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Fourth session – AI and harmful content

Impact of online hate speech and fake news on local and regional electoral processes

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Text of the speech

Dear Ladies and Gentlemen,

It is a particular pleasure for me to address this Conference of Electoral Management Bodies on behalf of the Congress of Local and Regional Authorities of the Council of Europe which is the voice of European Municipalities and Regions. The electoral processes are very much at the core of the Congress action. The Congress regularly observes local and regional elections in the CoE Member States, on the request of the relevant national authorities (such as Central Electoral Commissions). The Congress has also adopted a series of standards to secure free and fair elections at local and regional levels. This core statutory mission complements the monitoring of the European Charter of Local Self-Government.

In last years the subject of hate speech and fake news has considerably gained in prominence in the work of the Congress, with regular mayors under pressure debates, and more recently support to the inter-university research project and finally a Congress thematic report adopted in October 2022. I am proud to

be a co-rapporteur for this timely and topical report on the impact of hate speech and fake news on working conditions of local and regional elected representatives, together with Mr Kristoffer Tamsons from Sweden.

As mayor of the Dutch municipality Peel en Maas, I am well aware of the paralysing effect of hate speech and fake news on local democracy. These phenomena create a climate of tension, fear and uncertainty and generate a toxic environment in which local and regional representatives must operate. By being the closest to the citizens, local and regional elected representatives as well as their families, friends, colleagues are particularly affected by threats, intimidation and disinformation campaigns. A colleague of mine, a Dutch member of the Congress, was constrained to live under police protection for years as a result of hate and threats proliferated against him. Local and regional politicians are subject to virulent online hate campaigns and disinformation, especially during election campaigns. In my country, in the 2022 local elections, we witnessed numerous online attacks. I can also honestly say that some candidates refrain from speaking about certain public interest issues or even to run in elections.

The Covid-19 pandemic created new opportunities for hate speech and fake news to spread even more rapidly across our societies and more particularly online. The new generation of information attacks accompanies the full-scale aggression war of Russia against Ukraine, with dramatic consequences for local and regional politicians, particularly targeted by the aggressor. Online threats by disgruntled citizens can turn into physical attacks, as has been illustrated by the tragic death of the Mayor of Gdansk, Pawel Adamowicz, in 2019 or the assassination attempt on the Mayor of Cologne, Henriette Reker, in 2015 and so many other examples in the CoE Member States.

Everywhere in Europe, polarisation and the crisis of trust in representative democracy continue to feed the spread of hate speech and fake news. No country is spared. For example, following the 2021 local elections in Denmark, a survey of candidates showed that nearly half of the respondents had experienced harassment and threats during the campaign, 46 percent of the respondents answered that harassment and threats had influenced their behaviour and every fifth of them doubted a future in politics. Hateful comments on social media also impacted close to 30 per cent of respondents.

In the online sphere, where dissemination of information is amplified and legal obligations often blurred, hate speech and fake news spread faster and through fast-evolving channels and social media platforms. Artificial intelligence is used, in particular bots and trolls, for disinformation campaigns in relation to elections, spreading fake news and propaganda. Algorithms, social media and networks can spread fake news and disinformation at an impressive speed and scale. Online amplification and paid advertisement together with failed or limited content moderation techniques have a particularly damaging effect on fair elections and local democracy.

Online media outlets enable the creation of pages, profiles or online presence to post aggressive, offensive, abusive or fake material and altered photographs in regard to a single targeted local or regional politician or particular groups. It can quickly give the impression – to politicians and the public – of the existence of widespread support for an opponent's position and for the comments, abuse or fake news distributed. Local and regional politicians who are in the opposition may be particularly vulnerable to intimidation and threats, with aggressive rhetoric and widespread misinformation intensifying closer to election day.

It is not surprising that some local and regional elected representatives resign from office or decide not to run for re-election. And such toxic environment damages the recruitment of local and regional politicians, especially from underrepresented groups. As a consequence, the very fabric and processes of local and regional democracy is damaged and citizen engagement and participation is weakened.

In some countries the situation of opposition candidates is particularly difficult as they face intimidation and threats simply because they try to secure (re)-election. The elected mayors or local and regional representatives from the opposition are subject to pressure on themselves and on their families, and the Congress provided recommendations precisely on this topic in the framework of a report dedicated to the situation of independent candidates and the opposition,

Dear Ladies and Gentlemen,

Combating both the individual use and cumulative collective effects of hate speech and fake news fuelled by AI and directed against election contenders and local and regional politicians requires robust mechanisms, to protect the framework and process of local and regional democracy as well as the individuals involved.

In practice remedies exist and are experimented every day at local, regional and national levels throughout Europe.

First of all, a comprehensive national strategy, which applies to electoral processes, to tackle hate speech and fake news is needed involving all the relevant stakeholders including internet intermediaries and ICT industry. There should be a legislative and regulatory framework in place to counter online threats and intimidation.

I know, for example, that the Council of Europe is currently working on a draft Convention on Artificial Intelligence which will address, inter alia, the risk that certain uses of artificial intelligence systems may also have the potential to interfere unduly with the exercise of human rights and fundamental freedoms, to undermine democracy by generating, for example, illegal electoral interference and digital exclusion.

The Congress report carefully balances legal obligations to ensure freedom of speech and limitations that can or should apply to freedom of speech. In no way it advocates for serious restrictions to this right and highlights the importance of open and healthy debate for local and regional democracy. It includes the right to criticise decisions taken by politicians and to keep local and regional government accountable. There are clear benefits to implement an open government strategy such as increasing transparency and accountability and de facto leaving less space for conspiracies and corruption allegations, developing trust, credibility and reputation, promoting progress and innovation and encouraging community engagement.

Adequate regulations and content moderation techniques, in addition to appropriate support mechanisms for victims of hate speech and fake news are increasingly being implemented. Preventive measures such as supporting projects led by civil society organisations, on media education, awareness raising etc foster

a more inclusive and respectful environment and improve participation of groups that are often underrepresented in politics and are the most vulnerable to online attacks, such as youth, women and candidates from minorities.

The Congress report on hate speech mentions a series of good practices that are particularly valid in the context of local and regional electoral processes. In my country, the Netherlands, for instance, the Ministry of the Interior and Kingdom Relations have developed a handbook on disinformation and distributed them widely to local and regional authorities. It recalls that rigging elections is criminalised. This includes deliberately misinforming people about the required voting method. The handbook provides an illustrative example on how to react to widely re-tweeted misinformation about opening hours of polling stations.

In Italy the National Network for the fight against hate speech and hate phenomena invited candidates in the local elections in 2021 and 2022 to sign a vademecum against hate. One of the recommendations addresses online hate speech in particular and invites candidates to “promote responsible use of social networks (both directly and through their own political structures), including moderation of the comments of followers and the removal of any hateful or discriminatory expressions”. Are equally of interest efforts deployed in particular in Italy or in Ukraine to train locally in fact checking to debunk propaganda and disinformation.

There is no single applicable strategy. Our electoral processes in the 46 member states of the Council of Europe each have their specificities. We must each adapt to exclude as much as possible the hate speech and misinformation or fake news that can plague these electoral processes and make them not only ineffective but anti-democratic.

Our experiences in our countries should be mutually enriching and this conference is a perfect opportunity to do so. In appreciation of diverse representation in this panel, I am eager to discuss effective remedies against harmful content in the electoral processes.

Thank you for your attention.