

Re: The Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023

We urge the government to withdraw this Bill and uphold the fundamental rights of every Australian citizen as stated in:

1. 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.
2. The Australian Human Rights Commission
“There is a real risk that efforts to combat online information and disinformation by foreign actors could be used to legitimise attempts to restrict public debate, censor unpopular opinions and enforce ideological conformity in Australia.”
3. The Australian Human Rights Commission
“All efforts to combat misinformation and disinformation need to be accompanied by transparency and scrutiny safeguards to ensure any limitations imposed upon freedom of expression are no greater than absolutely necessary and strictly justified.”
4. The International Covenant on Civil and Political Rights (ICCPR) is a multilateral treaty that commits nations to respect the civil and political rights of individuals, including the right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and rights to due process and a fair trial.

The Bill is inconsistent with fundamental freedoms of speech and communication under international human rights instruments as listed above.

The Bill grants the government the authority to define truth, to control and manipulate the flow of information and impose restrictions on online platforms using vague, undefined terms with the risk of biased ideological interpretation.

Government and media censorship was on an industrial scale during the recent Covid-19 pandemic. Factual information shared by qualified experts was unfairly censored leading many to make less informed decisions about their medical wellbeing, which impacted small business and services, job security, the education sector, and mental health. The result was catastrophic to our communities and economy. Such a totalitarian response from government in partnership with media and large corporations has demonstrably damaged the trust of people in the government’s ability to make informed decisions without bias or outside interference.

Also of major concern is the government and media companies are exempt from public accountability and oversight.

Our rights have been enshrined in various articles and declarations to protect the free flow of information and ideas for good reason. This Bill is the antithesis of those rights and we strongly urge the government to withdraw this Bill.