

# Information Integrity on Climate Change and Energy

Submission to the Senate Select Committee on  
Information Integrity on Climate Change and  
Energy

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Australian  
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Commission

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## Summary

1. Climate-related misinformation and disinformation impacts Australia's ability to respond effectively to climate change. False narratives distort public understanding, erode trust in science and institutions and delay urgent climate action.<sup>1</sup> This submission highlights how misinformation and disinformation undermine not only the human right to a clean, healthy and sustainable environment – but also rights to free expression and participation in public affairs. It underscores the concerning prevalence of misinformation and disinformation, and its negative impact on informed public debate and environmental advocacy.
2. The issue is not just about false information. It is about the deliberate manipulation of public discourse. Disinformation campaigns (often coordinated, and sometimes foreign-backed) exploit digital platforms to spread doubt and weaken democratic engagement on important topics like climate action.<sup>2</sup> These tactics are increasingly sophisticated, including the use of bots, trolls and deepfakes – which can mislead the public and discredit legitimate climate advocacy.
3. It is equally important to emphasise that addressing misinformation and disinformation must not come at the expense of stifling legitimate public debate. Misinformation and disinformation are distinct from controversial or unpopular opinions. A healthy democracy depends on the ability to challenge dominant narratives and engage in robust debate. The challenge is to navigate this distinction carefully – ensuring that efforts to counter misinformation and disinformation do not inadvertently suppress diverse viewpoints or critical discourse.
4. Social media platforms play a central role in the spread of misinformation and disinformation. Their algorithms often prioritise engagement over accuracy, creating echo chambers that reinforce existing beliefs and can amplify misleading content.<sup>3</sup> This dynamic amplifies outrage and fear, making it harder for evidence-based climate policy to gain traction. Without stronger transparency and public education, these platforms will continue to distort climate discourse.
5. Efforts to combat misinformation and disinformation must be grounded in human rights principles. While regulation is necessary, it must not come at the expense of freedom of expression. Past legislative attempts have failed to strike this balance.<sup>4</sup> A rights-based approach is essential to ensure that responses are effective, proportionate and democratic.

## Summary

## Recommendations

6. The Commission makes the following recommendations.

### Recommendations

1. The Australian Government support independent research into the prevalence and impact of climate-related misinformation and disinformation, with a focus on human rights implications.
2. The Australian Government's response to misinformation and disinformation be grounded in human rights law – with sufficient protections for freedom of expression.
3. The Australian Government strengthen transparency requirements for digital platforms, including improved access to data on the prevalence and impact of misinformation and disinformation.
4. The Australian Government increase investment in targeted digital literacy programs, with a particular focus on helping individuals critically assess online information, understand algorithmic content curation, and identify misinformation and disinformation.
5. The Australian Government legislate an AI Act.

# 1 Prevalence of misinformation and disinformation

This section defines misinformation and disinformation and highlights its growing prevalence online. It explains how false climate narratives threaten the human right to a clean, healthy environment. Misinformation and disinformation can also undermine public support for climate policy and delay urgent action.

7. Determining what is 'misinformation' and 'disinformation' is difficult. This submission adopts the definitions provided by the Australian Electoral Commission's Electoral Integrity Assurance Taskforce:
  - **Misinformation** is false information that is spread due to ignorance, or by error or mistake, without the intent to deceive.
  - **Disinformation** is knowingly false information designed to deliberately mislead and influence public opinion or obscure the truth for malicious or deceptive purposes.<sup>5</sup>
8. Climate-related misinformation and disinformation can spread rapidly on social media - reaching diverse audiences online.<sup>6</sup> A study conducted in 2024 reported that 59% of Australian adults had encountered false or misleading information online in the previous week.<sup>7</sup> This is consistent with evidence of a concerning growth in misinformation and disinformation about scientific topics (including climate change) in recent years.<sup>8</sup>
9. False claims about climate change, shared either in good faith or deceptively, can result in community polarisation, decreased support for climate-change mitigation policies and obstruction of political action.<sup>9</sup> This undermines public information and debate, which in turn affects the realisation of the human right to a healthy, clean and sustainable environment.<sup>10</sup>
10. Public perception of the growing impact and prevalence of misinformation and disinformation has led to the World Economic Forum identifying misinformation and disinformation as the most severe global risk anticipated over the next two years.<sup>11</sup> In the same survey, participants listed extreme weather events (exacerbated by climate change) as the most severe anticipated risk facing the world over in the long term (10 years).<sup>12</sup> The intersection of these risks - where climate-related risks are compounded by the spread of misinformation and disinformation - creates a distinct and under-recognised threat to the protection and realisation of human rights, both in Australia and globally.
11. Given the risk Australia needs to better understand the prevalence of climate-related misinformation and disinformation. While this inquiry is a crucial first step, further research is required to better understand the issues.

