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European Commission: Reports on the Code of Practice on Disinformation

On 29 January 2019, the European Commission published the first reports by the signatories to the “Code of Practice on Disinformation”, signed in October 2018 (IRIS 2019-1/7). The Code is a non-binding agreement between a number of companies, namely Google Inc, Facebook Inc, Twitter Inc, and Mozilla Corp, and a number of trade associations of online advertising companies, to identify actions that could be put in place to address the challenges related to “disinformation” online. The companies also agreed to regularly report on their progress and the implementation of the Code, and to cooperate with the European Commission in assessing the reporting on the functioning of the Code. As such, the European Commission also published its “Summary of the signatories’ first reporting - January 2019”.

The companies’ reports all detail progress made in relation to specific commitments to address “disinformation” under the Code, namely (a) the scrutiny of ad placements, (b) political advertising and issue-based advertising, (c) the integrity of services, (d) empowering consumers, and (e) empowering the research community. The Commission stated that Google had taken or was taking measures towards the implementation of all the commitments of the Code, including enforcing global policies that allow advertisers to assess media buying strategies and helping them to monitor the placement of ads. It also stated that “work is still in progress” with regard to Google’s political ads tool, which will be rolled out in advance of May 2019 and will include an Election Ads Transparency Report. However, the Commission noted that other tools that may help improve users’ online experience, such as Breaking News and Top News, were available only in a small number of member states, and that more clarity on future deployment plans was needed.

In relation to Facebook, the Commission stated that Facebook subscribed to all the commitments of the Code and, overall, its report showed that it had taken or was taking measures towards the implementation of virtually all of them. In particular, its political ads transparency tool would be available across the member states in advance of the 2019 European Parliament elections. The report also provided insights into a number of tools designed to help consumers make decisions when they encounter online news that may be false, or to make it easier to find diverse information. However, the Commission noted that Facebook’s cooperation with fact-checkers had not yet been deployed throughout the European Union, and more clarity on deployment plans would be welcome.

In relation to Twitter, the Commission stated that it had taken or was taking measures towards the implementation of most of the commitments to which it had subscribed. Twitter had prioritised measures designed to act against malicious actors harnessing the vulnerabilities of its services, and, in particular, the closure of fake or suspicious accounts and automated systems/bots used to spam or increase the distribution of inauthentic content and disinformation. However, the Commission noted that Twitter’s report did not sufficiently discuss how its advertising policies restrict purveyors of disinformation from promoting their tweets and thus achieving greater visibility.

Finally, the Commission welcomed the efforts of the trade association signatories from the online advertising sector to raise awareness of the Code and promote its uptake among their respective memberships. However, the Commission noted the absence of corporate signatories and stressed the important role advertisers play in the efforts to demonetise purveyors of disinformation.

The Commission stated that it would conduct a comprehensive assessment at the end of the Code’s initial 12-month period, and “should the results prove unsatisfactory, the Commission may propose further actions, including of a regulatory nature”.

- European Commission, First results of the EU Code of Practice against disinformation, 29 January 2019

<http://merlin.obs.coe.int/redirect.php?id=19424>

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- European Commission, Code of practice on Disinformation: Summary of the signatories’ first reporting - January 2019, 29 January 2019

<http://merlin.obs.coe.int/redirect.php?id=19425>

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- European Commission, Code of Practice against disinformation: Commission calls on signatories to intensify their efforts, 29 January 2019

<http://merlin.obs.coe.int/redirect.php?id=19406>

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