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| FORUM: | Human Rights Council |
| ISSUE: | Measures to Prevent the Spread of Misleading Information and the Deficiency of Privacy in Social Media Platforms |
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Introduction

The development of the internet and the appearance of social media platforms in the early 21st century had allowed people to communicate and share information more conveniently. However, several serious issues are rising in recent years: the spread of misleading information, commonly known as “fake news” and loss of privacy. According to a survey conducted in 2019 by Ipsos (a company that conducts market research), 86% of the interviewee believes to be exposed to fake news. And about 12% of the users of social media platforms have experienced data theft. As these platforms enlarge, it has become easier for misleading information to spread and for individuals to lose their privacy.



12 Popular social media platforms in 2021

After the outbreak of the COVID-19 pandemic, the spread of misinformation and misuse of private information has increased. The spread of misinformation related to COVID-19 caused hardship for governments to control the spread of the virus. Moreover, many people became victims of cybercrimes that used private information.

There already are many governments that have data protection laws. There are only a few governments, however, that have laws regarding the spread of misinformation. To prevent the further spread of misleading information, many governments started to establish related policies. Also, governments like European Union (EU) strengthened data protection laws to protect privacy more strongly.

However, these laws are criticized for having severe holes in them. Many critics point out that laws related to the spread of misinformation go against basic human rights. Also, there are possibilities, critics state, for some nations to misuse these laws against their citizens. For the data protection laws, the pandemic showed many nations that these laws do not help protect individual privacy from cyberattacks.

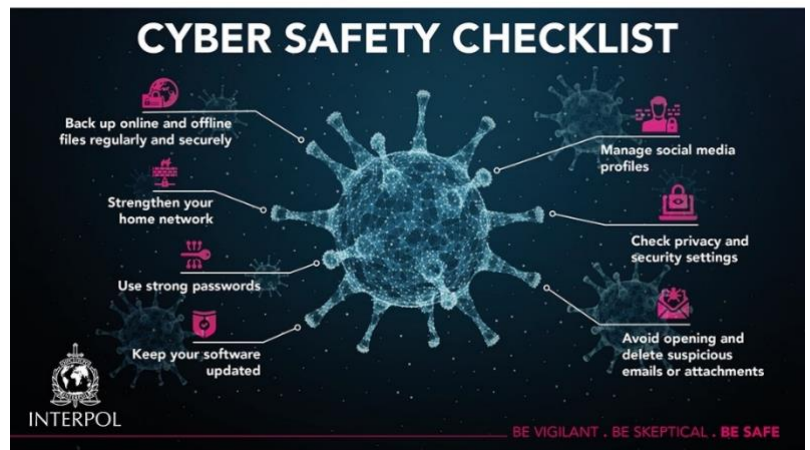


To prevent the spread of misleading information and deficiency in privacy, it is highly recommended for nations come together and provide solutions to the existing issues.

Background

The spread of misleading information and stealing privacy constantly are increasing even though governments continuously create related policies. The holes in these policies were shown especially during the pandemic, where the usage of social media platforms increased due to quarantine.

During the outbreak of COVID-19, the number one threat that caused hardship for governments from preventing the further spread of the virus was misleading information and cybercrimes using personal information. Compared to previous years, the spread of misleading information and victims of loss of privacy in social media platforms has increased. According to ReedSmith (an international law firm), the number of scams in March 2020 has increased by 400% in only one month. Not only this, but Interpol also reported that there is an alarming amount of cybercrime that includes the spread of misinformation and data harvesting malware during the COVID-19 outbreak.



Cyber Safety Checklist Infographic Interpol had created in order to prevent further cybercrimes

Although the severity of the spread of misinformation and loss of privacy in social media platforms are constantly raised as a major issue, there only are few international regulations against these. And it was only recently during the pandemic when governments started to make policies regarding the spread of misleading information. For instance, some European nations such as Germany and Great Britain had only recently created these policies.

Problems Raised

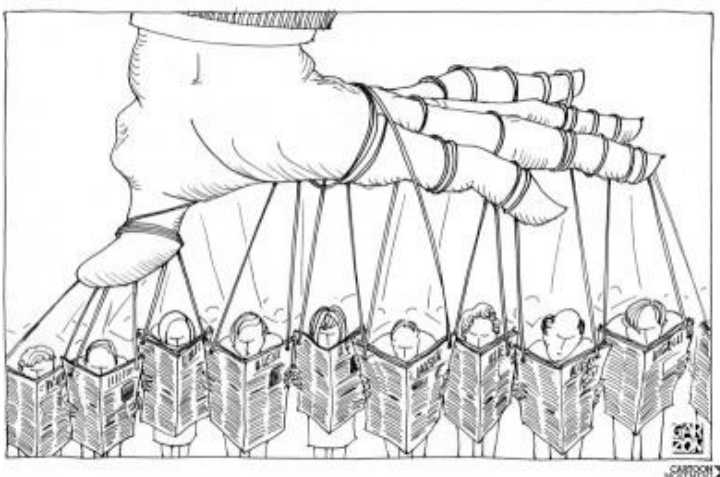
Violation of Human Right

One of the most criticized points regarding policies for the spread of misleading information is that these policies violate human rights, which is a major reason why there is no international policy related to the spread of misleading information.