## Prevalence of misinformation and disinformation

**Recommendation 1: The Australian Government support independent research into the prevalence and impact of climate-related misinformation and disinformation, with a focus on human rights implications.**

### Delaying climate action

12. The right to a healthy environment is as an important aspect of human rights protection. As climate-related risks continue to grow, there is a need for timely and coordinated action to reduce environmental harm. Strengthening Australia's response to climate change can help safeguard public health, protect ecosystems and ensure that all people can enjoy a safe, clean and sustainable environment.
13. Climate-related misinformation and disinformation can delay action. By sowing doubt and confusion, misinformation and disinformation erode public support and undermine trust for evidence-based climate policies<sup>13</sup> This can slow necessary action to address climate change.
14. Swift and decisive action is essential to mitigate the worst effects of climate change, but urgency must not be used as a justification to categorise legitimate questions or concerns about the best way forward as misinformation and disinformation. The best response in a democratic nation requires space for debate, dissent and scrutiny - especially on complex and far-reaching issues like climate and energy policy. Calling controversial opinions 'misinformation' or 'disinformation' to shut down discussion, or making quick decisions without proper consultation, can damage public trust. It also risks creating policies that don't meet the needs of all communities – especially those most affected by climate change.

### Eroding trust

15. Climate-related misinformation and disinformation contribute to a broader erosion of public trust in key institutions (e.g. scientific bodies, government agencies and media).<sup>14</sup> This undermines the foundations of informed public debate and weakens the capacity of society to respond effectively to climate change.
16. Scientific institutions play a critical role in advancing our understanding of climate change and informing evidence-based policy. Disinformation campaigns often target these institutions by misrepresenting or distorting scientific findings.<sup>15</sup> This has led to some public scepticism about climate science, despite overwhelming agreement among climate scientists that global warming has been caused by human activities.<sup>16</sup> A disconnect between scientific consensus and public belief underscores the importance of protecting the integrity of

## Prevalence of misinformation and disinformation

climate information. When trust in science is undermined, it becomes more difficult to build the public support needed for effective climate action.

17. Government agencies may also be targeted by climate-related disinformation. This is particularly concerning in the context of emergency responses, where timely and accurate information from government sources is essential to protect lives and uphold human rights.<sup>17</sup>
18. In the context of climate change, these dynamics are particularly dangerous - as they weaken the collective resolve needed to address one of the most urgent and complex challenges of our time.



## 2 Combatting misinformation and disinformation

This section explores regulatory responses and the need to balance misinformation and disinformation responses with freedom of expression.

19. While there is a clear and urgent need to address misinformation and disinformation, any regulatory response must strike the right balance between combatting misinformation and disinformation, promoting participation in public affairs and not unduly infringing on freedom of expression.<sup>18</sup>
20. Freedom of expression is directly threatened when genuine differences of opinion are dismissed, or removed, by laws aimed at countering misinformation and disinformation. This risk to free expression may be exacerbated when these laws are poorly designed, ambiguous or misused by governments.<sup>19</sup> The United Nations Special Rapporteur on Freedom of Expression has previously raised concerns about misinformation and disinformation laws being misused and that they may "... lead to the suppression of legitimate online expressions with limited or no due process...".<sup>20</sup>
21. Legislative attempts to counter misinformation and disinformation should be pursued – but they must be done with the utmost regard for free expression, transparency and with measures in place to avoid misuse. Combatting misinformation and disinformation requires a holistic approach supported by digital education and access to evidence-based information. Regulatory responses in isolation will be insufficient.
22. The UN describes the right to freedom of expression<sup>21</sup> as 'the foundation stone for every free and democratic society'.<sup>22</sup> The right is not, however, absolute. Its exercise carries with it special duties and responsibilities. The right may be subject to certain restrictions as set out in art 19(3) of the International Covenant on Civil and Political Rights (ICCPR).<sup>23</sup>
23. In particular, the United Nations Human Rights Committee has highlighted that:  
... when a State party imposes restrictions on the exercise of freedom of expression, these may not put in jeopardy the right itself. The Committee recalls that the relation between right and restriction and between norm and exception must not be reversed.<sup>24</sup>

