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## STATE RESPONSES TO COUNTER DISINFORMATION IN USA, GREECE AND REPUBLIC OF MOLDOVA

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In several countries, there are voices that ask for government to take steps to restrict information falseness, reduce the news that misrepresent reality and restore people's trust in media. In USA, legislation is introduced regarding political advertisement, public's protection from deceptive practices and audience manipulation. Greece endeavors for digital transformation across the spectrum of the public sector, which will promote to have eventually more valid and transparent information flow. The Republic of Moldova is making legislation reforms to modernize its policies and create a more stable environment that potentially brings her closer to the European reforms. In this article, we focus on public policies against disinformation in three different countries including United States, Greece and Moldova. Each state applies its own approach in order to deal with the problem.

**Keywords:** *misinformation, public policies, communication, governance, disinformation, penalty.*

### ACȚIUNI ALE STATULUI PENTRU COMBATEREA DEZINFORMĂRII ÎN SUA, GRECIA ȘI REPUBLICA MOLDOVA

În mai multe țări există voci care cer guvernului să ia măsuri pentru a restrânge falsitatea informațiilor, a reduce știrile care denaturează realitatea și a restabili încrederea oamenilor în mass-media. În SUA sunt în vigoare acte legislative privind publicitatea politică, protecția publicului împotriva practicilor înșelătoare și manipulării publicului. Grecia depune eforturi pentru transformarea digitală în întregul spectru al sectorului public, care va promova, în cele din urmă, un flux de informații mai valid și mai transparent. Republica Moldova face reforme legislative pentru a-și moderniza politicile și pentru a crea un mediu mai stabil care, potențial, o situează în albia reformelor europene. În acest articol ne concentrăm asupra politicilor publice împotriva dezinformării în trei țări diferite – Statele Unite ale Americii, Grecia și Moldova. Fiecare stat își aplică propria abordare pentru a face față problemei.

**Cuvinte-cheie:** *dezinformare, politici publice, comunicare, guvernare, pedeapsă.*

#### Introduction

Although actions and public policies have increased in recent years in the US, especially after the 2016 presidential elections, Americans now demand extra governmental measures. According to a survey for Pew Research Center in 2021, 48% say the government should take steps to restrict false information, even if it means losing some freedom to access and publish content” [13]. In 2018, this percentage was 39%, so there is a rise on further measures demand, even with the toll of sacrificing some freedoms. Also, very interesting is the differentiation of opinions on this issue between the political parties. The Republicans by 70%, prioritize freedom of information even if this means that some misinformation is published. On the contrary, 65% of Democrats prioritize further governmental steps against false information, even if it limits this freedom. Nevertheless, the wheels of State are not stopping and legislative action is happening.

In Greece, as an extension of the European Union, the problem of misinformation is existent and citizens' trust in the reliability of the media seems shaken. According to a survey of Eurobarometer at winter of 2020-21, 94% of Greek respondents agree that the existence of news or information that misrepresent reality or is even false is a problem for the country and 90% believe that they often come across such information [16]. In another survey of Statista in 2022 about the percentage of people who trust news media most of the time in their country, Greece was placed among the lowest positions with 27%, while United States and Slovakia had the lowest percentage with 26% [18].

Moldova makes its own effort in facing disinformation and, especially in the latest years, is creating bonds with the European Union, on both technical and financial level. The country has the Union's atten-

tion in external actions policies regarding strategic communications in Eastern Europe. On January 2023, the EU revised the assistance package and adopted a new decision of sourcing Moldova with up to 295 € millions, providing increased legislative guidance for macroeconomic management, strengthening transparency and improving conditions for sustainable growth, following the Commission's multiannual strategic objective "an economy that works for people" [15]. Among others, it has to align national legislation with European legislation in financial governance matters, increase international cooperation and exchange of information with relevant authorities. In this article we will try to find out some of the official state responses against the phenomenon of disinformation in three different countries: USA, Greece and Moldova.

