



# General Assembly

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### Third Committee

Agenda item 74 (b)

**Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

#### **Pakistan: draft resolution**

### **Countering disinformation and promotion and protection of human rights and fundamental freedoms**

*The General Assembly,*

*Guided* by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,<sup>1</sup> the International Covenant on Civil and Political Rights,<sup>2</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>3</sup> the Convention on the Elimination of All Forms of Discrimination against Women,<sup>4</sup> the Convention on the Rights of the Child,<sup>5</sup> the Convention on the Rights of Persons with Disabilities<sup>6</sup> and the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>7</sup> and all other relevant international human rights instruments,

*Alarmed* at the global rise in hate speech, constituting incitement to racial discrimination, hostility and violence, stressing the importance of addressing it, and in this regard noting the launch of the United Nations Strategy and Plan of Action on Hate Speech in June 2019, as well as the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence<sup>8</sup> in February 2013,

<sup>1</sup> Resolution [217 A \(III\)](#).

<sup>2</sup> See resolution [2200 A \(XXI\)](#), annex.

<sup>3</sup> Ibid.

<sup>4</sup> United Nations, *Treaty Series*, vol. 1249, No. 20378.

<sup>5</sup> Ibid., vol. 1577, No. 27531.

<sup>6</sup> Ibid., vol. 2515, No. 44910.

<sup>7</sup> Ibid., vol. 660, No. 9464.

<sup>8</sup> [A/HRC/22/17/Add.4](#), appendix.



*Recalling* the Guiding Principles on Business and Human Rights,<sup>9</sup> as endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011,<sup>10</sup> and encouraging States, who are the primary duty-bearers, and business enterprises, including technology companies, to implement the Guiding Principles in order to foster respect for human rights online and offline in the context of new and emerging digital technologies and human rights due diligence processes,

*Taking note* of the report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on disinformation and freedom of opinion and expression,<sup>11</sup> as well as the study of the Working Group on Freedom of Expression and Addressing Disinformation of the International Telecommunication Union and United Nations Educational, Scientific and Cultural Organization Broadband Commission for Sustainable Development, entitled *Balancing Act: Countering Digital Disinformation While Respecting Freedom of Expression*,

*Recalling* its resolution 74/306 of 11 September 2020, in which it recognized that the coronavirus disease (COVID-19) is one of the greatest global challenges in the history of the United Nations, expressed deep concern about the rise in discrimination, hate speech, stigmatization, racism and xenophobia related to the pandemic and stressed the need to counter them as part of the COVID-19 response,

*Taking note* of the statement by the President of the seventy-fifth session of the General Assembly entitled “Responding to an ‘infodemic’ – sharing best practices”, the Secretary-General’s message to the high-level conference on the theme “The danger of disinformation – countering fake news and safeguarding health in the post-truth era”, as well as of the cross-regional statement on the infodemic in the context of the coronavirus disease (COVID-19), endorsed by 130 Member States, as well as an observer State and a Permanent Observer,

*Mindful* that the right to freedom of opinion and expression is a human right guaranteed to all, in accordance with article 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, and that it constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and development,

*Recalling* that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19, paragraph 3, of the International Covenant on Civil and Political Rights,

*Reaffirming* the need to ensure balance such that the fight against disinformation and misinformation promotes and does not infringe on individuals’ freedom of expression and access to information, and noting that media and information literacy can help to bring about this balance through awareness-raising and a focus on the empowerment of people,

*Highlighting* the global concerns about the exponential spread and proliferation of disinformation and misinformation, thereby increasing the need for the dissemination of factual, timely, targeted, clear, accessible, multilingual and science-based information, and emphasizing the need for all Member States to stand together to address the challenge of disinformation and misinformation,

<sup>9</sup> Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (A/HRC/17/31, annex).

<sup>10</sup> See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53 (A/66/53)*, chap. III, sect. A.

<sup>11</sup> A/HRC/47/25.

*Expressing concern* that digital technology has enabled pathways for false or manipulated information to be created, disseminated and amplified by various actors for political, ideological or commercial motives at a scale, speed and reach never known before, and recognizing, in the context of new and emerging digital technologies, the need to address, in a manner that complies with States' obligations under international human rights law, the spread of disinformation, which can be designed to incite to violence, hatred, discrimination and hostility, inter alia, racism, xenophobia, negative stereotyping and stigmatization,

*Expressing concern also* about the spread of disinformation and misinformation, particularly on social media platforms, which can be designed and implemented so as to mislead, to spread racism, xenophobia, negative stereotyping and stigmatization, to violate and abuse human rights, including the right to privacy, to impede freedom of expression, including the freedom to seek, receive and impart information, and to incite all forms of violence, hatred, intolerance, discrimination and hostility, and emphasizing the important contribution of journalists, civil society and academia in countering this trend,

*Concerned* at the proliferation of disinformation and misinformation about the pandemic, especially in the digital space, and stressing the importance of providing data and information to the public to counter such practices,

*Deeply alarmed* at disinformation campaigns directed by State or State-sponsored actors towards the population of other States, and recognizing the duty of a State to abstain from any defamatory campaign, vilification or hostile propaganda for the purpose of intervening or interfering in the internal affairs of other States,

*Stressing* that responses to the spread of disinformation and misinformation must be grounded in international human rights law, including the principles of lawfulness, legitimacy, necessity and proportionality, and underlining the importance of free, independent, plural and diverse media and of providing and promoting access to independent, fact-based and science-based information to counter disinformation and misinformation,

*Recalling* article 20 (2) of the International Covenant on Civil and Political Rights, which states that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law, and noting that some forms of disinformation can amount to incitement to hatred, discrimination and violence, which are prohibited under international law,

