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High-Level Conference on Media Literacy and Information Integrity: Building Resilience to Disinformation and FIMI in Europe

Speech by Michael O'Flaherty
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Dear Friends,

There have been three notable occurrences this week that I consider to be deeply relevant to our topic.

The first is the death of Jürgen Habermas. With his sad passing, we recall his inspiring thought on the centrality of public discourse and of truth for thriving democracy.

Second, demonstration of the extent and relying influence of disinformation on our elections has been evidenced literally in recent days in well-documented efforts to disrupt the French local elections. And, of course, we have multiple references to attempts of disruption earlier this morning here in Moldova and elsewhere.

The third of the three occurrences that strikes me during this week has to do with the inspiring success at the Oscars of the documentary Mr. Nobody against Putin. This documentary tells the story of Russian schoolteacher Pavel Talankin, who exposed the nature and scale of the propaganda that infests the Russian education system, and who, in the telling, renders the lies as preposterous, no less than they are cruel and impactful.

In the context of each of these this week's events, I applaud the high attention that has been given now by the Council of Europe to disinformation, to malign foreign influence, and to how to combat them. In particular, I appreciate the work of the Committee of Experts on Foreign Information Manipulation and Interference, as well as of the Steering Committee on Media and Information Society. I also of course acknowledge with respect the excellent work of their Secretariats.

I acknowledge the repeated references to the importance of respecting human rights in our responses to disinformation. I am happy indeed to see similar references to the importance of human rights in a number of the national action plans that I have had the opportunity to see.

And so that then gives me the topic for this morning. My topic is a quite simple one. What does a human rights approach look like in practice?

In the first place, of course, it is about freedom of expression. But it is also about many other rights, such as, very importantly, privacy.

But it is more than just about those specific rights that we sometimes have to qualify in tackling disinformation. We have to remember the impact of disinformation for so many aspects of human life and dignity, how they are undermined by disinformation. This is all about human rights. Our right to

life and bodily integrity, both in and outside war. The integrity of our electoral systems, in essence our political rights. Our right to a clean and healthy environment. And then of course the rights of specific groups in our societies. I'm thinking in particular of minorities, including migrants, Roma, members of the LGBTI communities. And everywhere, in every group, I'm thinking of children. Furthermore, I think of the rights of journalists and members of civil society organisations. And across all categories, I'm thinking of women. Never forget the extent to which disinformation targets women.

My list is already a long one, but it's far from comprehensive. And this breadth of harm needs always to be taken into account in the assessment of the legality, necessity and the proportionality of restraint on freedom of expression and related rights. The list should also inform whatever other complementary measures are put in place.

But friends, beyond identifying specific human rights and groups, a human rights approach also reminds us to pay attention to a number of fundamental principles.

There is the principle of universality. The principle of the equal enjoyment of human rights by everyone. This is the basis on which our efforts against disinformation must never overlook those of its victims who are most on the edge of our society, most marginalised. It is also the basis on which all of our efforts must be deeply gendered.

A second principle is that of participation. In a rights-based approach, it is important that rights holders are properly consulted. To this end, civil society organisations play and must play an important role. Engaging them in the design and implementation of policy will greatly enhance the outcomes.

The third principle is the familiar one of subsidiarity. In other words, national level efforts should be paramount. They should also be of the highest possible quality, including through the defence of that breadth of human rights that I mentioned.

On this basis, I strongly encourage states to closely involve their national human rights institutions in the struggle against disinformation.

The final principle that I would mention is that of accountability. Our efforts need to be transparent and outcomes should be measurable. These, in turn, require the development of smart indicators and their clear and timely public reporting. After all, our efforts are in the service of our people in deeply consequential contexts and so they should be answerable to them.

Friends, before concluding, allow me a brief word on the importance of protecting the strong normative base already in place within the EU context. The 27 of our member states that are also EU states benefit from the application of the AI Act and the Digital Services Act. These instruments play very important actual and potential roles in policing the online space. And I encourage the EU to proceed with great caution in its ongoing legislative so-called simplification exercise to, in that exercise, not compromise the quality of these groundbreaking instruments.

To conclude, I wish you very well for the continuation of this conference and, above all, for the ongoing work for a public discourse and public space that have integrity, that honour the vision for Europe of Habermas, that reflect the Europe of values to which Pavel Talankin and so many other brave people look with hope.

Thank you.