Tackling Misinformation in Post COVID-19 Era

Virtual Stakeholder Discussion

August 21, 2020

INTRODUCTION

The Dialogue, a New Delhi based Think-Tank, held a virtual stakeholder consultation on 'Tackling Misinformation in Post COVID-19 Era' on August 21, 2020. We hosted over 40 key stakeholders and the following panelists:

- Dr. Debrati Halder, Founder, Centre for Cyber Victim Counselling;
- Ms. Geeta Seshu, Independent Journalist, Network of Women in Media;
- Ms. Harleen Kaur, National Institute of Public Finance and Policy;
- Mr. Osama Manzar, Founder & Director, Digital Empowerment Foundation;
- Ms. Torsha Sarkar, Policy Officer, Centre for Internet and Society.

The COVID-19 pandemic has only increased our reliance on information sharing, with people constantly looking for health-related information in particular. There are various dangers associated with the rampant spread of misinformation which, given the global health crisis, may prove to be fatal. The consultation sought to get a multi-perspective approach on the issues of rapid dissemination of misinformation and the modes of tackling it.

The panelists attempted to decrypt the implications of the infodemic, while offering solutions towards tackling the same. The dangers of misinformation were not unknown to anyone but the consultation offered a valuable insight into its nuances. The gendered perspective offered through the discussion was immensely helpful in understanding the fault lines in the current regulatory

regime. It also offered their insights into regulatory challenges and the efforts that the Government and the Intermediaries must take to ensure a safe online space.

Pursuant to the Chatham House Rules, the views and observations of the speakers have been summarised and not quoted. The discussion raised some extremely pertinent questions around the following themes:

1.   Misinformation, Disinformation, Fake News and Rumours

The discussion highlighted the difference between words that tend to be used synonymously with one another, i.e., fake news, misinformation, disinformation and rumours. The important difference between misinformation and disinformation is that of intent; information that is known to be false, when passed on, will fall under 'disinformation'. In the early days of the internet, the content was dominated with accurate information, while false information formed a minority. However, with the increased use of the internet, the roles have reversed. Per a study conducted by the scholars of Michigan University on the situation of fake news in India during the pandemic, it has been reported that the instances of debunked misinformation has increased by 33% in the last six months.[1] This is a dangerous phenomenon for several reasons, one of which is that it can be used as a tool of

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[1] Temporal Patterns in COVID-19 misinformation in India,
http://joyojeet.people.si.umich.edu/temporal-patterns-in-covid-19-misinformation-in-india/.

manipulation. The spread of fake news on messaging platforms or social media platforms can be instigators of violence leading to instances of mob violence of public lynchings among others.

The pandemic, it was pointed out, has only increased the vulnerability of women in consuming misinformation and rumours in addition to trolling. With the increased reliance on digital spaces, it's immensely problematic that almost 62% women within the country don't have access to phones,[2] while 21% of those who have access to mobile phones are prone to receiving a disturbing amount of false information, like any other person.[3] Another aspect of this is the increase in disturbing uses of the internet, such as non-consensual image sharing, revenge porn among several other cases of sexual harassment via virtual spaces. It was pointed out that there are several women who have been sexually assaulted and photographed without their consent at various health centers. Over collection of information at public service centres like hospitals and educational institutions remains another major cause of unchecked spread of infodemic, most of which are extremely dangerous and require effective lawful curbs.

2.   **Regulatory Challenges**

There are several aspects that, the panelists highlighted, need to be considered while attempting to form a regulatory policy to tackle misinformation. The first of which is that of 'intention'. It is indeed difficult to determine whether or not the person forwarding information truly knows or understands the nature of the information shared or not. In other words, the determination of good faith is fairly challenging, to say the least.

One among many technical solutions is that of a ***public editor*** where citizens can leave a comment if they believe that the news is fake. This is done at the most granular level since some fraction of the citizens truly believe the misinformation to be the truth. However, crowdsourcing may not be a

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[2] In India only 38% women use mobile phones while it is 71 for men, https://www.nationalheraldindia.com/india/in-india-only-38-of-women-use-mobile-phones-while-it-is-71-for-men-study.
[3] Online Harassment 2017, https://www.pewresearch.org/internet/2017/07/11/online-harassment-2017/.

viable solution as the change would again depend on the opinion of the majority which poses the danger of discriminatory information or inherent biases being ratified.

