Public consultation for legal entities on fake news and online disinformation

Fields marked with * are mandatory.

Public consultation for legal entities - "Fake news and online disinformation"

The phenomenon of fake news and online disinformation is a source of deep concern for its potential effects on the reputation of public institutions, the outcome of democratic deliberations or the citizens’ opinion-forming on important public policies such as health, environment, immigration, security, economy or finance.

Although not new, this phenomenon is often said to be more pervasive and impactful today than ever before because of the ease with which news can be posted and shared by anyone on social media, the velocity at which such news may spread online, and the global reach they might effortlessly attain.

For the purposes of defining appropriate policy responses, a broad distinction can be drawn between false information that contain elements which are illegal under EU or national laws such as illegal hate speech, incitement to violence, terrorism or child abuse, and fake news that fall outside the scope of such laws. This consultation only addresses fake news and disinformation online when the content is not per se illegal and thus not covered by existing legislative and self-regulatory actions.

When tackling fake news, the public intervention must respect and balance different fundamental rights and principles, such as freedom of expression, media pluralism and the right of citizens to diverse and reliable information.

The purpose of the consultation is to collect views from all parties concerned across the EU as regards the scope of the problem and the effectiveness of voluntary measures already put in place by industry to prevent the spread of disinformation online and to better understand the rationale and possible directions for action at EU and/or national level.

This questionnaire specifically targets legal entities and journalists, including independent/freelance journalists. There is another questionnaire for citizens.

Your input will be used by the Commission to nourish policy discussions at EU level on the spread of disinformation online.

The consultation process will be complemented with a Eurobarometer public opinion survey to be launched early 2018 to measure and analyse the perceptions and concerns of European citizens around fake news.
Identification of respondents

* Please indicate your sector of activity
  - News media
  - Online platform
  - Fact-checking organisation
  - Civil society organisation
  - Academia Educational sector
  - Public authority
  - Other

* Respondant's first name
  100 character(s) maximum
  Vincent

* Respondant's last name
  100 character(s) maximum
  Bonnet

* Organisation's name
  100 character(s) maximum
  EBLIDA - European Bureau of Library, information and Documentation Associations

* Contact details
  150 character(s) maximum
  EBLIDA
  c/o Koninklijke Bibliotheek
  Prins Willem-Alexanderhof 5
  2595 BE The Hague - NL

* Company/organisation website
  100 character(s) maximum
  www.eblida.org

* Legal seat of the organisation you represent
  100 character(s) maximum
  The Hague, Netherlands
* Countries in which your organisation is active

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom
- Extra-EU
- All around the World

* Brief description of entity’s sector(s) of activity

300 character(s) maximum

EBLIDA is an umbrella association of library, information, documentation and archive associations and institutions in Europe. It acts as the voice of libraries within the EU and the Council of Europe.

Number of employees

- < 10
- 11-50
- 51-250
- > 250

Turnover of your organisation in 2016
If part of a group of companies, please specify the identity of the group.

*Is your organisation registered in the Transparency Register of the European Commission and the European Parliament?

- Yes
- No
- Not applicable: I am replying as an individual in my personal capacity

*Please indicate your organisation’s registration number in the Transparency Register.

For journalists: please briefly indicate the topics you cover

For media companies: please provide a short overview of your online and off-line news and information services.

For social media and online platforms: please provide a short overview of your core services. Please specify those enabling users to access news and information through your platform.

For civil society organisations: please explain the corporate mission of your organisation and briefly describe its activities, including those designed to reduce disinformation.

EBLIDA is the voice of the library community in Europe. It lobbies the EU on a number of matters notably on the Digital Single Market and copyright reform. It has an expert group, EBLIDA Literacies, that focuses on how libraries can help address literacy issues at all levels. This includes media and information literacy (MIL), so important in recognising fake news or misinformation.
For the educational sector: please clarify whether primary/secondary/higher, and indicate whether your institute teaches media literacy.

600 character(s) maximum

For academia: please briefly describe your field of research and its relevance for a better understanding of the phenomenon of fake news.