### **Context**

#### **United States of America – actions for online regulations and media literacy**

The Congress introduced the Honest Ads Act (latest version in 2022), a bill „to enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public” [8, p. 1]. Following the events of 2016 elections and the public debate it was caused around political information dissemination, the state tries to create a clearer horizon of the source of political marketing funding, “in order to uphold the United States Supreme Court's well-established standard that the electorate bears the right to be fully informed”. First of all, the bill expands former legislations statements and redefines the term public communication, for example by striking the description „on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising” and inserting „in any public communication”. This reveals the need to adapt legal wording in today's environment, as the emergence of internet expands public debate to digital public debate, thus there is an expansion of public space as a whole. In addition, at another point we see the replacement of „radio” and the placement of term „audio format”, for example in case we are talking about another audio format such as podcast. It is interesting how the new media impact and change the writing of enactments. As the title signifies, the bill aims for honesty from the side of platforms, to build trust between citizens and media and support voters in decision-making through transparency. To do so, the Act includes that: „an online platform shall maintain, and make available for online public inspection in machine readable format, a complete record of any request to purchase on such online platform a qualified political advertisement which is made by a person whose aggregate requests to purchase qualified political advertisements on such online platform during the calendar year exceeds \$500”.

Even if the ad is sold by a third-party advertising vendor, then the vendor should provide links with accessible such information, so that the platform can satisfy the requirement. The platform's ad record should contain, among others, information such as the total cost of the advertisement, description of the audience targeted, the name of the candidate of ad reference and should be retained accessible by the platform for at least four years. Another requirement is that online platforms should display notices identifying sponsors of political advertisements. Moreover, the sense of Congress by this legislation is also to prevent foreign influence operations, intercept foreign financing of political advertisements and keep the sources of advertising funding of political debate inside the country. Thus, it foretells that media (television, radio, online platforms) should make efforts to ensure that political ads „are not purchased by a foreign national, directly or indirectly”.

The US as we see, pay a lot of attention in the protection of commerce and trading. In the Federal Trade Commission Act which incorporates the Safe Web Act, we also find provisions aiming to protect consumers and commerce from „deceptive act or practice” and corporations from unfair competition. According to this Act, the dissemination of false advertisements „by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in or having an effect upon commerce, of food, drugs, devices, services, or cosmetics” falls in the sphere of unlawfulness and is considered as an unfair or deceptive act (paragraph 52) [6]. It's about an economic approach of counter misleading advertising „in a material respect”, a market-defending approach that aims to ensure that consumers purchase commodities which correspond to their proclaimed quality. A violation of this provision brings fines up to \$5,000 or imprisonment up to six months or both.

Of course, talking about services, we couldn't overlook online services, such as social media companies. In 2022, the State of California published the Assembly Bill 587, aiming to regulate the way social media interact with users (and users between each other), given the impact they pose in public discourse. The bill includes requirements for social media companies, regarding their terms of service (meaning the policies of the social media company that specify the user behavior and activities permitted on the internet-based service). According to the enactment, „a social media company shall post terms of service for each social media platform owned or operated by the company in a manner reasonably designed to inform all users of the social media platform of the existence and contents of the terms of service” [1]. Among others, these terms should include contact information so the users will be able to make questions, a process description so the users can flag content and a list of potential actions that the company is planning to take in case of terms violation, such as content removal, demonetization, banning. Furthermore, the company shall submit reports about the issue to the Attorney General, twice a year, apposing their measures taken, as also the progress and the results of their implementations. The method of regular reporting to authorities supports the process of monitoring the corresponding actors and the evaluation of policies. In addition, the platforms shall provide definitions in their terms of service, about certain categories such as hate speech, extremism, disinformation, harassment and foreign political interference. The bill notes fines up to \$15,000 per violation per day for companies who don't comply, but this legislation applies only to companies that generated more than \$100 million dollars in gross revenue during the preceding calendar year.

Efforts are also made in the field of media literacy (ML). In 2022, the Senate introduced the Digital Citizenship and Media Literacy Act [17]. Through it, the Assistant Secretary of Commerce for Communications and Information plans to fund eligible state and local educational agencies as also the media literacy advisory council (includes experts in the issue, academics, teachers, etc.) and qualified non-profit organizations to perform certain activities. Those activities, among others, shall include the identification of „best practices and effective models for media literacy education” and incorporation of „digital citizenship and media literacy into the existing curriculum”. Digital citizenship is an interesting term that we meet in the Act, meaning that citizens „safely, responsibly, and ethically use communication technologies and digital information technology tools and platforms”, including the awareness on legal aspects of media content creation and sharing. As we observe, today a citizen is considered also digital citizen, thus education practices should apply to that and cover the gap of educational needs on media literacy. Earlier, we talked about expansion of public space. Now, we see the expansion of citizenship to digital citizenship.