### Legislation failing to strike the right balance

24. In 2023 the Australian Government first released an Exposure Draft of the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023* (Cth) which aimed to combat misinformation and disinformation through regulation of digital platforms – as overseen by the

## Combatting misinformation and disinformation

Australian Community Media Authority.<sup>25</sup> While the Exposure Draft's intention was important, as online misinformation and disinformation must be addressed - the Commission raised serious concern about the first draft's lack of protection for free expression and risks of censorship.<sup>26</sup>

25. For example, s 2 of the Exposure Draft created a carveout for 'excluded content' which meant that any information authorised by Government could never be misinformation or disinformation. This failed to acknowledge the reality that misinformation and disinformation can emanate from government. Indeed, government misinformation and disinformation raises particular concerns given the enhanced legitimacy and authority that many people attach to information received from official government sources.<sup>27</sup> This was made more concerning when the same carveout did not apply to content authorised by political opponents.
26. The Exposure Draft was revised and considered by Parliament in late 2024. Although there were improvements, the Commission remained concerned that the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2024* (Cth) did not strike the right balance between freedom of expression and the need to combat misinformation and disinformation.<sup>28</sup>
27. The Exposure Draft sought to stop the spread of misinformation and disinformation that caused 'harm' including harm to the Australian environment.<sup>29</sup> Reference to the environment was later removed in the revised 2024 version of the bill, which would have reduced any impact of the legislation on climate-related misinformation and disinformation.<sup>30</sup> Ultimately the proposed legislation did not proceed, and while the Commission did not recommend that the Bill should be passed as drafted it remains important to consider the full range of regulatory measures that can contribute to an effective response to this issue.
28. Addressing misinformation and disinformation through regulation is a complex challenge. Ambiguity in the definition and scope of misinformation and disinformation in a regulatory context has potential to create uncertainty. Such laws must be grounded in human rights principles and strike a balance between fighting misinformation and disinformation while promoting transparency and free speech. Various regulatory approaches have been introduced worldwide to tackle the problem of misinformation and disinformation with mixed outcomes.<sup>31</sup> A deeper understanding of global practices could inform stronger and more effective strategies in Australia. Australia needs a mix of approaches that require transparency of online services, promote digital literacy, and foster quality research and media.

## Combatting misinformation and disinformation

### **Recommendation 2: The Australian Government's regulatory response to misinformation and disinformation be grounded in human rights law – with robust protections for freedom of expression.**

#### **More data needed**

29. Section 14(1)(e) of the Exposure Draft would have required digital platforms to report on the 'prevalence of false, misleading or deceptive content'. Broad access to this kind of information is essential to monitor and evaluate the prevalence of misinformation and disinformation in Australia. It also comes at a time when it is reported social media platforms are reducing transparency and limiting researcher access.<sup>32</sup>
30. Ensuring transparency and meaningful access to prevalence data is essential for understanding how misinformation and disinformation are shaping the online environment. Transparency not only supports accountability but also serves as a safeguard for freedom of expression by providing insight into how content is being flagged or moderated.
31. The voluntary industry code, *Australian Code of Practice on Misinformation and Disinformation* plays an important role in transparency.<sup>33</sup> Transparency reporting should however provide critical insights about social media platforms' operations, content moderation and adherence to guidelines. Without clear metrics and a prescriptive approach to reporting, these insights can be obfuscated. Issues in transparency remain present and should be addressed by the Australian Government. Strengthening broader transparency mechanisms is an important protection against misinformation and disinformation.
32. **Recommendation 3: The Australian Government strengthen transparency requirements for digital platforms, including improved access to data on the prevalence, impact and operations affecting misinformation and disinformation.**

### 3 Social media

Social media platforms amplify climate-related misinformation and disinformation due to engagement-driven algorithms. Users are often exposed to echo chambers that can reinforce false beliefs. Algorithmic curation undermines informed debate.

