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From:	General Secretariat of the Council
To:	Delegations
Subject:	Disinformation affecting the EU: tackled but not tamed (CoA SR No 09/2021) - Council conclusions (19 July 2021)

Delegations will find attached the Council conclusions on Disinformation affecting the EU: tackled but not tamed (CoA SR No 09/2021), adopted at the 3809th meeting of the Council on 19 July 2021.

**Council conclusions on Special Report No 09/2021 from the European Court of Auditors,
‘Disinformation affecting the EU: tackled but not tamed’**

THE COUNCIL OF THE EUROPEAN UNION

- (1) WELCOMES Special Report No 09/2021 from the European Court of Auditors
‘Disinformation affecting the EU: tackled but not tamed’ (hereinafter referred to as **‘the Report’**) and TAKES NOTE of the Court’s findings and recommendations with regard to addressing disinformation;
- (2) RECALLS the relevant conclusions of the European Council¹ and the Council²,
ACKNOWLEDGES the need to strengthen and further expand efforts and build on existing as well as new initiatives, such as the European Democracy Action Plan³, Action Plan against Disinformation⁴, Code of Practice on Disinformation⁵ and the Media and Audiovisual Action Plan⁶, including finding adequate solutions in the framework of legislative negotiations of the Digital Services Act proposal, and others with the aim to protect the European Union, its Member States, Union citizens and the EU institutions from disinformation, and REITERATES the need to assist the EU Neighbourhoods and the Western Balkans in building resilience against disinformation and foreign interference;

¹ In particular, the European Council conclusions of June 2019, March 2019, December 2018, October 2018, June 2018, March 2018, June 2015 and March 2015.

² In particular, conclusions on strengthening resilience and countering hybrid threats, including disinformation in the context of the COVID-19 pandemic (ST 13626/20), conclusions on complementary efforts to enhance resilience and counter hybrid threats (ST 14972/19), conclusions on safeguarding a free and pluralistic media system (ST 13260/20).

³ ST 13678/20 INIT

⁴ JOIN(2018) 36 final

⁵ https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=54454

⁶ COM(2020) 784 final

- (3) RECALLS its efforts to improve measures aimed at addressing disinformation, including foreign information manipulation, and REITERATES its position that addressing such threats as disinformation, while remaining the primary responsibility of Member States in line with the December 2019 Council conclusions, requires a comprehensive whole-of government and whole-of-society approach, with well-functioning cooperation and coordination, as noted in the December 2020 Council conclusions⁷;
- (4) STRESSES that all actions on addressing disinformation must respect human rights and fundamental freedoms, especially the freedom of expression, as well as democratic public discourse, safeguarding the access to information and media freedom, including around the period of elections;
- (5) RECOGNISES the progress made on the implementation of the Action Plan against Disinformation, in line with the relevant Council conclusions, and NOTES that a number of initiatives were taken since then, including the setting up of the Rapid Alert System which has become an important instrument for EU institutions and Member States to exchange information and to enable joint activities, including through cooperation with international partners like the G7 and NATO;

⁷ ST 13626/20.

- (6) RECOGNISES that the EEAS Strategic Communications Division and its Task Forces (East Stratcom Task Force, Western Balkans Task Force, Task Force South) have had an instrumental role in supporting wider EU efforts to address disinformation and significantly contributed to better awareness and visibility of disinformation activities and narratives, also through the activities of the flagship project EUvsDisinfo, including in the context of the COVID-19 pandemic as described in the 2020 Joint Communication⁸, and RECALLS its position, stated in the December 2020 Council conclusions, in which the Council invited the Commission and the High Representative to develop a holistic, systematic and proactive approach to address the different phenomena through comprehensive efforts on the part of the EU and Member States ranging from preventive measures, detection, qualification and identification of source, to adequate and effective policy responses that could impose costs on hostile foreign state and non-state actors by building societal resilience, protecting the integrity of public debate and other means;
- (7) ACKNOWLEDGES the challenges ahead, with increasing sophistication in disinformation, diversification of actors and the fast evolution of new technologies, and INVITES the Commission and the High Representative to regularly update the Council about the recent trends and actions taken to address the challenges posed by disinformation; in this context, the Council NOTES that the European Democracy Action Plan presented at the end of 2020 represents an important policy document updating aspects of the Action Plan against Disinformation;
- (8) RECALLS its position stated in the December 2020 Council conclusions and INVITES all stakeholders involved to further increase their efforts and support the implementation of the goals defined in the Action Plan against Disinformation, taking into account the fast-changing digital and traditional media landscape and related challenges, such as the need to further enhance media literacy and work on the comprehensive EU-wide media and digital literacy strategy to strengthen pluralism, independence and transparency and to exchange best practices among Member States in order to establish a more resilient democratic framework;

⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020JC0008&from=EN>

- (9) ENCOURAGES all EU institutions, bodies and agencies to improve their inter- and intra-institutional coordination in order to ensure that the EU's responses are coherent and well aligned to the objectives presented in the Action Plan against Disinformation as well as other related EU policy and legislative initiatives on addressing disinformation;
- (10) UNDERLINES the importance of proper monitoring and evaluation of the progress made in implementing the actions to protect the European Union, its Member States, Union citizens and the EU institutions, bodies and agencies from disinformation and therefore INVITES the Commission and the High Representative to consider how to strengthen accountability, including the possibility to develop a framework for informing the public and empowering civil society, in addition to reporting to the Council, in the implementation of such actions;
- (11) WELCOMES the initiatives envisaged and the work ongoing in the context of the European Democracy Action Plan as timely efforts to update the Action Plan against Disinformation, as well as in the framework of legislative negotiations of the Digital Services Act proposal, REITERATES the need to establish an appropriate, comprehensive and effective framework to increase the accountability and responsibility of online platforms as proposed in new policy and legislative initiatives, and CALLS for constant involvement on the part of the Council, through its relevant preparatory bodies, in all further discussions on implementation and progress of the aforementioned initiatives;
- (12) WELCOMES the recently adopted Guidance on Strengthening the Code of Practice on Disinformation and will examine the content of the strengthened Code of Practice on Disinformation attentively, the Council UNDERLINES in this context the need to further strengthen accountability of online platforms;

- (13) STRESSES again the importance of swiftly prioritizing the efforts within relevant European institutions and allocating sufficient resources to them, and urges the Commission and the High Representative, together with Member States, to continue strengthening the EEAS Strategic Communication Division, including its human resources, and further developing the Rapid Alert System with a view to making the best use of it and instituting the Rapid Alert System as a commonly used comprehensive platform enabling information and knowledge exchange, network building and a more coordinated response to disinformation for Member States and EU institutions;
- (14) CONSIDERS that, given the increasing role of new actors behind disinformation campaigns, the mandate of the EEAS Strategic Communication Division should be reviewed, with a possibility to broaden, and NOTES that such a review has to take into account the evolving threat landscape, including the emergence of new actors, while maintaining a risk-based approach when considering priorities, and set out clear policy objectives of the EEAS Strategic Communication Division;
- (15) ENCOURAGES additional efforts by the European Digital Media Observatory to effectively fulfil its objectives and to achieve a more even geographical coverage, and UNDERLINES the need for further measures in support of media and digital literacy for all age groups, as well as for media pluralism, media independence and independent fact-checking, with the aim of empowering Union citizens and associations to detect and raise awareness on disinformation and other risks created and amplified by the use of new technologies;
- (16) ENSURES that the Council will continue to closely examine and discuss the implementation of the Action Plan against Disinformation and subsequent documents in the coming months, including in light of the comments put forward in the Report. The Council STRESSES the importance of approaching the different legislative and policy initiatives on addressing disinformation at EU level in a coherent, timely, mutually complementary and unified manner, with respect to the sovereignty of the Member States, avoiding any fragmentation of policy and duplication of actions.