600 character(s) maximum

For public authorities: please briefly describe whether and how your organisation is involved in reducing the impact of disinformation.

600 character(s) maximum

*Your contribution,*

Note that, whatever option chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N°1049/2001

- can be directly published with your personal information (I consent to publication of all information in my contribution in whole or in part including, where applicable, my name/the name of my organisation, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)

- can be directly published provided that I/my organisation remain(s) anonymous (I consent to publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that this is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication).

Scoping the problem

"Fake news" represents an ill-defined concept encompassing different types of disinformation, such as misrepresentation of reality or distortion of facts. In the context of this questionnaire, the focus is on news that is intentionally created and spread online to mislead the reader (e.g. for political or economic reasons). Generally, individual opinions, satire and pure journalistic errors are not considered as fake news. While the spread of certain fake news may constitute an illegal conduct under EU and/or national laws (e.g. as illegal hate speech, incitement to violence, terrorism or child abuse defamation, libel, etc.), in many other cases fake news may have harmful effects on society without being necessarily illegal.

The following sub-set of questions is aimed at enabling the Commission to scope the problem and assess the mechanisms that may contribute to the spread of fake news which are not deemed illegal.

1. In your opinion, which criteria should be used to define fake news for the purposes of scoping the problem?

2000 character(s) maximum
As the consultation document recognises “Fake News” is hard to define. It is now widely used simply to mean any news that a person might disagree with or as a way of diverting criticism by attacking its source. Misinformation is a preferable term, although not without its problems. At least it allows for degrees of offending and is applicable to a broader canvass of communication than news.

In many cases the waters are further muddied by references to “truth” or even a “post-truth” society. Such concepts can be very subjective. A more concrete approach would be to look at the idea of evidence and the importance of assessing the evidence for any assertion or story. Again in many cases the evidence may be incomplete and so the balance of probabilities becomes the main arbiter rather than beyond reasonable doubt.

It should be noted that libraries (and sister institutions such as archives) are the repositories of the evidence base created by human endeavour. They play an essential role in collecting the recorded knowledge that helps shape all parts of human existence and they are the resource that lubricates genuine debate and also helps expose charlatans.

Amongst the criteria needed to define misinformation or fake news are:

• Intent – the object is to maliciously deceive or misinform
• Lack of credited sources for the information/news
• Lack of correction or feedback facilities

2. Are the following categories of fake news likely to cause harm to society? Please answer on a scale from 1 to 4: 1 (no harm), 2 (not likely), 3 (likely) to 4 (highly likely).

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<tr>
<th>Intentional disinformation aimed at influencing voting decisions at elections</th>
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<td>Intentional disinformation aimed at influencing health policies</td>
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<td>Intentional disinformation aimed at influencing immigration policies</td>
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<td>Intentional disinformation aimed at influencing economy or finance</td>
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<td>Intentional disinformation aimed at undermining trust in public institutions</td>
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<td>Intentional disinformation aimed at undermining public security</td>
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<td>Intentional disinformation aimed at generating advertisement revenues</td>
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<td>Other categories of intentional disinformation</td>
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3. If you have remarks on these categories, please explain why and/or suggest additional categories of fake news.

300 character(s) maximum

Difficult to categorise as above. All misinformation can be dangerous & cumulate, eventually undermining trust in key agencies. Other examples exist: rewriting history (e.g. holocaust denial)/ scapegoat particular groups of society. These can be equally damaging for a diverse and inclusive society.

4. In your opinion, what are the main economic, social and technology-related factors which, in the current news media landscape, contribute to the increasing spread of fake news? For instance, you can address reading behaviour, advertising revenues, the changing role of journalists and/or the impact of sponsored articles.

