Forum: Human Rights Commission - Sub-Commission 1

Issue: Tackling online disinformation and strengthening election integrity

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Introduction

Elections constitute an important part of any democratic state. Since the introduction of elections in Ancient Greece, in approximately 508 B.C., this procedure of the democratic process has been improved, altered, and amended to better suit the voters and the candidates. In the modern era, all nations undergo elections, with only a few exceptions. As such, the election process has evolved to adapt to the inventions of the 20th and 21st centuries. The most prominent example of this adaptation is the creation and spread of electronic voting and campaigning. Though the practice has yielded adequate results, certain issues remain that need to be mitigated before this voting solution becomes the norm.

As with any important societal process, equality and equity must be discussed. Over the last few decades, humanity's views have become more inclusive of those considered "different.". However, this has not stopped institutions from preventing people from marginalised groups from voting, one way or another. Additionally, the electronic voting methods that have been created could be more flawless. From system errors to the machines themselves being meddled with to favour one candidate over the other, voters and institutions alike are rethinking the way technology can be integrated into the democratic process.

Finally, the rise of the internet and social media has given a platform to anyone with an internet connection. In the right hands, this allows everyone to participate in decision-making. However, in the wrong hands, the internet has allowed for misinformation and conspiracy theories to become widespread The international community must ensure that online disinformation is mitigated, leading to the strengthened integrity of elections throughout the world.

Definition of Key Terms

Democratic Process

The Democratic Process describes events, institutions, and norms that make up a democratic nation. Elections constitute an important part of the democratic process, allowing citizens to choose their representatives.

Democracy

A system of government in which the citizens hold the power to make important decisions, either directly or by being allowed to choose representatives for a central governmental unit, such as a Senate or Parliament.

Equality/Equity

Equality and equity are two interconnected terms with similar meanings. Both terms refer to people receiving similar treatment, regardless of gender, sexual orientation, skin colour, religion, etc. However, while equality describes sameness (i.e., everyone is treated the same), equity describes the concept of fairness, where each person is treated in a way that does not put them at a disadvantage.

Election

The process of selecting a person to be appointed to an official governmental or administrative position. The person that can be voted for is a candidate; the one that casts a vote is called the voter.

Disinformation

Disinformation is the deliberate spread of falsified or inaccurate information with the intent of causing harm. Although disinformation can also include computer exploits, in the case of elections and online disinformation, the most common variants are propaganda and conspiracy theories.

Misinformation

"Misinformation is false or inaccurate information. Examples include rumours, insults, and pranks."[1]Misinformation is usually neither intentional nor done with malicious intent. Misinformation spreads more randomly than disinformation, due to a lack of intent for the spread of said false information.

Conspiracy Theory

Theories speculate the existence of a secret force that controls all aspects of humanity, including the people who are appointed to official positions, e.g., heads of state, diplomats, and representatives.

Fake News

News stories that appear to be realistic are created to influence people's political ideas.

Cybersecurity

Technological security, often known as cybersecurity, is the safeguarding of data and computer systems against loss, theft, and unauthorised access.

Propaganda

The use of film, radio, TV and other optoacoustic mediums to present only one side of an argument or political faction, to make said idea, party or person look more beneficial to citizens than the opposition.
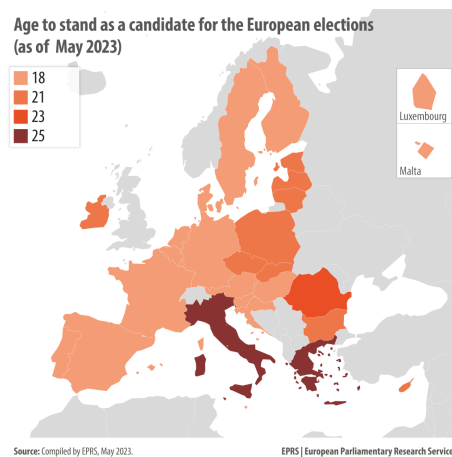
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[1] https://www.unhcr.org/innovation/wp-content/uploads/2022/02/Factsheet-4.pdf

