

IGF 2017 Report – WS 301

- **Session Title:** *Fake News, Content Regulation and Platformization of the Web: A Global South Perspective (WS 301)*

- **Date:** 21 December 2017

- **Time:** 10.40

- **Session Organizer:** Vidushi Marda (Centre for Internet & Society, Bangalore and ARTICLE 19) and Stefania Milan (DATAACTIVE, University of Amsterdam)

- **Chair/Moderator:** Vidushi Marda(F) and Stefania Milan(F)

- **Rapporteur/Notetaker:** Arne Hintz (Cardiff University)(M)

- **List of Speakers and their institutional affiliations:**

- **Stefanie Felsberger** (A2K for Development, Egypt) (F)
- **Vagner Diniz** (Web Technologies Study Centre, NIC, Brazil) (M)
- **Amba Kak** (Mozilla Policy Fellow and University of Amsterdam) (F)
- **Mahsa Alimardani** (Article 19) (F)
- **Lillian Nalwoga** (Collaboration on International ICT Policy in East and Southern Africa, Uganda) (F)
- **Romina Garrido** (Datos Protegidos, Chile) (F)
- **Kelly Kim** (OpenNet Korea, Korea) (F)

- **Key Issues raised:**

- 'Fake news' are often used as the reason for advocating for content regulation, which results in infringement of human rights such as freedom of expression
- The situation in the Global South is occasionally made more complicated by the fact that the rule of law does not always stand
- Civil society often adopts creative solutions to bypass the censorship of states and corporations
- Civil society should resist content regulation measures that are invasive and/or infringe on human rights, especially in authoritarian contexts

- **If there were presentations during the session, please provide a 1-paragraph summary for each presentation:**

Vidushi Marda and **Stefania Milan** introduced the workshop, sponsored by the research project 'Content regulation on and by platforms' (see <https://stefaniamilan.net/content/content-regulation-and-platforms>), and intended to continue and advance the discussion started in a similar session on 'resisting content regulation' that took place at the RightsCon conference in Brussels (March 2017).

Stefanie Felsberger (A2K for Development) discussed the role of platforms in the Egyptian context. In particular, she reflected on the increasing reliance of Facebook for everyday life, including the use of Facebook profiles as a form of identity and monitoring vis-à-vis law enforcement. She also focussed on the growing practice of blocking websites that promote alternative voices, characterising the current state of media in Egypt as an 'information black out', along with increasing trend of available information and news being aligned exclusively with the government and military.

Vagner Diniz (Web Technologies Study Centre, NIC) argued that the category of fake news is very broad and current definitions are unclear. What is now described as 'fake news' are actually campaigns of misinformation. He asked what should be the legal process for removal of content.

Amba Kak (Mozilla Policy Fellow and University of Amsterdam) reflected on whether the government should regulate or not regulate platforms, offering the example of India. She also reflected on platform responsibility, and on the importance of holding companies to their responsibilities. Ms. Kak also offered an example of how regulators tend to approach the idea of content regulation vis-à-vis Over the top (OTT) services, using the example of India's 2015 consultation on network neutrality.

Mahsa Alimardani (Article 19) explored the use of a particular platform, Telegram, in Iran, where it is widely adopted. As one of the few Western social media companies that hasn't been banned, Ms. Alimardani reflected on the government's efforts to institutionalize its regulatory efforts around Telegram, including licensing channels of more than 5000 followers as a way of cracking down on administrators of such channels.

Lillian Nalwoga (Collaboration on International ICT Policy in East and Southern Africa) reflected on the trends surrounding fake news in repressive states in the region of Africa, with a focus on Uganda and South Africa. She pointed out that the lack of a shared understanding of the term fake news was used by governments and intermediaries to curtail the freedom of expression. The tendency to use cyber security legislation to curtail free speech was also rampant, with uncomfortable speech often being termed "offensive communication".

Romina Garrido (Datos Protegidos) discussed the role of media concentration as an important factor in content regulation, highlighting how classic questions of media biases should also play a role in discussions on fake news. She also pointed out that the discussion of content regulation should not be confined to just freedom of expression, but instead include issues such as privacy and data protection.

Kelly Kim (OpenNet Korea) argued that regulations have often been abused by those in power, reflecting on the case of Korea and the role of governments in spreading misinformation. She also pointed out that in many ways this was an old problem packaged under a different name, and brought to focus existing laws and regulations that find application in matters of free speech.

- Discussions that took place during the workshop session (3 paragraphs):

The workshop was organized to include two rounds of inputs by the audience. Two main points were raised by audience. First, the suggestion that we need to 'follow the money' if we are to understand fake news today, and that new advertising models might be needed if we are to seriously address the problem. Secondly, the suggestion by an audience member that we might be able to solve the problem of fake news circulating on social media by assigning unique identifiers to social media accounts (namely, ID numbers) was met by opposition from all the panel members.

- Participants' suggestions regarding the way forward/ potential next steps /key takeaways (3 paragraphs):

- Participants suggested to find new advertising models to avoid the problem of financial incentives in spreading fakes news
- Reducing and/or minimizing state intervention is a protective measure especially in the context of authoritarian countries

Gender Reporting

- Estimate the overall number of the participants present at the session:

60

- Estimate the overall number of women present at the session:

30

- To what extent did the session discuss gender equality and/or women's empowerment?

The session did not take an explicit gender equality or women's empowerment dimension in addressing the problem of content regulation in relation to fake news. However, it was amply noted that six out of seven speakers were female, and so were the organizers.

Sadly, an audience member addressed one of the speakers as an 'animated young lady', which forced the organizers to remind the audience that sexist comments are not tolerated within the IGF.