*Noting with appreciation* the efforts of the United Nations system in helping to counter the proliferation of misinformation and disinformation, including during the COVID-19 pandemic, by sharing accurate, timely, relevant and multilingual information, as reflected in the COVID-19 communications response initiative of the Department of Global Communications of the Secretariat, in particular the Verified campaign announced by the Secretary-General in April 2020, and the joint statement entitled "Managing the COVID-19 infodemic: promoting healthy behaviours and mitigating the harm from misinformation and disinformation" of the World Health Organization, the United Nations, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, the Joint United Nations Programme on HIV/AIDS, the International Telecommunication Union, Global Pulse and the International Federation of Red Cross and Red Crescent Societies,

*Recognizing* the role played by many religious leaders and faith-based organizations, through speaking out against hate speech, misinformation and disinformation, expressing solidarity with those targeted by such expressions, and amplifying messages that serve to reduce discrimination and stigma,

1. *Reaffirms* the positive role that the exercise of the right to freedom of opinion and expression and full respect for the freedom to seek, receive and impart information can play in strengthening democracy and combating disinformation, and reaffirms further that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19 of the International Covenant on Civil and Political Rights;

2. *Emphasizes* that freedom of religion or belief, freedom of opinion and expression, the right to peaceful assembly and the right to freedom of association are interdependent, interrelated and mutually reinforcing, and stresses the role that these rights can play in the fight against all forms of disinformation;

3. *Condemns* any advocacy of hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media, social media or any other means;

4. *Emphasizes* that new and emerging forms of disinformation and propaganda may harm inherent human dignity, individual reputations and privacy, conduct of free and fair elections, or incite to violence, discrimination or hostility against vulnerable groups, as well as threatens sustainable development in all dimensions, including health, gender equality and climate change mitigation;

5. *Recognizes* that ideologically driven non-State actors, including extremist or terrorist groups, also frequently engage in the dissemination of false news and narratives and disinformation campaigns as part of their propaganda to radicalize and recruit members;

6. *Also recognizes* that ideological and identity-based disinformation has fomented discrimination and hatred against minorities, migrants and other marginalized communities, generating ethnic or religious tensions that have culminated, at times, in violence offline;

7. *Expresses concern* about the spread of disinformation and propaganda, including on the Internet, which can be designed and implemented so as to mislead, to violate human rights, including the rights to privacy and to freedom of expression, to spread hatred, racism, xenophobia, negative stereotyping or stigmatization, and to incite violence, discrimination and hostility, and emphasizes the important contribution by journalists in countering this trend;

8. *Welcomes* civil society and media efforts aimed at identifying and raising awareness about deliberate false news stories and disinformation, and encourages media outlets to consider including critical coverage of disinformation and propaganda as part of their news services in line with their watchdog role in society, particularly during elections and regarding debates on matters of public interest;

9. *Calls upon* Member States, who have the primary responsibility to counter disinformation and hate speech, and all relevant actors, including political and religious leaders, to promote inclusion and unity in response to the COVID-19 pandemic and to prevent, speak out and take strong action against disinformation, racism, xenophobia, hate speech, violence, discrimination, including on the basis of age, and stigmatization;

10. *Reaffirms* the right and duty of States to combat, within their constitutional prerogatives, the dissemination of false or distorted news, which can be interpreted as interference in the internal affairs of other States or as being harmful to the promotion of peace, cooperation and friendly relations among States and nations, and encourages all Member States to develop and implement policies, action plans and strategies related to the promotion of media and information literacy, and to increase

awareness, capacity for prevention and resilience to disinformation and misinformation, as appropriate;

11. *Expresses concern* that the global disinformation system is a highly lucrative business that is driven by commercial motives and that is becoming increasingly professionalized;

12. *Urges* social media companies to review their business models and ensure that their business operations, data collection and data processing practices are compliant with international human rights standards, and to conduct human rights impact assessments of their products, particularly of the role of algorithms and ranking systems in amplifying disinformation or misinformation, and calls upon companies to adopt clear, narrowly defined content and advertising policies on disinformation and misinformation that are in line with international human rights law and after consultation with all relevant stakeholders;

13. *Encourages* relevant private sector organizations, including technological intermediaries and social media platforms, to promote media and information literacy, as a way to empower all people and facilitate digital inclusion and global connectivity, and to assist in the fight against disinformation and misinformation;

14. *Underlines* that tackling disinformation requires multidimensional, multi-stakeholder responses that are well grounded in the full range of human rights and the proactive engagement of States, companies, international organizations, civil society and the media;

15. *Emphasizes* the urgent need to establish an international regulatory framework for monitoring and oversight for combating disinformation online and offline, and calls for international cooperation in this regard;

16. *Invites* all treaty bodies, special procedure mandate holders, international and regional human rights mechanisms and the United Nations High Commissioner for Human Rights, within their respective mandates, to pay due attention to the negative impact of disinformation on the enjoyment of the human rights and fundamental freedoms of all, and to report regularly to the Human Rights Council;

17. *Requests* the Secretary-General to continue to seek further the views of Member States and relevant agencies and to submit to the General Assembly at its seventy-seventh session a comprehensive report on the implementation of the present resolution, including relevant practical recommendations to counter all forms of disinformation which have a negative impact on the enjoyment of the human rights and fundamental freedoms of all;

18. *Also requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations, international humanitarian organizations and the media;

19. *Further requests* the Secretary-General to take the steps necessary to effectively coordinate and follow up on the implementation of the present resolution and, in this regard, to consider briefing the General Assembly on its implementation, as appropriate.