



UCD Centre for Digital Policy

Ionad um Bheartas Digiteach UCD

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Our Centre Directors thank the Joint Committee on Tourism, Culture, Arts, Sport and Media for the opportunity to provide a written submission on the topic of the State's response to online disinformation and media/digital literacy, including social media and fake news.

1. Characterising disinformation and its impacts

1.1 Characterising disinformation

In the literature, disinformation is generally understood as false or misleading information that is produced and disseminated by someone who intends to cause harm.¹ Misinformation in distinction lacks that harmful intent. Concerns have been raised to the committee about the contextual nature of disinformation, the inability to define it, and the question of who ultimately would get to define it.

1.2 Disinformation correlations

Irrespective of definition consensus, it is clear that the viral nature of disinformation in online spaces poses threats to communities and democratic structures. Establish concerns include:

- a. Social media addictions and mental health consequences for vulnerable groups, including children. For example, Amnesty International issued a recent report on harm to children's mental health caused by Tik Tok's For You algorithm.²
- b. Social media influence operations, including fake news, leading to electoral interference.³ The coordinated spread of disinformation for the purpose of destabilising domestic political systems is established.
- c. Increasing numbers of users joining non-mainstream platforms in part in response to the policy efforts of large tech platforms to limit misinformation.⁴

¹ Reddi, M., Kuo, R., & Kreiss, D. (2023). Identity propaganda: Racial narratives and disinformation. *New Media & Society*, 25(8), 2201-2218

² Amnesty International. (2023, November 7). *Global: TikTok's 'For You' feed risks pushing children and young people towards harmful mental health content*. <https://www.amnesty.org/en/latest/news/2023/11/tiktok-risks-pushing-children-towards-harmful-content/>

³ Bastos, M. (2022). Five challenges in detection and mitigation of disinformation on social media. *Online Information Review*, 46(3), 413-421

⁴ Siapera, E., forthcoming, *Regulating the Extreme Public Sphere*, In Rucz, M. and McGonagle, T. (eds) *Cambridge Handbook on European Media Law and Policy*. Cambridge University Press.

1.3. The extreme public sphere

In relation to **1.2.c**, we wish to further highlight to the Joint Committee concerns related to the creation and rise of what we describe as the ‘extreme public sphere’.⁵ Some users who find themselves excluded from mainstream platforms are now joining smaller ‘alternative’ platforms that have emerged as an infrastructure for the far right and other extremist movements. While Alt Tech may diminish user content reach, they nonetheless also provide a forum to radicalise users and push them to more extreme contents.⁶ Contents hosted in the extreme public sphere contain a large volume of disinformation, in addition to hateful and other kinds of toxic and problematic speech. There is evidence to suggest that these kinds of discourses are not only widespread on Alt Tech platforms, but they can also become increasingly extreme.⁷ Platforms sharing disinformation in the extreme public sphere that are created by the far right include Gab, Bitchute, Rumble, and Gettr. Other platforms, sometimes used by human rights defenders, that have been ‘co-opted’ include Telegram, DLive and Discord.⁸

2. Current responses to disinformation

2.1 Media literacy as a limited response

We recognise the value of media literacy efforts in building the capacity of content audiences, creators and regulators to respond to disinformation. We support the definition of Media Literacy Ireland who describe media literacy as ‘as an umbrella term encompassing a range of related literacies required to function effectively, safely and ethically in a world where digital communication is an integral part of daily life. [It is] a lifelong learning process.’⁹ We would also support the now generally trite understanding that media literacy can only be one piece of a larger concern attached to systemic platformed disinformation. Indeed, the systemic sources of amplified disinformation online must be addressed as a priority; the onus should *not* be placed on individuals to navigate systemic concerns. We raise here two specific systemic concerns including the business model of platforms and alt tech exceptions.

⁵ Ibid.

⁶ Rogers, 2020; Rauchfleisch and Kaiser, 2021; Ali et al., 2021; Buntain et al., 2023; Innes and Innes, 2023, see Siapera, E., forthcoming, *Regulating the Extreme Public Sphere*, In Rucz., M and McGonagle, T. (eds) *Cambridge Handbook on European Media Law and Policy*. Cambridge University Press.

⁷ Dehghan and Nagappa found that disinformation on vaccination on Gab was already verging on the conspiratorial but as time went on they intensified and become more explicitly political. Dehghan, E., & Nagappa, A. (2022). Politicization and radicalization of discourses in the alt-tech ecosystem: A case study on Gab Social. *Social Media + Society*, 8(3), 20563051221113075.

⁸ Regulation 2022/2065. Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a single market for digital services and amending directive 2000/31/ec (Digital Services Act). https://eur-lex.europa.eu/legal-content/EN/TXT/?toc=OJ%3AL%3A2022%3A277%3ATOC&uri=uriserv%3AOJ.L_.2022.277.01.0001.01.ENG

⁹ Media Literacy Ireland. (2022, February 3). *MLI participates in Joint Oireachtas Committee meeting on disinformation and media literacy*. <https://www.medialiteracyireland.ie/mli-participates-in-joint-oireachtas-committee-meeting-on-disinformation-and-media-literacy/>

2.2. Business model of platforms as a larger systemic concern

We acknowledge previous submission to the Committee that the data intensive models of large and mainstream platforms are by their very design profiling based recommender algorithms that amplify disinformation.¹⁰ Targeted advertising based on the invasive collection of personal data impacts everyone, and studies commissioned by leading Civil Society Organisations describe how it impacts vulnerable groups including children in particular.¹¹ We recognise the tensions in regulatory control this creates between legislation like the Digital Services Act which seeks enhanced transparency and systems accountability and Ireland's Online Safety and Media Regulation Act which focuses on take down of particularly egregious forms of content and, in doing so, creates unique tensions for protected rights. We would raise concerns about surveillance counter measures to disinformation, either by the platforms for profiling purposes, or as mandated by the government for purposes of monitoring and identification, for example age verification purposes. Experts have described to the Committee how general monitoring and personal data requests are counter to fundamental freedoms including protest, expression, data protection and privacy. We submit that they create further vulnerabilities for groups requiring anonymity including LGBTQ+ children and human rights defenders at risk in destabilised regions.