33. Social media platforms are now central to public discourse, including on climate change and energy. Their business models often prioritise engagement over accuracy.<sup>34</sup> This has enabled the rapid spread of climate-related misinformation and disinformation.<sup>35</sup>
34. Social media constitutes the 'digital town squares', where news is reported, contentious issues are debated and consensus is formed. The same platforms that have enabled democratic discussion on contentious issues like climate change, can also be weaponised to undermine it.

#### Curation misleads users

35. Social media platforms curate content using algorithms designed to promote content based on engagement instead of quality.<sup>36</sup> People also tend to connect with people and organisations online who share their world views, interests or backgrounds. Because social media platforms often show users content that their friends have interacted with, people are more likely to see posts that match their existing views. This can create online 'echo chambers' where false or misleading information spreads more easily and goes unchallenged.<sup>37</sup>
36. Echo chambers limit exposure to diverse perspectives and may reduce the likelihood that users will encounter credible, evidence-based information that challenges their views.<sup>38</sup> In the climate context, this can lead to the entrenchment of false beliefs, such as climate change denial. When users repeatedly encounter misleading content that aligns with their views, they may come to regard it as truth, further polarising public discourse.<sup>39</sup>
37. Algorithmic amplification also contributes to the virality of misinformation and disinformation. Posts that provoke outrage or fear are more likely to be shared, liked and commented on, increasing their visibility across platforms. This dynamic rewards misinformation and disinformation over nuance, and undermines efforts to promote informed, rights-based climate action.
38. The role that algorithms play in content curation is powerful but opaque.<sup>40</sup> This can often make it difficult for users to escape online echo chambers and highlights the need for greater education about how algorithms established by online platforms use personal data to tailor online experiences.

## Social media

39. As social media continues to shape how people access information, it is essential to support people to develop skills to navigate online environments with confidence. Strengthening digital literacy – particularly in relation to assessing the credibility of online content, understanding how algorithms influence what people see and recognising misinformation and disinformation can help promote informed decision-making and civic participation. Efforts to improve digital literacy should be complemented by initiatives that encourage the generation of, and access to, credible sources of information, contributing to a more trustworthy and inclusive information environment.

**Recommendation 4: The Australian Government increase investment in targeted digital literacy programs, with a particular focus on helping individuals critically assess online information, understand algorithmic content curation, and identify misinformation and disinformation.**

## 4 Foreign interference

This section details how foreign actors use bots, trolls and coordinated inauthentic behaviour to spread climate-related misinformation and disinformation to influence Australian politics. It warns of the growing threat posed by deepfakes, which can distort public debate and suppress civic participation. The section highlights the potential for synthetic media to undermine democratic processes and climate advocacy.

41. Social media is an important part of everyday life. It is also a cheap and effective way for foreign actors to influence global politics. There is, for instance, evidence of a noticeable rise in foreign interference during elections and referendums in recent years.<sup>41</sup>
42. Foreign interference may impede climate action by undermining informed public discourse and democratic participation - both of which are essential to rights-based climate policy.

### Foreign actors using bots and trolls

43. The coordinated use of bots and trolls is a key tactic in disseminating climate-related disinformation.<sup>42</sup> These tactics may be deployed as part of broader foreign interference operations, where state and non-state actors seek to manipulate public discourse.
44. Bots can be programmed to flood social media platforms, which can be used to repeat misleading or false content, amplifying narratives that deny climate science or question the legitimacy of renewable energy.<sup>43</sup> Trolls on social media typically operate by provoking, misleading or disrupting conversations. Trolls can work in tandem with bots to target climate advocates, spread conspiracy theories and inflame social divisions.<sup>44</sup>
45. These tactics can use coordinated inauthentic behaviour (CIB), which includes organised efforts to manipulate public debate using fake accounts and deceptive practices.<sup>45</sup> These kinds of tactics can be used to support 'astroturfing' - the practice of creating a false impression of widespread grassroots support or opposition to a particular policy position where that support or opposition does not in fact exist. Astroturfing is not limited to foreign actors; domestic groups may also employ such strategies to distort public discourse and undermine informed debate across a range of policy areas, including climate change.
46. CIB operations are already occurring in Australia and are likely to increase in frequency and sophistication.<sup>46</sup> For example, during the 2019-2020 Black Summer Bushfires, Twitter accounts tried to get #ArsonEmergency trending to drown out dialogue acknowledging the link between climate change and bushfires.<sup>47</sup>