There was also legislation published related to ML, focusing specifically on countering information disorder. The Congress introduced the Educating Against Misinformation and Disinformation Act [5] and through it, establishes a „Commission to Support Information and Media Literacy and Prevent Misinformation and Disinformation” to work on the issue, following two directions. The first direction is to serve certain duties. Some of the main duties where emphasis given, is that Commission shall endeavor to:

- „Increase public awareness of and education on how to find and identify if information is from a trustworthy source;
- how to craft arguments, when claims are supported by evidence, and how to analyze the validity of claims and strength of arguments being made;
- methods to understand the difference between fact or opinion or a mixture thereof;
- how influencers and various organizations target and manipulate audiences through digital platforms”

Of course there would be a consultation of experts, composing from various federal authorities and after a period of months the Commission shall develop and coordinate „a national strategy to promote information and media literacy and resilience to misinformation and disinformation among the American public”. The second direction is the provision of funding (with competitive character) non-profit educational organizations, through grants. The competitive-basis grants, aim to make educational entities push their innovation and research efforts on creating educational materials and ML campaigns against information falseness.

**Greece – the strategic plan of digitization of public sector**

Greek authorities are making efforts to create conditions in society for digital maturity and to drive it in the 4<sup>th</sup> Industrial Revolution. The Ministry of Digital Governance posted the Digital Transformation Bible 2020-2025 [4] which is a national strategic plan with actions and guidelines towards modernization of Public Administration, governance and citizen service. Among others, it includes measures that support the process of countering the negative impact of information falseness, particularly around the field of cyber security and media literacy. Quite helpful provision of the plan is the element of interoperability between public services and the function of Interoperability Center [9] which is an information system for the use of web services through the exchange of operational data among Public Sector authorities. The Center strengthens information security and transparency through the Public Sector, as it contributes to „valid, immediate and up-to-date provision of information between public bodies” and to „achieving economies of scale through the honest processing of information by the Agency that has the responsibility of managing it”. Part of the plan for achieving a level of digital literacy meaning also media literacy is the creation of National Academy of Digital Skills, an initiative for free online educational content for all levels of digital competencies, according to the European framework DigiComp. The Academy includes the program „Digital Citizen” for developing digital skills of everyday life, a series of five courses in areas: navigation and information searching in worldwide web, digital content management, personal data protection-privacy, creation of digital identity, acting as a digital citizen [3]. The program Digital Citizen corresponds to term of digital citizenship. The Digital Transformation Bible defines digital citizenship as „the citizen’s ability to use information and communications technology (ICT) with the purpose of his active and without exclusions participation in the social, economic and political sphere” [4, p. 115]. Interesting note is that we also met the reference of digital citizenship in United States enactments, so we could say that the term starts to become more universal, as countries use it in their public dialogue and incorporate it in their legislation. We could also say that it shows the importance and impact of digital sphere in modern life, thus policies provisions target it often. Another action of the national plan is fostering practices of open governance, with propelling citizens to be well-informed on public affairs and their active, regular participation on decision making. On this basis, Greece has entered the global initiative Open Government Partnership (OGP), a coalition of people from civil society, non-profit organizations, government, researchers and others, who join forces and work together to improve citizen’s engagement in shaping and overseeing governmental policies [12]. The OGP counts more than 70 member countries and 100 local governments worldwide and they co-create commitments, in order to accomplish them and make steps forward. Greece’s commitments were published through the 5<sup>th</sup> National Action Plan 2023-2025 and its main focus is making achievements on: „transparency and accountability, combating corruption, access to information – Open Data, public participation, services to citizens and businesses” [7]. One example of these commitments is the actions to activate citizens’ participation in the decision-making of the Municipality of Moschato-Tavros in the capital of the country. The case is that the Municipality was equipped with a Public Participation Platform, but has held only few consultations and the citizens’ participation wasn’t satisfactory. In order to overcome the issue, the Municipality would cooperate with a company of the private sector a) to be provided with technical and operational support to improve the know-how of its executives on how to use the Platform and b) to disseminate information on public about upcoming consultations, increase citizens awareness about the existence of such participatory governance tool and cultivate public participatory decision-making culture. One could say that achieving those, is an important step at local level for citizens to get first-hand information and avoid rumors or fake news concerning their city (through the public communication with other co-citizens and officials), increase transparency in issues of public interest and enhance democratic values through dialogue and open governance engagement. It could also be deduced that we see the importance of small-scale countering of information falseness, meaning the role of local government in preventing from its further potential expansion to public sphere.