Background Information

History of the electoral process

Elections, as mentioned above, have been an integral part of democracy since its inception in Ancient Greece. In the ancient world, voters - usually (wealthy) males over a certain age - would cast a negative vote, to decide which politician would be exiled from the city/state. The practice was known as "ostracism", from the Greek word "ostrakon" (shell), due to the votes being written on shells. In modern history, the voting procedures we are familiar with originated from European nations after the Middle Ages (i.e. 16th-17th Century AD). Elections have evolved since then, to become equal and inclusive. In some way, this move has been successful - with the suffrage movement (1928- ca.1978), which allowed women to vote and the civil rights movement (1954–1968), which gave people of colour the right to vote.

Throughout history, and especially in the 20th century, certain leaders have suspended voting procedures - either through disbanding all parties or forbidding the establishment of elections - which have marred the democratic process. Usually, these authoritarian leaders fear that their rule will be easily challenged and suspend the democratic process to ensure their position of power. Examples include the Union of Soviet Socialist Republics (USSR) and the Third Reich (colloquially, Nazi Germany). In the 21st century, the electoral process has been standardised, with most nations moving to fairer elections. However, there are still nations with either one political movement or no election process. Furthermore, the introduction of personal computers, mobile phones and other portable technology has allowed for the modernisation of elections.

Elections and the democratic process

The democratic process is based on the existence of election procedures. Who gets to vote or be voted for depends on the nation or institution. While some give their citizens the right to vote and vote simultaneously (usually once they turn 18), others[2], such as the United States, prefer allowing

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[2] Figure 1: A Map of the European Union, where the age of candidacy in different EU Member States is shown. Source: https://epthinktank.eu/2023/06/07/one-year-to-go-to-the-2024-European-elections/

candidacies from more senior citizens.

Democracy in the 21st Century

In the current era, i.e., the 2010s–2020s, most government officials are elected by the people. Nations that have adopted authoritarian systems of governance usually forgo elections, with some exceptions (e.g., the Democratic People's Republic of Korea, whose Parliament consists of one political group, in which the ruling party has over 80% of the total votes). In addition to this, governments have been accused of organising elections as a form of "show," since all votes would go to one person or party. Since the turn of the century (and with the introduction of new technologies), electoral systems have also become more simplified, allowing people to vote with greater ease. Additionally, accessibility measures, mail-in ballots, and electronic voting have aided in achieving larger turnouts in regional and national elections worldwide. These measures, more specifically e-voting, have come under scrutiny. Its opponents believe that the machinery and software used can easily be compromised, which would corrupt the electoral process.

A further aspect of modern-era elections is the use of social media, among other mediums, in political campaigns. As with most uses of social media and the internet, there is both a negative and a positive side. In the hands of professionals, social media is a faithful companion to any party or politician. However, if people with malicious intent are given a platform, such as the one the Internet provides, they can use it to spread disinformation, conspiracies and propaganda to confuse the voters.

All of the above shows a clear connection between election integrity, online disinformation and voter equality. An equal voting environment, which can be achieved through the mitigation of disinformation - among others -, will lead to larger turnouts on election day, giving more power to the people and strengthening the integrity of electoral systems worldwide.

