hybrid Threats (Hybrid CoE)	Institutional Initiative (with NATO)	https://www.hybridcoe.fi/about-us/
European Union	EEAS Hybrid Fusion Cell	Institutional Initiative	https://www.eeas.europa.eu/sites/default/files/ras_factsheet_march_2019_0.pdf
European Union	Parliamentary Committees on Foreign Election Influence	Parliamentary Committee	https://www.europarl.europa.eu/committees/en/inge/home/highlights; https://www.europarl.europa.eu/doceo/document/TA-9-2022-0064_EN.html
European Union	Strategy Documents	Government Strategy	https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A790%3AFIN&qid=1607079662423; www.eeas.europa.eu/sites/default/files/action_plan_against_disinformation.pdf
Moldova	Centre for Combatting Disinformation	Administrative Unit	https://csometer.info/updates/moldova-establish-new-state-body-combat-disinformation
Moldova	Coordinating Council for ensuring information security	Administrative Unit	https://csometer.info/updates/moldova-new-coordinating-council-information-security-created-government
Philippines	Presidential Communications Office's (PCO's) Media and Information Literacy (MIL)	Administrative Unit	https://pco.gov.ph/news_releases/pco-signs-mou-with-partner-agencies-to-combat-disinformation-misinformation/
United Kingdom	Advisory committee on disinformation and misinformation	Administrative Unit	www.gov.uk/government/news/fact-sheet-on-the-cdu-and-rru; https://bigbrotherwatch.org.uk/campaigns/ministry-of-truth/#overview
United Kingdom	National Security Online Information Team (NSOIT)/ Counter Disinformation Unit (CDU)	Administrative Unit	www.gov.uk/government/news/fact-sheet-on-the-cdu-and-rru; https://bigbrotherwatch.org.uk/campaigns/ministry-of-truth/#overview
United States	Foreign Malign Influence Center	Administrative Unit	www.odni.gov/index.php/ncsc-what-we-do/340-about/organization/foreign-malign-influence-center

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Bertelsmann Stiftung

Carl-Bertelsmann-Straße 256
33311 Gütersloh
www.bertelsmann-stiftung.de

Upgrade Democracy

www.upgradedemocracy.de

Authors

Clara Iglesias Keller
Charlotte Freihse
Cathleen Berger

Responsible for the publication series

Cathleen Berger
Co-Lead Upgrade Democracy
cathleen.berger@bertelsmann-stiftung.de
www.upgradedemocracy.de
www.bertelsmann-stiftung.de

Charlotte Freihse
Project Manager Upgrade Democracy
charlotte.freihse@bertelsmann-stiftung.de
www.upgradedemocracy.de
www.bertelsmann-stiftung.de

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Lara Wagner

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