## Foreign interference

47. The risk posed by foreign interference through social media is a real and immediate concern. In its Annual Report, the Australian Security Intelligence Organisation (ASIO) said that espionage and foreign interference have supplanted terrorism as Australia's principal security concerns as '[m]ultiple foreign governments are determined to interfere in Australia's democracy and undermine our sovereignty'.<sup>48</sup>

## Deepfake interference

48. Increasingly advanced forms of deepfake misinformation and disinformation can also be used to undermine democratic debate on controversial topics such as climate action.<sup>49</sup>
49. The use of deepfakes has the potential to lower the cost of operations and broaden the range of actors who can create and disseminate climate-related misinformation and disinformation. Products like Open AI's [Sora AI](#) and Google's [VEO 3](#) can generate hyper-realistic videos with synthetic audio that is nearly indistinguishable from real footage. The developments in and accessibility of deepfakes mean that synthetic content could soon potentially flood social media.<sup>50</sup> Anyone with a phone and internet connection can create and disseminate convincing – but artificial – footage in an attempt to influence policy debate in Australia.

## Deepfakes undermine democratic principles

50. The risk of domestic or foreign actors using deepfakes is disturbing given its possible negative impact on not only climate action, but also the democratic principles that make advocacy possible.
51. The importance of this issue is reinforced by the Senate Select Committee on Adopting AI which recommended that the Australian Government:
- ... undertake a thorough review of potential regulatory responses to AI-generated political or electoral deepfake content, including mandatory codes applying to the developers of AI models and publishers including social media platforms, and prohibitions on the production or dissemination of political deepfake content during election periods.<sup>51</sup>
52. Effectively addressing this complex issue needs to be done as a matter of urgency. While a holistic approach to supporting public access to credible information is required, introducing an AI Act could be an effective step in addressing deepfakes that impact climate discourse online.
53. In its Proposals Paper, the Australian Government proposed a risk-based AI Act where AI systems classified as 'high-risk' would need to comply with mandatory guardrails.<sup>52</sup> Deepfakes aimed at distorting democratic debate on topics like

#### Foreign interference

climate change could potentially be classified as high-risk and subject to regulation.

**Recommendation 5: The Australian Government legislate an AI Act.**



## Endnotes

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- <sup>1</sup> Kathie Treen, Hywel Williams & Saffron O'Neill, 'Online misinformation about climate change' (2019) 11(5) *WIREs Climate Change* 1, 2.
- <sup>2</sup> United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>3</sup> See generally Axel Bruns, 'Echo chambers? Filter bubbles? The misleading metaphors that obscure the real problem' in M. Pérez-Escobar and J. Manuel Noguera-Vivo (eds.), *Hate Speech and Polarization in Participatory Society* (London: Routledge, 2021) 33, 33.
- <sup>4</sup> See e.g. Australian Human Rights Commission, Submission No. 66 to the Senate Standing Committees on Environment and Communications on *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024 [Provisions]* (Submission, 07 October 2024); Australian Human Rights Commission, Submission to the United Nations Human Rights Council on the *Impact of disinformation on the enjoyment and realization of human rights* (Submission, 28 February 2025); Australian Human Rights Commission, Submission to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts' *Exposure Draft of the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023* (Submission, 18 August 2023)
- <sup>5</sup> Australian Electoral Commission, *Misinformation and Disinformation* (Webpage) <[https://www.aec.gov.au/About\\_AEC/files/eiat/eiat-disinformation-factsheet.pdf](https://www.aec.gov.au/About_AEC/files/eiat/eiat-disinformation-factsheet.pdf)>.
- <sup>6</sup> Kathie Treen, Hywel Williams & Saffron O'Neill, 'Online misinformation about climate change' (2019) 11(5) *WIREs Climate Change* 1, 5; United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>7</sup> Simon Chambers, et al., *Adult Media Literacy in 2024: Australians Attitudes, Experiences and Needs* (Report, 2024) 9.
- <sup>8</sup> Andrea Tomassi, Andrea Falegnami & Elpidio Romano, 'Disinformation in the Digital Age: Climate Change, Media Dynamics, and Strategies for Resilience' (2025) 13(2) *Publications* 24, 24-25.
- <sup>9</sup> Climate Action Against Disinformation, *Climate Mis/disinformation Backgrounder* (Background Paper, September 2023)
- <sup>10</sup> A healthy, clean and sustainable environment has been recognised as a universal human right; See United Nations Human Rights Council, *Resolution 48/13: The human right to a clean, healthy and sustainable environment* (UN Doc No. A/HRC/RES/48/13, 8 October 2021); United Nations General Assembly, *The Human Right to a Clean, Healthy and Sustainable Environment* (Resolution A/76/L.75, 01 August 2022).
- <sup>11</sup> World Economic Forum, *The Global Risks Report 2025* (20<sup>th</sup> edition, January 2025), 15.