While the importance of intermediary liability was touched upon throughout the discussion, the speakers agreed on the fact that the government plays a key role in attempting to curb the spread of misinformation. It was pointed out that, generally, people share information in order to get greater engagement or in other words to increase the number of likes and/comments on their posts. Accordingly, updates in the *User Interface* of a social media platform by adding pop-ups while uploading pictures or information that ask the user to confirm whether or not they are aware of the accuracy of the information that they are about to share. Lastly, the suggestion that only verified accounts should be allowed to share information in order to be able to trace the source of information and increase accountability, was not flagged as a viable option. This was owing to the fact that verification of social media accounts impinges upon the cherished civil right to anonymity, which is key to exercising fundamental right to free speech especially for members of marginalised communities and journalists among others who fear persecution. However, there was consensus among the experts that there needs to be *increased transparency and uniform application* within the social media platforms and other intermediaries with regards to the *formulation of community guidelines* and their *uniform application* in terms of *content moderation, and takedown* among others, to tackle the spread of misinformation. This will be key towards achieving user trust.

3.   Role of the Government

While Government intervention is crucial towards nurturing a positive change, the experts also warned against the harms of over-regulation of the space which has a bearing on freedom of speech and expression among other fundamental rights like right to know and that of privacy . Restricting access to information to only one or two sources is dangerous because it threatens the democratic nature of free speech and also empowers a very small percentage of people to put out information which has the massive potential of misuse.

With regards to public health-related information, it was pointed out that it is challenging to find a uniform solution because 'public health' falls under the State List and therefore grants each State the autonomy to attempt to tackle the same in their own way. A beneficial approach that was agreed upon was that of increased transparency on part of the Government. While there is information that can be accessed through government resources, it is limited. If there were official resources abiding by increased transparency on the measures taken with regards to public health, for example, it would be easier to identify false information that people receive from private parties. This is modelled on Singapore, which took the approach of spreading accurate information with vigour.

With respect to investigating crimes on social media platforms the discussion highlighted that **breaking encryption** to ensure **traceability** is not a viable option as it opens a Pandora's box creating more challenges that it solves. Exceptional access for law enforcement agencies through creation of backdoors also renders the infrastructure vulnerable to cyber espionage by both States and Non state actors.

Another challenge that was discussed, was that while misinformation implies that the information was forwarded to another in good faith, disinformation is spread while fully aware of the inaccuracy of the information being forwarded. However, it's important that misinformation is also dealt with in policy because it has the potential to do as much damage. The Disaster Management Act addresses disinformation, but so far has proved to be ineffective. The focus of these measures seems to be on the information that doesn't originate from official sources, but the result of this is the limitation of perspectives. **Awareness** about the impact of all the subtle species of disinformation and **swift prosecution** in all cases of clear intent is key towards tackling the infodemic.

ACTION POINTS AND WAY FORWARD

Based on the insightful discussion from the panelists, it is evident that:

1. One of the most important measures that must be in place is that of increasing **media and information literacy.** This will allow users to self-regulate.

2. Upgrading the online platforms with **User Interface** updates which question the authenticity and credibility of the information before sharing was agreed as a viable way forward.

3. **Increased transparency** within the Government with regard to information dissemination was considered key towards increasing access to accurate information on the face of an infodemic.

4. **Restricting sources of information** will have dangerous repercussions, such as the increased potential of misuse as well as the **lack of varied perspectives** leading to people being manipulated and being forced to become close-minded in their approach.

5. The intermediaries must ensure that their policies around **community guidelines, content moderation and takedown** are **transparent** and **applied uniformly**.

6. Any policy developed to tackle the infodemic must take a **citizen-centric approach**, and should not cross the line into overregulation, while keeping in mind that crowdsourcing may not be the best solution.