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

Central African Republic, Côte d'Ivoire, Eritrea, Pakistan and Russian Federation: revised draft resolution

Countering disinformation for the 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,

Reaffirming the Universal Declaration of Human Rights,¹ the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights,³ the Convention on the Elimination of All Forms of Discrimination against Women,⁴ the Convention on the Rights of the Child,⁵ the Convention on the Rights of Persons with Disabilities,⁶ the International Convention on the Elimination of All Forms of Racial Discrimination⁷ and all other relevant international human rights instruments, including the Vienna Declaration and Programme of Action,⁸

Recalling the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms,

Recalling also its resolutions [75/176](#) of 16 December 2020, [75/267](#) of 25 March 2021 and [75/309](#) of 21 July 2021,

¹ Resolution [217 A \(III\)](#).

² See resolution [2200 A \(XXI\)](#), annex.

³ *Ibid.*

⁴ United Nations, *Treaty Series*, vol. 1249, No. 20378.

⁵ *Ibid.*, vol. 1577, No. 27531.

⁶ *Ibid.*, vol. 2515, No. 44910.

⁷ *Ibid.*, vol. 660, No. 9464.

⁸ [A/CONF.157/24 \(Part I\)](#), chap. III.



Recalling further the Guiding Principles on Business and Human Rights,⁹ as endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011,¹⁰

Recalling the United Nations Strategy and Plan of Action on Hate Speech of June 2019, and acknowledging that hate speech and disinformation are distinct phenomena which may overlap in some cases,

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,¹¹

Reaffirming 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 countering disinformation, and reaffirming 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,

Recalling article 20, paragraph 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,

Stressing that responses to the spread of disinformation must comply with international human rights law and the principles of legality, necessity and proportionality, and underlining the importance of free, independent, plural and diverse media and of providing and promoting access to independent, factual and evidence-based information to counter disinformation,

Reaffirming the need to ensure that efforts to counter disinformation promote and protect and do not violate individuals' freedom of expression and freedom to seek, receive and impart information, and noting that media and information-related technology literacy can help to achieve this through independent and free media, awareness-raising and a focus on the empowerment of people,

Highlighting the global concerns about the rapid spread and proliferation of disinformation, thereby increasing the need for the dissemination of factual, timely, clear, accessible, multilingual and evidence-based information, and emphasizing the need for all relevant stakeholders to address the challenge of disinformation,

Expressing concern that the use of digital technology can enable new pathways for intentionally false or misleading information to be created, disseminated and amplified by State and non-State actors for political, ideological or commercial motives at an alarmingly growing scale, speed and reach, and recognizing, in the context of the challenges and opportunities arising from new and emerging digital technologies, the need to counter disinformation, in a manner that complies with States' obligations under international human rights law,

Expressing concern also about the spread of disinformation on online platforms, including on social media, which can be designed and implemented so as to mislead, to spread racism, xenophobia, negative stereotyping and stigmatization, to undermine public health messaging, to breach individuals' right to privacy, and to incite all forms

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

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

¹¹ A/HRC/47/25.

of violence, intolerance, discrimination and hostility, and emphasizing the important contribution of journalists, civil society and academia in countering this trend,

Encouraging States, international and regional organizations, national human rights institutions and civil society, business enterprises, including media, online platforms, social media and technology companies, to foster respect for human rights online and offline in the context of new and emerging digital technologies and human rights due diligence processes,

Deeply concerned at the proliferation of disinformation about the coronavirus disease (COVID-19) pandemic, including online, and stressing the importance of providing science- and evidence-based data and information to the public to counter such practices,

Recognizing with concern that online disinformation campaigns are increasingly being used to deter women from participating in the public sphere and that women journalists, politicians and advocates for women's empowerment are particularly targeted,

Recognizing the role played by all stakeholders through speaking out against disinformation, expressing solidarity with those targeted by disinformation campaigns, and amplifying messages that serve to counter disinformation,

Noting with appreciation the efforts of the United Nations system, including the Department of Global Communications of the Secretariat, in helping to counter the proliferation of disinformation, especially during the COVID-19 pandemic, by sharing accurate, timely, relevant and multilingual information, and in this regard taking note of the statement by the President of the General Assembly at its seventy-fifth session entitled "Responding to an 'infodemic' – sharing best practices" and 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",

1. *Emphasizes* that all forms of disinformation can negatively impact the enjoyment of human rights and fundamental freedoms, as well as the attainment of the Sustainable Development Goals;¹²

2. *Affirms* the important 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 plays in strengthening democracy, promoting pluralism and multiculturalism, enhancing transparency and press freedom, and countering disinformation;

3. *Recognizes* that disinformation has the potential to incite discrimination, hostility and violence against vulnerable groups and people in vulnerable situations, including humanitarian emergencies and conflicts;

4. *Affirms* the responsibility of States to counter, as appropriate, and in accordance with international human rights law, the dissemination of disinformation, which undermines the promotion of peace and cooperation;

5. *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;

6. *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

¹² See resolution 70/1.

incite violence, discrimination and hostility, and emphasizes the important contribution by journalists in countering this trend;

7. *Welcomes* civil society and media efforts aimed at identifying and raising awareness about deliberate false news stories and disinformation;

8. *Calls upon* States to counter all forms of disinformation through policy measures, including education, capacity-building for prevention and resilience to disinformation, advocacy and awareness-raising;

9. *Acknowledges* the significant role of business enterprises in the exercise of the right to freedom of opinion and expression and in enabling access to information, and recalls that all business enterprises have a responsibility to respect human rights, as set out in the Guiding Principles on Business and Human Rights;

10. *Expresses concern* that globally disinformation is becoming increasingly professionalized and in some cases is being driven by commercial motives;

11. *Encourages* online platforms, including social media companies, to review their business models and ensure that their design and development processes, their business operations, data collection and data processing practices are in line with the Guiding Principles on Business and Human Rights, and emphasizes the importance of conducting human rights due diligence of their products, particularly of the role of algorithms and ranking systems in amplifying disinformation, and calls upon them to adopt and make publicly available, after consultation with all relevant stakeholders, clear, transparent, narrowly defined content and advertising policies on countering disinformation that are in line with international human rights law;

12. *Urges* all stakeholders to promote media and information literacy, as a way to empower all people and facilitate digital inclusion and global connectivity, and to assist in countering disinformation;

13. *Underlines* that countering disinformation requires multidimensional and multi-stakeholder responses that are in compliance with international human rights law and the proactive engagement of international organizations, States, business enterprises and all other stakeholders;

14. *Welcomes* the efforts of the Secretary-General to promote international cooperation in countering disinformation, and in this regard takes note of his call for a “global code of conduct that promotes integrity in public information”;

15. *Invites* the Office of the United Nations High Commissioner for Human Rights, special procedures, treaty bodies and all other human rights mechanisms and entities of the United Nations, within their respective mandates, to consider, as appropriate, addressing the impact of disinformation on human rights;

16. *Requests* the Secretary-General to seek the views of States, United Nations entities and relevant stakeholders and to submit to the General Assembly at its seventy-seventh session a report, within existing resources, based on information and best practices shared by States, United Nations entities and relevant stakeholders on countering disinformation;

17. *Also requests* the Secretary-General to bring the present resolution to the attention of all Governments, relevant United Nations bodies and specialized agencies, including the Department of Global Communications, and regional intergovernmental organizations;

18. *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.