## Endnotes

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- <sup>12</sup> World Economic Forum, *The Global Risks Report 2025* (20<sup>th</sup> edition, January 2025), 8-9.
- <sup>13</sup> Kathie Treen, Hywel Williams & Saffron O'Neill, 'Online misinformation about climate change' (2019) 11(5) *WIREs Climate Change* 1, 2; United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>14</sup> United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>15</sup> United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>16</sup> NASA, *Scientific Consensus: Earth's Climate Is Warming* (Webpage) <<https://climate.nasa.gov/scientific-consensus.amp>>; Hoesung Lee, et al., *Climate Change 2023: Synthesis Report – Summary for Policymakers* (IPCC Report, 2023) 4 [A.1].
- <sup>17</sup> Australian Human Rights Commission, *Collateral Damage: What the untold stories from the COVID-19 pandemic reveal about human rights in Australia* (Report, March 2025) 104.
- <sup>18</sup> International Covenant on Civil and Political Rights, Articles 19 and 25.
- <sup>19</sup> Amnesty International, Submission to the United Nations High Commissioner for Human Rights, *A Human Rights Approach to Tackle Disinformation* (Submission, 14 April 2022) 5.
- <sup>20</sup> Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, *Disinformation and freedom of opinion and expression*, UN Doc A/HRC/47/25 (13 April 2021) 12 [57].
- <sup>21</sup> The right is enshrined in a range of international and regional human rights instruments, including *Universal Declaration of Human Rights* (UDHR) art 19 and *International Covenant on Civil and Political Rights* (ICCPR) art 19; See also *United Nations Convention on the Rights of Persons with Disabilities* art 21; *United Nations Convention on the Rights of the Child* art 12; *European Convention on Human Rights* art 10; *American Convention on Human Rights* art 13; *African Charter on Human and Peoples' Rights* art 9; *ASEAN Human Rights Declaration* art 23.
- <sup>22</sup> United Nations Human Rights Committee, *General Comment No 34 (Article 19: Freedom of opinion and expression)* (General Comment, UN Doc. CCPR/C/GC/34, 12 September 2011) 1 [2].
- <sup>23</sup> ICCPR art 19(3); See also UN Human Rights Committee, *General Comment No 34 (Article 19: Freedom of opinion and expression)* (General Comment, UN Doc. CCPR/C/GC/34, 12 September 2011) 6 [22].
- <sup>24</sup> ICCPR art 19(3); See also UN Human Rights Committee, *General Comment No 34 (Article 19: Freedom of opinion and expression)* (General Comment, UN Doc. CCPR/C/GC/34, 12 September 2011) 5 [21].