Critics point out that any policies related to misleading information violate Article 19 of the Universal Declaration of Human Rights (UDHR), which states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”. The ‘information’ stated in the article includes any kind of information, including misleading information. One of the concerns related to this is that if the government starts to regulate misleading information, there are dangers of governments regulating information that are not misleading, causing a lack of freedom in the social media platforms.

One of the countries that reflects critics’ concern is Cameroon. In 2018, the government had arrested a journalist for reporting false news, which claimed that the Cameroonian military had shot an American citizen, Charles Wesco. Other journalists were arrested for reporting information related to the nation’s internal conflict. According to Cameroon law, any information that cannot be proven to be true is regarded as false news. The Cameroonian government’s policy restricts the freedom of opinion and expression of the citizens.

Even though many nations have established policies regarding the spread of misleading information, they are still being criticized for this issue. Some nations, moreover, have not been able to create a related policy for social media platforms, for the critics have pointed out the issue of violating human rights. The critics claim that everyone should have the freedom to express their opinion, regardless of whether the information is true or not. One of these nations is the United States of America, where it has most social media platform users. They only have a policy related to data privacy, not about regulating the spread of misleading information.



Cartoon of government control over media

Government Abuse

Creating laws related to the spread of misleading information and protection of privacy tells that governments have a way to protect the citizens from cybercrimes, but also tells that it has become easier for governments to control the information. This does not only include violation of human rights regarding freedom of speech but also includes controlling the thoughts of the citizens. For

example, if there is information that goes against the government’s ideology, then the government can declare this as misleading information. This can cause the citizens to believe in things that are false due to government control.



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There still are governments such as Egypt and China that are controlling information that can be shared amongst the citizen through strict regulations. And during the pandemic, it has been proven to be true that some governments are abusing the laws related to misleading information. For example, in Egypt, Mohamed Monir, a journalist, was arrested for spreading false news, when he was writing an article about the government's response to the virus.

International Actions

General Data Protection Regulation (GDPR)

General Data Protection Regulation (GDPR) is a law created in April 2016 by the European Union (EU) to replace the 1995 Data Protection Directive. Any company operating in Europe is obliged to protect the personal information of European citizens and any privacy leaks are regulated. This does not only apply to European companies but also includes any non-European companies that hold the private information of the European citizens.

This regulation is specially targeted towards the IT companies of the United States of America, including GAFA (Google, Amazon, Facebook, Apple). The first

case of application of GDPR was Google. The French government has determined that Google did not follow the regulation properly, thus they decided to sue them for five thousand euros.

There are related policies in individual nations, but there was no international policy as strong as GDPR. GDPR is believed to be the first step towards international personal data regulation.



The 6 GDPR Principles to Ensure Accountability

International Review of Criminal Policy: United Nations Manual on the Prevention and Control of Computer-Related Crime

As many critics expected for 'Information Revolution' to happen in near future, the United Nations (UN) published a manual to prevent and control cybercrimes. One of the reasons why the UN has published the manual was the government did not catch up with the fast pace of technology development and there only are few countries that have cybercrime-related laws. To raise awareness amongst the nations, the UN has decided to publish this manual. The manual highly recommends international actions



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against cybercrimes and for nations to establish national laws regarding the issue. It highly recommends the protection of privacy.

National Laws

The UN does not agree on having a specific policy related to spreading misinformation through social media platforms due to Article 19 of the Universal Declaration of Human Rights (UDHR). Few organizations such as the International Criminal Police Organization (INTERPOL) deal with cybercrimes, but currently, spreading misinformation is not internationally included in cybercrimes. Thus, individual nations such as Germany and Netherlands have related laws regarding the spread of misinformation. It was only recently when nations start to create laws that set spreading misinformation as a crime. There still are many nations such as the United States of America that do not regulate the spread of misinformation.

Key Players

Council of Europe

The Council of Europe is one of the most active parties towards cybercrimes, including spreading misinformation and stealing private information. The Council of Europe has 46 member states and 6 observer states. They cooperate with the European Union to fight against cybercrimes. The Council has various strategies to combat cybercrimes. These include training courses for judges and prosecutors on cybercrime and training courses for cooperation in partnership with the Council.



INTERPOL logo

International Criminal Police Organization (INTERPOL)

International Criminal Police Organization (INTERPOL) is an intergovernmental organization that helps the member states' police and supports actions to combat crimes. There are three major crime programs INTERPOL set up to create a safer world: counterterrorism, organized and emerging crime, and cybercrime.