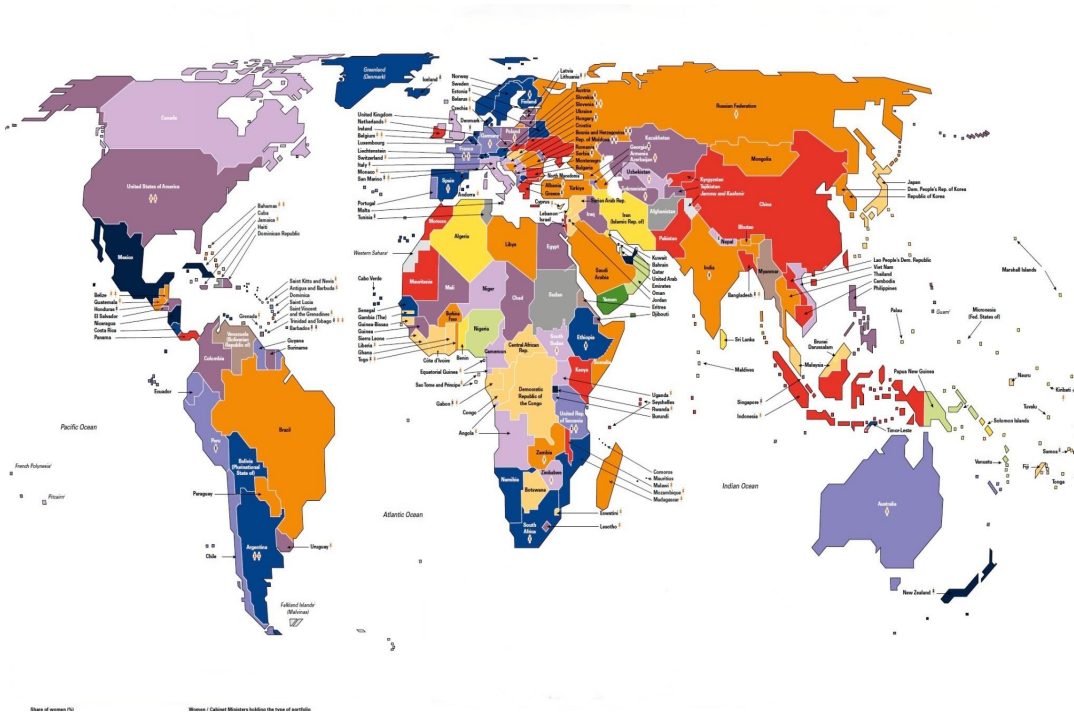## Sub-topic 1: Ensuring Voter Equality and Equity

Although democracy represents the people being given a voice, our form of representative democracy has been built on inequality. The requirements for someone to be elected, up until the last few decades, have limited people from marginalised groups from taking part in the process.

The right to equal vote has been the standard because of the sacrifices made by numerous minority groups in the past, like the women's suffrage movement (1920s, United States/Europe) and the civil rights movement (1960s, United States).

Regretfully, there has been an unsettling tendency to reverse this advancement in recent years. In the US, for example, many states have politicians using voter suppression as a means of unfairly gaining an advantage in elections, rather than advancing democracy. A significant portion of this devolution has been made possible by the 2013 case of Shelby County v. Holder in the Supreme Court, which struck down the 1965 Voting Rights Act, the most significant voting rights law of the 20th century.

The above is not to say that other regions are perfect. The European continent - more specifically Southern and Eastern Europe - has a lower percentage of women taking government positions in comparison to their economic counterparts in North America, South Africa and Oceania[3]. The most prominent example of this, ironically, is Switzerland, which only gave women the right to vote in 1971.

Finally, the restriction of the right to vote based on beliefs comes into question. In a proper democracy, no opinion should be banned, regardless of whether the current administration agrees with said idea - with certain exceptions (i.e. extremist, discriminatory or otherwise harmful policies).

All in all, voters and candidates alike should be treated equally, regardless of who they are or what they believe in. By ensuring that all voices are heard, the risk of one idea or one person having power over an entire nation is minimised.

Sub-topic 2: Regulating Electronic Voting

Although the first personal computers appeared in the market four decades ago, electronic voting was not considered for legally binding elections until the 2000s. In 2003, in the Canadian state of

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[3] Figure 2: A map showing what percentage of national parliaments are inhabited by women.
Source:**https://turkiye.un.org/en/224323-women-politics-map-2023**

Ontario, and 2005, in Estonia - where Electronic Voting Machines (EVMs) were used in municipal elections. Internet voting was introduced in the 2010s.