## Endnotes

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- <sup>25</sup> See generally Exposure Draft of the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023* (Cth).
- <sup>26</sup> See generally Australian Human Rights Commission, Submission to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts' *Exposure Draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023* (Submission, 18 August 2023).
- <sup>27</sup> Australian Human Rights Commission, Submission to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts' *Exposure Draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023* (Submission, 18 August 2023) 9 [38]-[40].
- <sup>28</sup> See generally Australian Human Rights Commission, Submission No. 66 to the Senate Standing Committees on Environment and Communications on *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2024 [Provisions]* (Submission, 07 October 2024).
- <sup>29</sup> Exposure Draft of the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023* (Cth) s 2.
- <sup>30</sup> *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2024* (Cth) s 14.
- <sup>31</sup> Oreste Pollicino (ed.), *Freedom of Speech and the Regulation of Fake News* (Intersentia, August 2023); Hybrid CoE, *Research Report 2 Effective State Practices Against Disinformation: Four Country Case Studies* (Report 2 July 2021)
- <sup>32</sup> Jeremy Shiffman & Jacob Silverman, *The Case for Transparency* (Institute for Data, Democracy & Politics, George Washington University, 07 May 2025) 2; See generally Reset Tech Australia, *Achieving digital platform public transparency in Australia* (Report, June 2024).
- <sup>33</sup> Digital Industry Group Inc (DIGI), *Australian Code of Practice on Disinformation and Misinformation* (December 2022)
- <sup>34</sup> Transparency International, *The Corruption Risk of Artificial Intelligence* (Report, 2022) 7.
- <sup>35</sup> United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>36</sup> eSafety Commissioner, *Recommender Systems and Algorithms – Position Statement* (webpage) <<https://www.esafety.gov.au/industry/tech-trends-and-challenges/recommender-systems-and-algorithms>>.
- <sup>37</sup> The Department of Home Affairs, Submission No. 16 to the Senate Select Committee on Foreign Interference through Social Media on *Foreign Interference through Social Media* (Submission, 2021) 4; See also Australian Human Rights Commission, Submission No. 212 to Department of Industry, Science and Industry, *Supporting Responsible AI: Discussion Paper* (Submission, 26 July 2023) 28.

## Endnotes

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- <sup>38</sup> Senate Select Committee on Adopting Artificial Intelligence, *Interim Report* (Interim Report, October 2024) 10 [2.17].
- <sup>39</sup> United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>40</sup> Senate Select Committee on Foreign Interference through Social Media, *First Interim Report* (Interim Report, December 2021) 24-25 [3.10].
- <sup>41</sup> Sarah O'Connor, Fergus Hanson, Emilia Currey and Tracy Beattie, *Cyber-enabled Foreign Interference in Elections and Referendums* (ASPI, 2020) 8.
- <sup>42</sup> United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>43</sup> United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>44</sup> United Nations Development Programme, *What are climate misinformation and disinformation and how can we tackle them?* (Explainer, 01 May 2025) <<https://climatepromise.undp.org/news-and-stories/what-are-climate-misinformation-and-disinformation-and-how-can-we-tackle-them>>.
- <sup>45</sup> Senate Select Committee on Foreign Interference through Social Media Interim, *First Interim Report* (First Interim Report, December 2021) 23 [3.3].
- <sup>46</sup> Senate Select Committee on Foreign Interference through Social Media Interim, *First Interim Report* (First Interim Report, December 2021) 34 [4.14].
- <sup>47</sup> Derek Weber, Lucia Falxon, Lewis Mitchell, Mehwish Nasim, *Promoting and countering misinformation during Australia's 2019-2020 bushfires: a case study of polarisation* (Social Network Analysis and Mining, June 2022).
- <sup>48</sup> Australian Security Intelligence Organisation, *2020-21 Annual Report* (Australian Security Intelligence Organisation, 19 October 2021) 4.
- <sup>49</sup> A deepfake is a digital photo, video or sound file of a real person that has been edited to create an extremely realistic but false depiction of them doing or saying something that they did not actually do or say. Deepfakes are created using artificial intelligence software; See eSafety Commission, *Deepfake trends and challenges* (Position Statement, January 2022) 1.
- <sup>50</sup> Hannah Smith and Katherine Mansted, *Weaponised deep fakes* (Australian Strategic Policy Institute, Policy Brief, 2020) 11.
- <sup>51</sup> Senate Select Committee on Adopting Artificial Intelligence, *Interim Report* (Interim Report, October 2024) 33.
- <sup>52</sup> Department of Industry Science and Resources, *Safe and responsible AI in Australia Proposals paper for introducing mandatory guardrails for AI in high-risk settings* (Proposals Paper, September 2024) 18-19.