3000 character(s) maximum

As widely recognised misinformation or “Fake News” has been part of the landscape for centuries with the emergence of the printing press in the late fifteenth century being an especially important technological driver. There are many examples in the traditional print world of misleading or distorting reports in newspapers, often trying to gain a scoop. In the past twenty years the development of widely distributed “free” newspapers, seems to have been accompanied by a lowering of quality and heavy reliance on press releases and infotainment papers in official newspaper. However technology continues to be a driver as its development often outpaces our ability to embrace it positively. It is now so much easier to create, process and publish information with a potential audience of millions.

One enduring scar on the European landscape is its continuing high levels of illiteracy and hence also its shortfall in higher literacies such as media and information literacy and digital literacy. An ELINET web page on the statistics reports that in Europe “... around 13 million children under 15 years of age and around 55 million adults between 15 and 65 years of age have literacy difficulties.” Estimates of digital illiteracy are higher. A 2017 report for the European Parliament on “Digital Skills in the EU Labour Market” noted that “However, European Commission figures show that two fifths of the EU workforce have little or no digital skills”.

Other studies note that younger adults may be technically savvy but much less “information” savvy. Although a recent Ofcom study in the UK has detected a more critical awareness about the validity of online information sources in the Millennium Generation..

The above also suggests the importance of the audio and the visual for many in accessing information. Therefore any treatment of misinformation must embrace all media. We would suggest that it also points to the importance of not focusing only on the supply side of information (publishers, newspapers, internet service providers etc) but giving at least equal attention to the demand side – the needs of the consumer.

5. In which media do you most commonly come across fake news? Select the most relevant options.

- Traditional print newspapers and news magazines
- Traditional online newspapers and news magazines
- Online-only newspapers
- News agencies (e.g. Reuters, ANSA, AFP)
- Social media and messaging apps
- Online blogs fora
- TV
Radio
News aggregators (e.g. Google News, Apple news, Yahoo news)
Video sharing platforms (e.g. YouTube, DailyMotion, Vimeo)
Information shared by friends or family
No opinion

6. Indicate which of the following dissemination mechanisms, in your opinion, have the highest impact on the spread of fake news in the EU? Select the most relevant options.
- Online sharing by human influencers / opinion makers
- Online sharing done by bots (automated social media accounts)
- Sharing among social media users
- Recommendation algorithms used on online platforms
- Media editorial decisions
- Others

7. Which of the following areas have, in your view, been targeted by fake news during the last two years? Please, for each area, use a scale from 1 to 4; 1 (not targeted), 2 (marginally targeted), 3 (moderately targeted), 4 (heavily targeted).

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<th>Area</th>
<th>No opinion</th>
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<td>Political affairs (e.g. elections)</td>
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<td>Security</td>
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<td>Personal life of public figures (e.g. politicians)</td>
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<td>Show biz and entertainment</td>
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<td>Immigration (e.g. refugees)</td>
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<td>Minorities (e.g. religious, ethnic, sexual orientation)</td>
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<td>Health (e.g. vaccines)</td>
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<td>Environment (e.g. climate change)</td>
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<td>Economy and finance (e.g. market rumours)</td>
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<td>Science and technology (e.g. fake or misleading studies)</td>
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8. In your view, has public opinion been impacted by fake news in the following areas during the last two years? Please for each area use a scale from 1 to 4: 1 (no impact), 2 (some impact), 3 (substantial impact) to 4 (strong impact).

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<tr>
<th>Area</th>
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<td>Political affairs (e.g. elections)</td>
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<td>Security</td>
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9. If you are an online platform or a news organisation, please explain the criteria you use to rank news content on your platform/online website and a description of their impact on the ranking of other sources of news.

3000 character(s) maximum

Assessment of the measures already taken by online platforms, news media organisations and civil society organisations to counter the spread of disinformation online

Concrete steps have been taken by online platforms, news media organisations and civil society organisations (e.g. fact checkers) to counter the spread of disinformation online. For instance measures have been taken to deprive fake news websites of online advertising revenue, to close fake accounts, and to establish flagging mechanisms (by readers and trusted-flagger organisations alerting the platforms about content of dubious veracity) and collaborations with independent fact-checkers adhering to the International Fact-Checking code of principles.

