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Resolution 2567 (2024)[1]

Propaganda and freedom of information in Europe

Parliamentary Assembly

1. The Parliamentary Assembly is concerned about the pervasive dissemination of propaganda that aims at biasing public opinion, endangers the proper functioning of our democratic systems and threatens our common values and human dignity. Such harmful propaganda includes both propaganda that is illegal and propaganda that, although not prohibited, can impair the development of free opinions and informed citizen participation in public debate and decision making, through unethical methods of communication, including disinformation and tools of psychological manipulation.

2. Council of Europe member States must shield themselves against all forms of propaganda which are illegal under international law, including propaganda for war, incitement to genocide and other international crimes, hatred, terrorism and discrimination, and they must be able to defuse propaganda that clearly runs counter to the fundamental values of the European Convention on Human Rights (ETS No. 5, "the Convention") and is detrimental to democracy. Indeed, according to its Article 17, the Convention does not permit any propaganda aimed at the destruction of the rights and freedoms set forth therein.

3. Measures to fight against harmful propaganda must, however, respect the right to freedom of expression, including freedom of information, protected by Article 10 of the Convention, which is a fundamental constituent element of any democracy. As stated in the case law of the European Court of Human Rights, restrictions on this right must be provided by law, and be motivated by and proportionate to a legitimate aim.

4. Moreover, these measures must abide by the rule of law and respect the separation of powers. In the absence of an independent judiciary and independent media regulators, legislation designed to combat harmful propaganda and the possibility to sanction media or individuals can lead to disastrous consequences for media freedom.

5. Fighting harmful propaganda must not become a pretext for censorship. Counteracting measures should not produce a chilling effect on media work, including reporting on armed conflicts, and should not prevent or discourage an unhindered debate on issues of public interest. Censoring "problematic" media as well as content from extremist groups can reinforce the public perception that media regulation is corrupt and engineered to hide the "truth". This could reinforce conspiracy narratives and strengthen extremist voices.

6. The Assembly acknowledges that for authoritarian regimes, such as the Russian Federation, propaganda is an inalienable part of their war on democracy. The Russian State-funded RT (formerly known as "Russia Today"), its worldwide network and "troll factories" are part of a broader strategy to destabilise European democracies and influence political processes. The Assembly also refers to its Resolution 2540 (2024) "Alexei Navalny's death and the need to counter Vladimir Putin's totalitarian regime and its war on democracy" and reiterates its call to recognise that the Russian Orthodox Church is being used as an instrument of Russian influence and propaganda by the Kremlin regime.

1. *Assembly debate* on 1 October 2024 (26th sitting) (see Doc. 16034, report of the Committee on Culture, Science, Education and Media, rapporteur: Mr Stefan Schennach). *Text adopted by the Assembly* on 1 October 2024 (26th sitting).

7. The challenge that democratic States must meet is neutralising harmful propaganda while preserving the right to freedom of expression, including media freedom and pluralism. States should ensure that all restrictions and countermeasures are limited to those necessary in a democratic society to preserve the fundamental values on which it is built.

8. In this respect, the Assembly considers that responses to harmful propaganda must be multifaceted and that States should focus on fighting propaganda, while acting in favour of democratic values and fundamental rights.

9. Harmful propaganda has a transnational dimension and member States must reinforce their co-operation to counter it. The Council of Europe has an important role to play in this respect.

10. Moreover, stronger collaboration between public authorities and the private sector is required. News media outlets and journalists bear a responsibility in the fight against the spread of propaganda. They should address the public's negative perceptions of the mainstream media to build public trust and maintain readership of their audiences.

11. Last but not least, there is a need to safeguard the public's right to know, empower citizens to make informed choices, enhance reliance on democratic institutions and increase the resilience of the whole of society against the all too frequent systematic deceitful attempts at manipulation of public opinion.