Electronic voting machinery is considered by many to be a revolutionary piece of technology. It is hailed as an accessibility aid, allowing every vote to be recorded. Internet voting - or i-voting - functions similarly, with the added benefit of allowing voters to stay at home. As the technology has improved, it has also been implemented in elections with more candidates (and, consequently, more voters).

As with any technological advancement, e-voting and i-voting have been criticised for a plethora of reasons. The aforementioned methods are seen by their critics as unreliable and susceptible to being compromised. Although electronic counting machines can make mistakes, they are fewer than those made by their human counterparts. Additionally,

To understand why e-voting machines and i-voting procedures can fail in the first place, one needs to understand how these work. On one side, e-voting describes a ballot counting system, where the user (in this case, the voter) presses either a physical button or a touchscreen which adds a vote to the selected candidate. Internet voting, on the other, uses personal computers with an internet connection and verifies its users through their government-issued IDs. Due to the nature of i-elections, certain legislations (e.g. Estonia) allow users to change their vote within the election period.

All of the above have forced voters, candidates and governments to distrust electronic voting procedures. Those who do, run the risk of a system error producing inaccurate results, which leads to the undermining of the democratic process. One such example is the 2021 council elections that took place in New South Wales, an Australian State. According to the state, the electronic voting system crashed during the voting period that December, which led to votes not being recorded.

Sub-topic 3: Addressing disinformation and conspiracy

The Internet was established on January 1, 1983. However, due to the technology being used primarily for scientific research, until the introduction of the personal computer, it did not reach many people during the first years of its lifespan. The turn of the century marks a phenomenon that could be described as a "Digital Revolution". By the last decade (2010-2019), computers and phones had become much more than simple communication devices.

This spring in internet usage led to the creation of the world's first modern social media platforms, with the creation (and success) of MySpace in 2003. Since then, many social media platforms have seen the light of day, with certain ones setting the trends for others to follow. YouTube (2004) popularised the idea of long-form video posts, and Instagram (2010) became a trendsetter for video and photo posts, as

well as temporary posts, with the introduction of Instagram Stories. Finally, TikTok (originally released only in China as "Douyin" in 2016 and later worldwide as "TikTok" in 2018) managed to redefine short-vote video.

This change has also created a world-sized advertising and marketing space. Seeing the benefits of online campaigning, politicians have started to take advantage of the popularity of social media platforms. The use of the Internet for political advertising can be considered a double-edged sword. Although most campaigns are formal, some have tried to undermine democracy through conspiracy and political propaganda, both achieved with disinformation.

Disinformation through social media has been a common phenomenon in recent times. Although it has been a problem on a plethora of topics, in politics, it can be used to discredit political opponents through conspiracy theories as a form of political propaganda.

Infamous examples include former US President Donald J. Trump launching racist attacks against his predecessor, Barack Obama (who was born in Hawai'i); Russian-based groups who, with the approval of the Kremlin, launched disinformation campaigns to sabotage the 2016 US presidential election; and the 2023 Greek wiretapping scandal, where leading figures of the political opposition were spied on by the Greek government to discredit them by using their personal lives as proof.

A further example of disinformation being used to corrupt the democratic process is the situation in Nigeria during the 2022 parliamentary elections. Videos were posted on various platforms, spreading a hateful agenda against many of the nation's minority groups, who also hold the right to vote.

Major Countries and Organisations Involved

DPRK (Democratic People's Republic of Korea)

The DPRK, more commonly known as "North Korea" is one of the few hereditary democracies in the world. The nation has come under scrutiny for a variety of offences, one of them being the lack of proper elections. The Republic has a legislative organ, the Supreme People's Assembly (SPA, for short), where - every four to five years - members are elected from the DPRK's districts. The electoral process in the nation is considered subpar, being described as more of a "show" than an election. All seats in the SPA are won by either the Workers' Party of Korea (whose leader is also the DPRK's Head of State, Kim-Jong Un) or by one of the parties in their coalition.