The following subset of questions is aimed at collecting information needed to better identify the positive impact, and the drawbacks, of current measures to counter the spread of disinformation online.

10. To what extent, if at all, have the following measures reduced the spread of fake news? Please evaluate each of the following statements on a scale from 1 to 4; 1 (no contribution), 2 (minor contribution), 3 (appreciable contribution), 4 (great contribution).

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<th>Measure</th>
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<tr>
<td>Pop-up messages on social media, encouraging readers to check news and sources</td>
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<td>Mechanisms to display in prominent position information from different sources representing similar viewpoints (e.g. &quot;related articles&quot; button)</td>
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Mechanisms to display in prominent position information representing different viewpoints (e.g. "other sources say" button)

Mechanisms enabling readers to flag content that is misleading and/or fake

Warnings to readers that a post or article has been flagged/disputed

Fact-checking through independent news organisations and civil society organisations (explaining why a post may be misleading)

Mechanisms to block sponsored content from accounts that regularly post fake news

Closing of fake accounts and removal of automated social media accounts (based on the platforms’ code of conduct)

For the measures you have rated equal or below 2 in the previous question please specify why, in your opinion, they are not so effective

600 character(s) maximum

11. If you are an online platform or a news organisation and you have adopted measures aimed at countering the spread of disinformation on your online platform, news media or website, or on those operated by third parties, please explain the measures you took. Please provide a short description of their characteristics as well as their results.

3000 character(s) maximum

12. If you are an online platform or a news organisation, which tools do you use to assess the content uploaded on your platform/the quality of online information used to produce news content? Please evaluate each of the following measures on a scale from 1 to 4; 1 (rarely), 2 (occasionally), 3 (often), 4 (always).

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<th>No opinion</th>
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<tr>
<td>Fact checking (human fact checkers)</td>
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<td>Peer reviews</td>
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<td>Flagging (by users)</td>
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<td>Flagging (by trusted flaggers)</td>
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<tr>
<td>Automated content verification tools</td>
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<td>Other</td>
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13. In your view, are readers sufficiently aware of the steps to take to verify veracity of news, when reading and sharing news online (e.g. check sources, compare sources, check whether claims are backed by facts)?

- Yes
- No
- No opinion

You are welcome to provide a comment on readers’ awareness on the precautions they should take when reading and sharing news online

600 character(s) maximum

Libraries share many of the characteristics of online platforms (providing access to information in different media, formats, online, remotely). Staff = resource experts and advisor to customers/clients use. Material is catalogued (described) to promote the effective use of the collection. Almost all libraries provide Media and Information Literacy instruction to enable the effective use of the collections + an assessment framework for information obtained from other sources. Librarians enrich the whole user experience enabling them to discover the information they need when they need it.

14. If you are an online platform or a news organisation, what does your organisation do in order to inform readers about the precautions they should take when reading and sharing news online (e.g. periodic notifications, media literacy programmes)? How do you help them assess a specific article/post (tools to investigate the source, links to facts & figures, links to other sources etc.)?

3000 character(s) maximum

Scope for possible future actions to improve access to reliable information and reduce the spread of disinformation online

It is sometimes argued that the mechanisms put in place so far by online platforms and news media organisations to counter the spread of fake news only capture a small fraction of disinformation, and that this involves labour-intensive human verification of content and does not prevent virality of fake news through social media. Moreover, concerns have been voiced about the risks of censorship and the need to ensure a more diversified and pluralistic ranking of alternative news sources on social media. The following questions are aimed at collecting information on additional actions which may help to provide a comprehensive and effective response to the phenomenon of fake news.

15. Do you think that more should be done to reduce the spread of disinformation online?

- Yes
- No
- No opinion

You are welcome to comment on what should be done to reduce the spread of disinformation online.

3000 character(s) maximum
16. In your view, which measures could online platforms take in order to improve users’ access to reliable information and prevent the spread of disinformation online?