12. For these reasons, the Assembly recommends that member States develop holistic strategies to counter illegal propaganda and provide effective responses to the spread of harmful, though legal, propaganda. In this respect, they should in particular:

12.1. ensure that propaganda prohibited by international law and propaganda which seriously threatens democracy and human rights are declared illegal in domestic law;

12.2. ratify the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (CETS No. 225, "the Vilnius Convention") and ensure its implementation with due regard to the impact of artificial intelligence technologies on production and dissemination of disinformation and illegal propaganda;

12.3. review, as required, national legislation to provide for appropriate legal action against the sponsoring, production and dissemination of illegal propaganda, while fully respecting the right to freedom of expression and ensuring that restrictions and sanctions strictly observe the three-part test of legality, legitimacy and necessity;

12.4. impose targeted sanctions on those Russian media outlets, such as RT and its affiliates, whose work violates the ethics of journalism and represents a threat to the national security of member States;

12.5. impose targeted sanctions on war propagandists, such as Margarita Simonyan, Olga Skabeeva and Vladimir Solovyov, if this has not already been done;

12.6. recognise the role of the Russian Orthodox Church as a tool of Russian State propaganda, and evaluate and address the involvement of religious institutions that are used for spreading the Kremlin's propaganda in their countries;

12.7. introduce safeguards, including procedural ones, to apply restrictive measures carefully, avoiding their abuse or misuse and ensuring that they do not become tools to silence critical voices and opposition;

12.8. establish proper independent media oversight mechanisms, entrusted to independent regulators, to review the legality, legitimacy and necessity of restrictions intended to counter harmful propaganda, as well as their concrete implementation modalities;

12.9. provide reliable and trustworthy information on matters of public interest, such as the economy, public health, security, protection of human rights for all and the environment, in particular on controversial issues, such as climate change and its impact, the rights of minorities, migrants or lesbian, gay, bisexual, transgender, intersex and queer plus (LGBTIQ+) people, sex and gender issues, among others;

12.10. ensure transparency of governmental activities through proactive and responsive measures for those seeking official information according to the Council of Europe Convention on Access to Official Documents (CETS No. 205, "the Tromsø Convention"), and maintain the right of access to information during states of emergency, to build trust around governmental information processes;

12.11. take effective steps to foster equal access of all to information, including women, young people and disadvantaged groups;

12.12. promote media and information literacy, and invest in media and civic education programmes to uphold critical thinking;

12.13. promote a free, independent and diverse information and communication environment, including a diverse and pluralistic media landscape;

12.14. ensure that public service media are independent and adequately resourced to fulfil their mission of public interest;

12.15. encourage and support quality journalism and the existence and effective implementation of professional standards by different media actors;

12.16. reinforce transparency of media ownership and financial sources;

12.17. encourage research on harmful propaganda to help inform local, national and European strategies to address it;

12.18. strengthen collaboration and look within the framework of the Council of Europe for co-ordinated responses, making better use of the co-operation mechanisms and tools provided by the Organisation.

13. The Assembly calls on professionals and organisations in the media sector to:

13.1. refuse to become instruments of propaganda for war, violence, discrimination and hatred, and engage in spreading the principles of peace and human dignity to foster a culture of tolerance, mutual understanding and respect between different groups in society;

13.2. adhere to the highest professional standards to ensure quality information, including while using generative artificial intelligence tools and distributing information via automated systems;

13.3. promote collaboration, mutualise efforts to fight against misinformation and disinformation, and share the experience acquired in the fight against harmful propaganda;

13.4. peer review possible propaganda and harmful content in the media, to deactivate it when illegal and counterbalance it in other cases.

14. The Assembly calls on internet intermediaries to:

14.1. develop adequate tools – including artificial intelligence tools under human control – to identify illegal propaganda and block its dissemination, possibly before it becomes accessible to internet users, and remove content promptly and effectively when requested by the competent authorities;

14.2. actively co-operate with public, social and private entities to promote and support media literacy, notably to counter disinformation and hate speech;

14.3. enhance algorithmic transparency;

14.4. ensure that the artificial intelligence systems they develop or use uphold Council of Europe standards, including the new Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law;

14.5. take steps to demonetise the dissemination of disinformation and harmful propaganda;

14.6. facilitate access to relevant machine-readable data for the purpose of research, which is needed to develop evidence-based countermeasures against disinformation and harmful propaganda.