Estonia

Estonia plays a rather large role in the future of elections. Being one of the first countries to adopt i-voting, one of its main goals regarding the procedure has been securing the integrity of elections, while remaining accessible to all.

Kenya

The African nation of Kenya is one of the few in the region to implement any sort of law against online disinformation, with the Computer and Cybercrimes Bill of 2017. Despite being considered a Less Economically Developed Country (LEDC), Kenya has seen success in its online protection attempts.

USA (United States of America)

The United States is one of the core nations in this topic since it is also connected with all three sub-topics. On the question of voter equality, the US is far from perfect. Although the struggles of minority groups have not gone unheard, the 2013 Shelby County v. Holder case was a step back for the nation. The nation was also one of the first to implement e-voting, with the use of punch card ballots, although i-voting has not yet been implemented. Finally, the 2016 and 2020 Presidential elections have proved that even the most technologically advanced MEDCs are susceptible to baseless conspiracy theories.

EU (European Union)

As an organisation and alliance, the European Union has always campaigned for equality and transparency on a plethora of issues, including elections. This is proven by the Regulation on the Transparency and Targeting of Political Advertising, which -as the title suggests- focuses on fairer and more transparent political campaigns.

UNESCO (United Nations Educational, Scientific and Cultural Organisation)

Being a UN-backed organisation, UNESCO strives to bring improvement and cooperation in education, science and culture. It is thus within their mandate to call for the regulation of social media platforms, as the organisation has demonstrated with their action plan.

Timeline of Events

Date (start - end)	Name	Description
Approx. 508 BC	First Recorded Elections	The first recorded elections took place in Ancient Greece, to decide which candidate would be exiled for 10 years.
August 6, 1965,	Voting Rights Act	The Act (full name: An Act to enforce the Fifteenth Amendment of the Constitution of the United States, and for other purposes), one of the many results of

		that decade's Civil Rights Movement, was put into effect
January 1, 1983	Internet Created	CERN scientist Tim Berners-Lee launched the World Wide Web
August 8, 2003	"MySpace" launch	The launch of the social media platform "MySpace", as well as its success, created the basis for the social media outlets of today
2005	Estonia launches i-voting programme	Estonia became the first nation to use internet voting for legally binding elections, kickstarting a new era for the democratic process.
November 9, 2012 - June 25, 2013	Shelby County v. Holder	A case between the American administrative division of Shelby County versus American Lawyer, Eric Holder takes place. The case allowed for certain parts of the 1965 Voting Rights Act to be deemed "unconstitutional", specifically those which barred governments in the US from changing who can and cannot vote. This change led to the government having the power to disallow certain minorities (in most cases, African Americans) from voting.
8 November 2016	2016 US Presidential Election	The people of the United States of America voted for their 45th President. The two candidates, Hillary Clinton and Donald Trump had both set up online campaigns. This event is interesting not only for its results but also for the disinformation crisis before it.
January 6, 2021	Attacks on the US Capitol	As part of a disinformation campaign by 45th US President Donald Trump, The former president's supporters were called to storm the Capitol Building in Washington, D.C. The attack was coordinated via social media, aiming to stop the affirmation of Trump's electoral opponent, Joe Biden, as the 46th

		President of the United States.
June 18 – July 16, 2022	Elections in Nigeria	National elections were held in Nigeria in 2022. Throughout an approximately six-month period prior to the election, videos and posts made with ill intent were posted throughout social media. The targets of said videos were the many minority groups in the country that could decide the election.
April 1, 2022,	A/HRC/RES/49/21	A resolution on the "Role of States in countering the negative impact of disinformation on the enjoyment and realisation of human rights" was ratified by the Human Rights Commission.
January 2023	Greek Wiretapping Scandal	Throughout the first month of 2023, a scandal concerning leaders of the opposition in Greece took place. It was discovered that the leader of the Panhellenic Socialist Movement (at the time, Greece's third-largest party) was the victim of attempted surveillance, through his mobile phone.