2.3 Alt tech exceptions

We wish to add to the analysis that changes to platform data intensive business models that are central to moving mainstream practices away from profiling practices will have limited impact on alt tech platforms. Alt tech business models use alternative business structures, for example, supporting content creators through micropayments, venture capital and donations.¹² Few, if any, collect any user data at all. Some Alt Tech platforms, for example Gab and Bitchute¹³ adopt a clear ideological stance in favour of free information flows and decentralisation. Further, under the DSA, Alt Tech platforms do not qualify as VLOPs and have no obligation to audit algorithms or identify systemic risks.¹⁴ In any case Alt Tech platform design revolves around the circulation of disinformation and various forms of open and covert hate speech, racism and misogyny. The architecture of Alt Tech platforms, and their internal organisation through algorithms, reflects precisely this service they provide to influencers of the far right. DSA Article 37 obligations for audits cannot lead to any corrections since their system is calibrated to meet the needs of this particular ideological milieu.

¹⁰ See particularly the Irish Council for Civil Liberties. (2021, October). *Sustainable without surveillance ICCL review of sustainable publishing and tracking-based advertising*. <https://www.iccl.ie/wp-content/uploads/2021/10/Sustainable-without-surveillance.pdf>

¹¹ Supra note 2

¹² Supra note 4

¹³ See <https://gab.com/about> and <https://support.bitchute.com/policy/our-commitment>

¹⁴ For example, while YouTube tends to recommend 'similar videos' based on those a user has interacted with before, Bitchute recommends only more videos from the same creator. This supports creators in building their profile. Siapera, E. (2023). Alt Tech and the public sphere: Exploring Bitchute as a political media infrastructure. *European Journal of Communication*, 02673231231189041. Since Bitchute creators deal primarily in far right contents, this algorithmic system allows them to build a following. While VLOPs are both motivated by their economic activities and regulated by the DSA to control for the popularization and diffusion of harmful contents, Alt Tech platforms rely on providing a service to the 'ideology entrepreneurs' of the far right and other extremist movements. See: Finlayson, A. (2021). Neoliberalism, the alt-right and the intellectual dark web. *Theory, culture & society*, 38(6), 167-190.

3. Recommendations

In this context, we present five recommendations to the Joint Committee for consideration. Four have been introduced through earlier submissions, the fifth we submit represents the hard societal policy work that needs to be done to resolve newer digital problems in our digital age.

3.1 Focuses on systems and processes and DSA risk assessment

It is clear that any initiative in Ireland must align with the regulatory mandates of the EU. Focusing on platform systems through risk assessment and auditing, will help regulators acknowledge platform business models that enable the spread of disinformation. We welcome the government's consultation calls regarding the implementation of the DSA in Ireland.

3.2. Monitoring and transparency measures

This is a particular request from the Centre given our position as researchers. Information is required from digital platforms, to enable researchers to understand the nature of online disinformation in order to better inform policy makers and regulators. Our Centre members and students can avail of an ever shrinking pool of data to evaluate and the effectiveness of platformed policy responses. Twitter was one model whose open data portal was limited under new ownership. We submit that Ireland should (i) support analysis of reporting measures mandated under DSA towards (ii) creating a consortium of platforms that unify the researcher data access mechanisms across the headquartered businesses in Dublin.

3.3. Supporting expansive media literacy initiatives that acknowledge new research on harms

Existing literature demonstrates that literacy is no longer limited to understanding information presented but also to understanding how addictive platforms are. Media literacy initiatives should therefore be responsive to such additional risks, engaging educational institutes to outline how such addiction risks impact vulnerable groups including children.

3.4. Continue to develop risk analysis in cooperation with the communities

The importance of updating policy analysis methods in Ireland cannot be overstated. It is insufficient to invite expert testimony at the Oireachtas committee level. The need to better support civil society stakeholders as instruments of government accountability and representatives of community interests in the data collection process exists. It is vital to formulate understanding of ever emerging risks through consistent and co-created methodologies.

3.5 Regulation is not enough: A whole society approach

Media literacy and regulatory initiatives are small pieces of what we describe as a 'whole society' policy approach.¹⁵ A whole society approach addresses underlying racism, misogyny and other forms of structural discrimination fuelling disinformation, and recognises and resolves points of social tension and inequalities that feed far right and disinformation or extreme public narratives. The overall health of the digital public sphere and the potential contribution of toxic (but not illegal) contents to political polarisation and fragmentation must be addressed in public policy initiatives. In Ireland, the housing crisis, for example, is one component of existing inequalities that contributes to

¹⁵ Supra note 4

the rise of disenfranchisement and the susceptibility to disinformation online. Without addressing root causes, regulatory initiatives will strain to resolve the viral nature of disinformation.

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