**Efforts in the Republic of Moldova**

The country is making progress in legislation reforms, in order to modernize its public policies and pos-

sibly reach the potential ambition of its foreign policy to become a Member State of European Union. An important framework regarding the fight against disinformation is the Code of Audiovisual Media Services [2] of the Republic of Moldova, which was introduced by the country's parliament in 2018 and had some modifications reaching the 2023 version. The Code includes provisions about the protection of journalism and particularly the protection of journalists from external pressures, threats or intimidation (article 10). In fact, if there is a serious case, then there is the provision of criminal charges. We are talking about a protective measure that tries to support the service of journalism to society and respects the right to freedom of speech. There is a ban on audiovisual programs that are likely to propagate or incite forms of hatred or discrimination based on sex, race, religion (article 11). Efforts are also made to ensure correct information (article 13), since it is a serious condition that the programs make a clear distinction between facts – opinions, verify a fact and if it is information on matters of public interest (political, social, economic) then it should be done with impartiality and the main opposing views should be presented. In addition, there is a ban on broadcasting audiovisual programs that contain speech that incites hatred, disinformation, propaganda for military aggression, extremism, terrorism or threatens national security (article 17). In the same Article it is stated that radio and television programs of informative-analytical, political, military or political content produced in other states shall not be broadcast or rebroadcast, with the exception of the member states of the European Union, the United States of America, Canada and states that have sign the European Convention on Transfrontier Television. This means that information content originating from other countries is prohibited. One could say that this provision also indicates Moldova's intentions regarding the direction it wants to take in its foreign policy. Furthermore, measures are taken for the independence of public media services, which is why the intervention of public authorities, parties or organizations and interest groups is prohibited in them (article 34). The legislation also includes sanctions for the actors who don't comply and notes that Media service providers who broadcast content classified as disinformation are fined between 40,000 lei and 70,000 lei (article 84).

Along the way, in the Code of audiovisual media services of the Republic of Moldova, the notion of „disinformation” was specified, currently having the following content: „disinformation – intentional dissemination, by any means, in the public space, of information whose false or misleading nature can be verified and which are likely to harm national security”.

At the same time, for repeatedly broadcasting content qualified as disinformation, television or radio stations may be sanctioned with the deprivation of the right to use the multiplex with national coverage [2]. In 2023, the Parliament of the Republic of Moldova adopted the law on the organization of the Center for Strategic Communication and Combating Disinformation [11].

A few years earlier, the Moldovan Parliament introduced the Law 64/2010 about the freedom of expression, which also had some modifications over the years. First of all, it is a good first step for granting its citizens with a universal fundamental right, secondly it includes provisions about media freedom of expression and also admits a certain degree of exaggeration and even provocation, provided that the essence of the facts is not distorted (article 4). There is a ban on media censorship; interference in the editorial activity of the mass media is prohibited, as also the creation of public authorities to control information that is going to be published in media (article 5).

Another quite impressive tool in countering false narratives is the creation of „First Source” (Prima Sursă) channel in Telegram [14]. First Source is the official channel of the Government of the Republic of Moldova in the online platform and provides information from official high level authority about public actions and policies. Through this, are presented government bills or government news, statements by officials, program plans, etc. In other words, it is a first-hand information to citizens, provided straight from the source (public policies authorities), which aims to skip other actor's secondary information filtering/reshaping/framing or priming and to support people in a more independent opinion-making

## Conclusions

As we observe, countries at state level have realized the potential risks of disinformation in public sphere and are now making efforts to limit the phenomenon. All three states are moving towards legislat-

ing protective measures in the media space. In US we see enactments concerning regulations for political advertising, especially in the field of political funding, with the “follow the money” approach (if we could say so) in order to increase transparency and accountability. There are also actions in the field of media literacy, firstly with the recognition of the term “digital citizenship” and secondly with the introduction of ML programs in the educational curriculum. Greece tries to modernize Public Administration, thus it makes steps to upgrade overall cyber security and interoperability between public governance bodies. Likewise, the goal is to achieve a more transparent flow of information in the public space and to establish open governance practices as well. Moldova gives increased attention to the protection of journalism and freedom of speech (for example external pressures, intimidation), gives directions towards the separation between fact-opinion, as a way to incorporate voices differentiation in public debate and reinforce pluralism. The practice of Prima Sursă as a direct source of information concerning state actions works as a preventer for information reshaping from other actors and tries to provide first-hand news.

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