3000 character(s) maximum

EBLIDA has concerns about the over-regulation of online platforms. It does not want a situation where they risk becoming state sanctioned censors. As the Consultation introduction makes clear, freedom to access information is part of the EU’s Charter of Fundamental Rights (Article 11 on freedom of expression and Information). However we do feel it important that online platforms are much more transparent in the way they operate, especially in the algorithms they use – customers need to be aware of why they get the search results they do.

As each system is proprietary the information gathered is protected by commercial confidentiality and, more justifiably, by data protection principles. Suitably anonymised, the information held by online platforms would aid research into some of the questions that are being addressed in this consultation. This would be a significant contribution to addressing the challenge of misinformation.

A third way is for the online platforms to support the media and information literacy instruction provided by libraries and other civil society organisations.

17. How effective would the following measures by online platforms be in preventing the spread of disinformation? Please evaluate each action on a scale from 1 to 4; 1 (no impact), 2 (low impact), 3 (moderate impact), 4 (strong impact).

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<tr>
<th>Measure</th>
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<tr>
<td>Rank information from reliable sources higher and predominantly display it in search results or news feeds.</td>
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<td>Provide greater remuneration to media organisations that produce reliable information online</td>
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<td>Allow more control to users on how to personalise the display of content.</td>
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<td>Allow direct flagging of suspicious content between social media users.</td>
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<td>Invest in educating and empowering users for better assessing and using online information.</td>
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<td>Provide buttons next to each article that allow users to investigate or compare sources.</td>
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<td>Inform users when certain content was generated or spread by a bot rather than a human being.</td>
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<td>Inform users about the criteria and/or algorithms used to display content to them (why they see certain content).</td>
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<td>Support civil society organisations to improve monitoring and debunking of fake news.</td>
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Employ fact-checkers at the online platform.

Further limit advertisement revenues flowing to websites publishing fake news.

Improve and extend to all EU Member States online platforms’ current practices, which label suspicious information after fact-checking.

Invest in technological solutions such as Artificial Intelligence to improve the discovery and tracking of fake news.

Develop new forms of cooperation with media outlets, fact-checkers and civil society organisations to implement new approaches to counter fake news.

Other

18. In your view, which measures could news media organisations take in order to improve the reach of reliable information and prevent the spread of disinformation online?

We would expect the best news media organisations to operate within a robust ethical framework that would underpin quality journalism designed to shed a searching light on events in the world. Where possible sources would be identified and clear means of redress would be made available for those who had been wronged by mistakes in reportage. Although understandable it is a pity that many webpages of newspapers are accessible only through paywalls, increasingly leaving the field to freely accessible news reporting often based on less credible sources.

We would hope that news organisations would work with libraries and other third sector organisations to promote better media and information literacy levels across all parts of society.

19. How effective would the following measures by news media organisations be in strengthening reliable information and tackling fake news? Please evaluate each actions on a scale from 1 to 4; 1 (no impact), 2 (low impact), 3 (moderate impact), 4 (strong impact).

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<tr>
<td>Invest more in new forms of journalism (i.e. data-based investigative journalism) to offer reliable and attractive narratives.</td>
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<td>Increase cooperation with other media organisations</td>
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<td>Help readers develop media literacy skills to approach online news critically</td>
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<tr>
<td>Help readers assess information when and where they read it (e. g. links to sources)</td>
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<tr>
<td>Support civil society organisations and participative platforms (for instance using the model of Wikipedia/Wikinews) to improve monitoring and debunking of fake news.</td>
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Invest in technological solutions to strengthen their content verification capabilities, in particular for user-generated content, in order not to contribute to the proliferation of fake news.

Other

20. In your view, which measures could civil society organisations take in order to support reliable information and prevent the spread of disinformation online?

3000 character(s) maximum

For the purposes of this survey we have classified national, public, school, and further and higher education libraries as being part of public authorities as they are mainly funded by the public purse. There are however important libraries (and archives) that fall within civil society – the Goethe Institute and the Wellcome Trust being two such examples. They form part of the broad European network of libraries that hold the recorded knowledge resulting from human endeavour, promote its accessibility to all parts of society and increasingly teach the skills necessary to unlock its treasures and understand its value. This constitutes a key defence line against misinformation, especially that perpetrated with malicious intent.