To respond to cybercrime, INTERPOL collaborates with private cybersecurity partners to receive information on threats, trends, and risks and



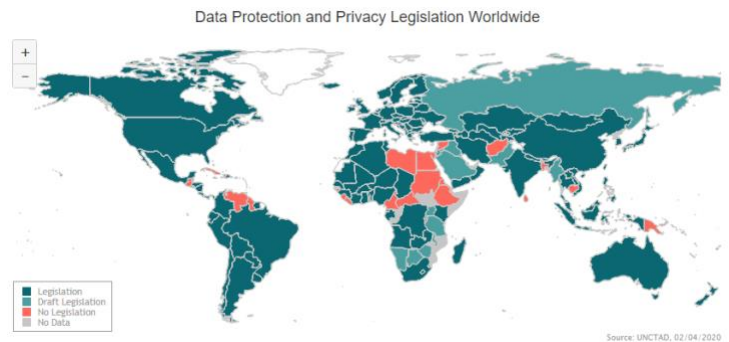
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makes sure that the national police has updated threat information. They have a Cyber Fusion Centre (CFC) which publishes various cybercrimes that police should know about.

Possible Solutions

Encouraging Development of National and International Policy

Governments are aware of the danger of the spread of misleading information and stolen private information. However, there still are many nations that do not have related policies. According to the United Nations Conference on Trade and Development (UNCTD), only 66% of the countries have data protection and privacy legislation. And it has only been recent that governments started to adopt policies regarding the spread of misleading information. Not only this but there is only one related international policy regarding the protection of data privacy which is the GDPR even though the United Nations have recommended establishing international policies and national laws regarding cybercrimes.



Data Protection and Privacy Legislation Worldwide statistics (UNCTD)

Data privacy laws can help prevent the spread of misleading information. However, many critics point out that these policies may violate human rights, and that there are dangers of government abuse. Thus, governments need to come up with a policy that controls these data privacy laws along with developing international policies and creating national laws about cybercrimes.

Education

Many people are aware of the dangers of the spread of misleading information and loss of privacy on social media platforms. However, according to research conducted by Pew Research Center, only 6% of American adults has set up an alert to know when their names appear at a social media platform when it should not be. Also, not many people are aware of how to protect their privacy and from misleading information. Only those who work or are interested in fields of technology know.

If people are not provided education about how to protect their privacy and from misleading information, there are dangers of people falling into misleading information about these issues. To effectively protect citizens from misleading information and the dangers of private information getting stolen, it is highly recommended for governments to provide education to the citizens regarding the issue.

Glossary

Social Media

Computer-based technology that allows people to share information, communicate, and entertain.

Cybercrime

An act of using a computer to do illegal activities such as violating the privacy, stealing identities, and committing fraud. Some nations have included the spread of misinformation as a cybercrime, but not all nations have included it.

Misleading Information

Also stated as ‘misinformation’.

Inaccurate information has a purpose to deceive those who receive this information.

United Declaration of Human Rights (UDHR)

The first international agreement on basic human rights was created in 1948.



Sources

- 15, Alex CampbellAugust, et al. “How Data Privacy Laws Can Fight Fake News.” *Just Security*, 15 Aug. 2019, www.justsecurity.org/65795/how-data-privacy-laws-can-fight-fake-news/.
- “2019 Cyber Security Statistics Trends & Data.” *PurpleSec*, 24 Mar. 2021, purplesec.us/resources/cyber-security-statistics/.
- “Action against Cybercrime.” *Cybercrime*, www.coe.int/en/web/cybercrime.
- Alexandra, Susan, et al. “10 Online Privacy Facts That May Surprise You.” *My TechDecisions*, 10 July 2019, mytechdecisions.com/network-security/10-online-privacy-facts/.
- “A Guide to Anti-Misinformation Actions around the World.” *Poynter*, 14 Aug. 2019, www.poynter.org/ifcn/anti-misinformation-actions/#egypt.
- Bluestone, Danny. “The Six GDPR Principles to Ensure Accountability.” *Flickr*, Yahoo!, 17 Nov. 2017, www.flickr.com/photos/cyber-duck/37767724804.
- “Censorious Governments Are Abusing ‘Fake News’ Laws.” *The Economist*, *The Economist Newspaper*, www.economist.com/international/2021/02/11/censorious-governments-are-abusing-fake-news-laws.
- Collins, Jeremy. “Top 12 Most Popular Social Media Sites In 2021.” *ReviewsXP*, 18 Jan. 2020, www.reviewsexp.com/blog/best-social-media-sites/.
- “Coronavirus Is Now Possibly the Largest-Ever Security Threat - Here's How We May Be Able to Tackle It: Perspectives: Reed Smith LLP.” *Coronavirus Is Now Possibly the Largest-Ever Security Threat - Here's How We May Be Able to Tackle It | Perspectives*, www.reedsmith.com/en/perspectives/2020/03/coronavirus-is-now-possibly-the-largest-ever-security-threat.
- “COVID-19 Cyberthreats.” *INTERPOL*, www.interpol.int/Crimes/Cybercrime/COVID-19-cyberthreats.
- “COVID-19's Impact on Data Privacy, Protection and Security.” *Episerver*, 1 Apr. 2020, www.episerver.com/guides/covid-19-privacy-considerations.
- “Cybercrime Threat Response.” *INTERPOL*, www.interpol.int/Crimes/Cybercrime/Cybercrime-threat-response.
- “Cybercrime.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., www.britannica.com/topic/cybercrime#ref235698.
- “Data Protection and Privacy Legislation Worldwide.” *UNCTAD*, unctad.org/page/data-protection-and-privacy-legislation-worldwide.
- Dollarhide, Maya. “Social Media Definition.” *Investopedia*, Investopedia, 19 May 2021, www.investopedia.com/terms/s/social-media.asp.



