

From the Museum of Australian Democracy at Old Parliament House website:

The Australian democracy has at its heart, the following core defining **values**:

- freedom of election and being elected;
- freedom of assembly and political participation;
- freedom of speech, expression and religious belief;
- rule of law; and
- other basic human rights.

Please now consider the Universal Declaration of Human Rights, Article 19:

“Everyone has the right to freedom of opinion and expression; *this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*”

And Article 30: “Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Australia is a signatory to the United Nations Declaration of Human Rights. The proposed “Combatting Misinformation and Disinformation Bill” is in clear violation of our agreement with the UN.

“A federal judge in Louisiana ruled Tuesday that the Biden administration likely violated the First Amendment by censoring unfavourable views on social media over the course of the coronavirus pandemic, calling the efforts ‘Orwellian’

U.S. District Court Judge Terry Doughty also issued a sweeping preliminary injunction barring numerous federal officials and agencies – including Surgeon General Vivek Murthy, Health and Human services Secretary Xavier Becerra, White House press secretary Karine Jean-Pierre and all employees of the Justice Department and FBI – from having any contact with social media firms for the purpose of discouraging or removing First Amendment-protected speech.” Matt Berg & Josh Gerstein, 4/7/2023

The right in article 19(2) protects freedom of expression in any medium, for example written and oral communications, the media, public protest, broadcasting, artistic works and commercial advertising.

Australia is a party to seven core international human rights treaties. The right to freedom of opinion and expression is contained in articles 19 and 20 of the [International Covenant on Civil and Political Rights \(ICCPR\)](#).

#### Article 19

*1. Everyone shall have the right to hold opinions without interference.*

*2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.*

*3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:*

*(a) For respect of the rights or reputations of others;*

*(b) For the protection of national security or of public order (ordre public), or of public health or morals.*

This proposal gives the sitting government unprecedented power over media and all information therein. To even contemplate that a small group of government appointed bureaucrats be the arbiters of truth at the behest of the government is almost beyond comprehension in a so-called democracy.

The inference is that the government is clearly threatened by Australian citizens having the right to receive and distribute information and the ability to make their own decisions. The danger of government potential to completely shut down conversation is a scenario only usually seen in dictatorships.

The right to question, to debate and to voice an opinion is the foundation of our democracy. It is not for the government to decide what information we should or should not be permitted to see, share or discuss. In a healthy, open society, questions, alternate opinions and debate should be encouraged, not stifled.

This "Draft Exposure" seems to be heavily loaded with "misinformation codes", re-issue of misinformation codes, sub clauses, referrals circling back to other sub clauses in typical double speak but nowhere did I see an actual example of what "Mis" or "Dis" information entails. I saw 60 pages of red tape full of threats, penalties and punishments. Nowhere did I see a clear requirement for full justification of any censorship action. "Because the government disagrees" is not justification. Are we to expect the government to be spying on our personal messages (text and otherwise) now to make sure we express the correct opinions? Before even being accused or suspected of any criminal activity? Where is the consideration of our rights to personal privacy and freedom of expression? Are Australians set to live in fear of their private conversations and messages "morphing" into gaol sentences and massive fines for simply expressing a personal view?

The careful insertion of particular mention of referenda information only being able to be disseminated by government is a warning signal. It appears all dissenting voices will be silenced.

I also noted mention of "misinformation" and "disinformation" from international sources. How can we even contemplate preventing people from receiving such information? Is this country to be closed down similar to North Korea or China where people are not allowed to know what is happening in the rest of the world (unless of course our government decides to allow it?) I find this quite simply astonishing to say the least.

Notably, it appears the government is exempt from any criticism regarding the dissemination of misinformation or disinformation. Who ultimately decides? And how can they know at the time that they are 100% correct? And if they are not, will they be held responsible? Whoever makes a decision to silence another is in peril of committing some sort of "mis-speak" crime themselves by censoring anything that is later found to be fact. Is ACMA to be bound to provide proof that any so-called mis/disinformation is actually untrue? Is there somebody who will sign off on this and take full responsibility for their actions going forward in the event that their censorship turns out to be way off the mark?

There is plenty of rubbish on social media and I personally do belong to any of the three major social media platforms but I defend the right of those who do to receive information and express themselves freely, no matter what their opinion and whether or not I subscribe to it. I am happy to allow them their opinion and I should remain free to exercise my right to challenge it via any means if I feel so inclined. I am happy to listen and prepared to change my views depending on the evidence placed before me. With no evidence I cannot make any informed decisions, nor am I likely to change my views.

Is the free pass for government to remain uncensored and unchallenged proposed to apply to all politicians and candidates or just those who do not challenge the government? How can we be represented fairly if we cannot ask questions and debate what our government "permits" us to see or hear? How can we learn the truth about anything if the government is in charge of all information? The past 3 years has seen many, many government examples of what I would call "Misinformation" and "Disinformation" and even downright lies. So now they wish to take it further and gag everybody who happens to disagree then remain presumably unaccountable?

What or who are the actual targets of this government appointed "Ministry of Truth"? How can "we the people" possibly be expected to have any trust in government should this outrageous bill come into effect?

This proposed bill must not be passed if Australia is to continue to call itself a democracy. It is NOT in the interests of the people.