Relevant UN Treaties and Events

- Letter from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council, 20 November 2020 **(S/2020/1130)**[4]
- Letter from the Secretary-General addressed to the President of the Security Council, 23 October 2023 **(S/2023/798)**[5]
- Role of States in countering the negative impact of disinformation on the enjoyment and realisation of human rights, 1 April 2022 **(A/HRC/RES/49/21)**[6]

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[4] https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/331/46/pdf/N2033146.pdf?OpenElement
[5] https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/315/81/pdf/N2331581.pdf?OpenElement
[6] https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/304/10/pdf/G2230410.pdf?OpenElement

- Countering disinformation for the promotion and protection of human rights and fundamental freedoms, 24 December 2021 **(A/RES/76/227)**[7]
- Written statement submitted by People's Solidarity for Participatory Democracy, a non-governmental organisation in special consultative status **(A/HRC/17/NGO/33)**
- United Nations Strategy and Plan of Action on Hate Speech, May 2019[8]

Previous Attempts to Solve the Issue

Regulation on the Transparency and Targeting of Political Advertising, EU

Although the Regulation is not yet in action, the final text of the new EU plan to establish fairer, more transparent political campaigns can also help set an example for other nations to follow. As disinformation is often present in political campaigns to attract voters, strengthening regulations in said area of the election process would also strengthen their integrity.

Digital Security Bill (2018), Bangladesh

Similar to the EU regulation, the Bangladeshi Digital Security Bill also allows for the easier prosecution - and punishment - of those trying to undermine democracy through online disinformation. The Bill was signed into law on September 20, 2018, and has allowed for the modernisation of the electoral procedure in the country.

Social Media Action Plan, UNESCO

UNESCO, the world's leading organisation for culture, science and education published their "Guidelines for the Governance of Digital Platforms" (otherwise known as the Social Media Action Plan) in 2023. Taking comments from citizens and governments of the UN's Member States into consideration, UNESCO's Plan is the first step in a common set of guidelines to prevent disinformation on social media platforms from corrupting the electoral process.

Possible Solutions

Sub-topic 1: Ensuring Voter Equality and Equity

To ensure voter equality, the international community must create laws that clearly state who can and cannot vote, per the Universal Declaration of Human Rights, as well as other national documents. These new regulations would be upheld by each nation's Supreme Court, as part of their obligations as upholders of a nation's Constitution

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[7] https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/416/87/pdf/N2141687.pdf?OpenElement
[8] https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action_plan_on_hate_speech_EN.pdf

Member States must also work with the UN and the Human Rights Comission to ensure these regulations will be followed, as well as to provide ideas and feedback to the regulations ratified by countries.

Sub-topic 2: Regulating Electronic Voting

The Bills, Acts and Regulations passed already are a step in the right direction. However, a majority of nations still have not applied any sort of measure to avoid disinformation. The first step in such a plan would be to mitigate online disinformation in the first place, by regulating what can be posted on social media platforms, without - of course - limiting citizens' right of speech.

Then, those found violating said regulations would need to be punished accordingly, after being found guilty in a court of law. Punishments could include fines, for lighter offenses, or imprisonment, for constant violations. Finally, awareness campaigns could be set up, in order to inform the citizens of the dangers of disinformation on the Internet.

Sub-topic 3:Addressing disinformation and conspiracy

Modernisation has become an integral part of society in the 21st century. Thus, a value as important as democracy also needs to advance technologically. The introduction of i-voting in the early 2000s has brought concerns over privacy and integrity that need to be resolved.

On the topic of privacy, the international community can develop Regulations, such as the EU's GDPR, which aim to protect people's privacy when online. These, coupled with specially created polling software, could also aid in strengthening the integrity of the modern electoral process.

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