“Fake News, Misleading News, Biased News: Terms and Definitions.” *LibGuides*,
libguides.hccfl.edu/fakenews/terms.

“Global Privacy Laws Explained.” *Privacy Policies*, www.privacypolicies.com/blog/global-privacy-laws-explained/.

Hermesauto. “What Countries around the World Are Doing to Tackle Fake News and Violent Content.” *The Straits Times*, 8 Apr. 2019, www.straitstimes.com/world/what-countries-around-the-world-are-doing-to-tackle-fake-news-and-violent-content.

“International Review of Criminal Policy.” *United Nations*, United Nations, digitallibrary.un.org/record/162804.

“INTERPOL Report Shows Alarming Rate of Cyberattacks during COVID-19.” *INTERPOL*, www.interpol.int/News-and-Events/News/2020/INTERPOL-report-shows-alarming-rate-of-cyberattacks-during-COVID-19.

Li, Xingan. “International Actions against Cybercrime: Networking Legal Systems in the Networked Crime Scene.” *Webology*, Webology, www.webology.org/2007/v4n3/a45.html.

McCully, Jonathan, et al. “Disinformation in the Times of COVID.” *Digital Freedom Fund*, digitalfreedomfund.org/disinformation-in-the-times-of-covid-identifying-the-fault-lines/.

“More Countries Pass 'Fake News' Laws in Pandemic Era.” *Courthouse News Service*, www.courthousenews.com/more-countries-pass-fake-news-laws-in-pandemic-era/.

Morgan, Cory, et al. “Trudeau's Government Is Crushing Canadian Media Credibility.” *Cory Morgan Ranting and Raving*, 3 Mar. 2019, corymorgan.com/trudeaus-government-is-crushing-canadian-media-credibility/.

Morrison, Sara. “The Year We Gave up on Privacy.” *Vox*, Vox, 23 Dec. 2020, www.vox.com/recode/22189727/2020-pandemic-ruined-digital-privacy.

O'Grady, Siobhán. “In Cameroon, Journalists Are Being Jailed on Charges of 'Fake News'.” *The Washington Post*, WP Company, 16 Dec. 2018, www.washingtonpost.com/world/africa/in-cameroon-journalists-are-being-jailed-on-charges-of-fake-news/2018/12/15/80bcb5c6-f9ad-11e8-8642-c9718a256cbd_story.html.

Simpson, Sean. “Fake News: A Global Epidemic Vast Majority (86%) of Online Global Citizens Have Been Exposed to It.” *Ipsos*, 11 June 2019, www.ipsos.com/en-us/news-polls/cigi-fake-news-global-epidemic.

Twitter, Aisha Majid. “Covid-19 and the Rise in News Misinformation.” *Press Gazette*, 19 Apr. 2021, www.pressgazette.co.uk/covid-19-rise-in-news-misinformation-data/.

“Universal Declaration of Human Rights.” *United Nations*, United Nations, www.un.org/en/about-us/universal-declaration-of-human-rights.



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Wakefield, Jane. “Google, Facebook Twitter Grilled in US on Fake News.” *BBC News*, BBC, 25 Mar. 2021, www.bbc.com/news/technology-56523378.

West, Darrell M. “How to Combat Fake News and Disinformation.” *Brookings*, Brookings, 18 Dec. 2017, www.brookings.edu/research/how-to-combat-fake-news-and-disinformation/.

Wires, News. “France's Anti-Trust Authority Fines Google €500 Million in News Copyright Row.” *France 24*, France 24, 13 July 2021, www.france24.com/en/business/20210713-france-s-anti-trust-authority-fines-google-%E2%82%AC500-million-in-news-copyright-row.