Civil society is important in other respects too. Such is the diversity and richness of the sector that it contains expertise and resources in a number of relevant areas to this inquiry. Many library services partner with such organisations to gain access to disadvantaged parts of the community, benefit from their expertise in pedagogy, harness the specialist resources they have created or benefit from their advise and consultancy. These partnerships with libraries might include the provision of MIL classes or the provision of quality-checked information in specific areas.

21. How do you rate the added value of an independent observatory/website (linking platforms, news media organisations and fact-checking organisations) to track disinformation and emerging fake narratives, improve debunking and facilitate the exposure of different sources of information online? Please evaluate each of the following statements on a scale from 1 to 4; 1 (strongly disagree), 2 (disagree), 3 (agree), 4 (strongly agree). If you find it useful, you can voice suggestions for independence hereunder - e.g. academic supervision, community-based structures or a hybrid such as Wikipedia.

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<tr>
<th>Statement</th>
<th>No opinion</th>
<th>1</th>
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<tr>
<td>The public would benefit from an independent observatory that acts like a knowledge centre, gathering studies and providing general advice on how to tackle disinformation online.</td>
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<td>The public would benefit from an independent observatory that looks at popular social media posts, asks fact-checkers to look at them, and provide warnings (to platforms, public authorities, etc.) that they need to be flagged.</td>
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<tr>
<td>The public would benefit from an independent observatory /website that looks at popular social media posts, researches the facts and develops counter-narratives when necessary.</td>
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The public would benefit from an independent observatory/website that does not look at posts, but instead helps to gather factual information (and possibly user ratings) for each source, to help create a factual snapshot of each source’s activity and reputation.

<table>
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<th>An observatory is not useful for the public</th>
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### 22. What actions, if any, should be taken by public authorities to counter the spread of fake news, and at what level (global, EU, national/regional) should such actions be taken?

3000 character(s) maximum

The European Union is home to an extensive network of national, public, school, and further and higher education libraries. Most of these are funded through the public purse. In addition, there are government libraries, (including that of the European Union Parliament) health libraries, prison libraries and those which are independent of the State but form part of this important pan-European information infrastructure. Such libraries are access points to human recorded knowledge and support learning and research and evidence-based approaches to health, policy-making and government and all human activity.

This network supports the fight against misinformation by:

- Expert curation of the collections with a knowledgeable staff able to advise on the variety of sources available and their strengths and weaknesses
- Instruction provided in media and information literacy at virtually all libraries. The EBLIDA and Latvian Library Association survey (2016) looking at non-formal and informal learning within Europe’s public libraries found that over 80% provide either non-formal or informal learning opportunities with digital literacy topping the categories of provision
- Encouraging curiosity and the spirit of inquiry so necessary in the development of critical thinking and the skills involved in media, information and digital literacy.

As suggested in a European Parliament Briefing on Promoting Media and Information Literacy in Libraries, the EU should:

- Recognise the potential of libraries in supporting all types of learning to do with literacy, including media and information literacy
- Ensure that public libraries have the resources and expert staff to become community learning centres
- Institute a research programme to explore how effective MIL provision is within a public library and school library setting
- We would add the EU should also fund research into the questions posed in this survey so that an evidence-based approach can be taken to the challenge of misinformation. There is a dearth of evidence in this area.

### 23. Please provide any comment and/or link to research that you consider useful to bring to the Commission attention.

3000 character(s) maximum
Four studies have been mentioned in this response:

Q4


Q22


Other Points
We have been struck in answering this questionnaire by the absence of evidence relating to most of the points covered within it. We would strongly recommend the EU Commission to instigate research into this area and include historical abuses of misinformation and “fake news” in the print world as well to enable the issue to be viewed in a proper perspective.

We would also expect the EU Commission to work closely with Member State Governments also considering action in this area so that action across the EU can be concerted and avoid duplication.

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