Since its inception in 2016, the Digital Citizen Summit (DCS) has been built around the broader discourse of how individual rights are refracted through, inflected and impacted by complex digital ecosystems. Online spaces and digital media have expanded the potential for democratic participation and augmented opportunities and capabilities. However, with intensifying and evolving uses and practices over time, its emancipatory potential celebrated through ground-breaking water-shed moments in world history like the Arab Spring have also transmuted into the dark underside of online media. Its once laudatory potential for participation and access to information also extended such affordances to problematic and harmful practices thereby making online intimidation, harassment, trolling, misinformation and information propaganda contend and jostle for space with civic participation. The DCS journey has demonstrated the diversity of issues currently at stake in the space of digital rights and range of stakeholder engagements that would required to confront outstanding challenges.

Traversing the landscape of social media and internet rights in 2016; access, rights, and privacy in 2017, DCS 2018 explored the key challenges of privacy, surveillance, intimidation, censorship, and misinformation emerging within the online environment reveal the underside of a hyper-connected world while half the population continues to be lack the basic access to such resources. In 2019 it was decided to restructure the Summit to do a deep-dive on a particular issue in order to engage subject-matter experts and practitioners across its multiple dimensions in order to develop meaningful stakeholder engagements and leverage and advance the collective work done by different stakeholders in a given area. Given the wave of violence unleashed by proliferating practices of misinformation on social media platforms, the theme of this year’s Summit seeks to explore the intractable online information landscape of misinformation and disinformation and the compounding legal and social challenges it has thrown up in terms of developing a solution for its effective regulation that works within a rights-based framework.

In India, the past couple of years have seen an alarming rise in lynching and mob violence on the basis of rumours and misinformation spread via WhatsApp. The spread of misinformation proliferates on and is augmented by social media and messaging applications like Facebook, Twitter, and WhatsApp with the latter playing a prominent role in precipitating violence in given localities. However, not
all instances of rumour based violence have been predicated on social media. For example, violence has also been triggered by the mere presence of a cow carcass, Dalits skinning a dead cow, transportation of cattle etc. without the involvement of WhatsApp. This indicates that the inter-linkages between reception and virality driving the spread of misinformation that has led to violent action in different parts of India are underpinned by a complex web of social dynamics.

However, in response to the rising cases of lynching and mob violence, the government released the draft Intermediary Guidelines (Amendment) Rules, 2018 in response to a calling attention motion on ‘misuse of social media platforms and spreading of fake news’. The draft rules aim to expand the conditional requirements for internet intermediaries in order to qualify for safe harbour. These conditional requirements have been expanded to include traceability requirements on social media platforms and internet intermediaries [see Rule 3(5)], automated censorship of ‘unlawful information or content’ [see Rule 3(9)], and definitional issues around terms such as ‘grossly offensive or menacing in nature’, ‘threatens public order’, ‘threatens public health or safety’. However, the intermediary guidelines so amended in response to violence engendered by virality of misinformation have a broad mandate which cater to a wide range of intermediaries working in the digital space and not just to social media companies whose platforms are used for the distribution and propagation of misinformation and disinformation. This thereby displays a divergence between objective and the wide-ambit of the strategy adopted. This presents a unique opportunity to inform the ongoing debate on developing policy priorities and regulatory frameworks that are informed by evidence from the ground-up in order to be truly effective towards intended objectives to respond to adverse social phenomenon.

DCS 2019 aims to unravel the complex strands of policy, practice, and social reality in order to develop an in-depth and thorough understanding of the complexity of an information landscape that through the affordances presented by social media platforms have come to represent an intractable challenge that has not yet been suitably analysed across its many facets. DEF aims to bring together subject-matter experts, academics, policy-makers, lawyers, technologists, and members of the civil society in order to facilitate learning, knowledge-sharing, and bringing together collective experience in order to identify the next steps towards developing holistic solutions to meet the intensifying challenges confronting society and citizens through the phenomenon of misinformation. This year DEF will also host the Media and Information Literacy Expert Network that brings together the expertise of 12 members from a diverse range of countries in the Global North and South. This will enable the Summit to have a range of comparative perspectives in order to understand the commonalities and differences between similar phenomenon across national borders as well to learn from best practices and legal, regulatory, and civil society responses in different national contexts.