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Censorship in Crisis

Government Information Crackdowns in the Covid-19 Pandemic

Justin Sherman

Executive Summary: The Covid-19 pandemic has illustrated the importance of accurate, real-time information and empirical data in a rapidly evolving crisis. Yet it has also captured an opposite issue: the spread of misinformation and disinformation during a public health crisis. Numerous governments have used the Covid-19 pandemic as reason to, legitimately or illegitimately, heighten existing state censorship practices or introduce new practices entirely under the justification of stopping false information about the virus. This report analyzes developments in China, India, and Russia as case studies of government censorship amid the public health crisis. It offers five key takeaways from these case studies. And finally, it argues that the Covid-19 pandemic has only accelerated and exacerbated the fragmentation of the global information space and state crackdowns on free online speech, underscoring the need for strong United States leadership in promoting and defending a global, free, and open internet.

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Introduction

The Covid-19 pandemic has illustrated the importance of accurate, real-time information and empirical data in a rapidly evolving crisis. Unfortunately, it has also highlighted how the spread of misleading and inaccurate, and even outright fabricated, information can have serious public health and safety effects. This has been in the form of misinformation—false information spread accidentally or with unclear intentions—and disinformation—false information spread knowingly and deliberately.

Misinformation and disinformation problems around Covid-19 have spanned numerous countries. Text messages circulated in the US falsely claimed that government officials were going to institute a military-enforced lockdown. Six American officials said Chinese government operatives helped push that narrative.¹ Social media posts have advertised false cures for the coronavirus, like consuming bleach, colloidal silver or essential oils.² In the UK, conspiracy theories that 5G cellular technology causes the coronavirus—a lie pushed by social media accounts across multiple platforms including Facebook and YouTube, as well as by a few American celebrities—have led to dozens of incidents where citizens lit cell towers on fire.³ 5G conspiracies have also spread in France⁴ and Russia.⁵ False information spread on Facebook, WhatsApp, and other platforms in Madagascar and Senegal claimed coronavirus vaccines were deadly or a plot to kill Black people.⁶ Newspapers and social media accounts spread false claims in Tanzania

¹ Edward Wong, Matthew Rosenberg, and Julian E. Barnes, “Chinese Agents Helped Spread Messages That Sowed Virus Panic in U.S., Officials Say,” *The New York Times*, April 22, 2020, <https://www.nytimes.com/2020/04/22/us/politics/coronavirus-china-disinformation.html>.

² Jane Lytvynenko, “Here’s A Running List Of The Latest Hoaxes Spreading About The Coronavirus,” March 16, 2020, *BuzzFeed News*, <https://www.buzzfeednews.com/article/janelytvynenko/coronavirus-fake-news-disinformation-rumors-hoaxes>.

³ Adam Satariano and Davey Alba, “Burning Cell Towers, Out of Baseless Fear They Spread the Virus,” *The New York Times*, April 10, 2020, <https://www.nytimes.com/2020/04/10/technology/coronavirus-5g-uk.html>.

⁴ Natalia Antelava, “The Infodemic: Conspiracy in Nigeria; fake train subsidies in India, and why Dominic Cummings can’t trend on Twitter,” *Coda Story*, May 30, 2020, <https://www.codastory.com/disinformation/infodemic-may-29/>.

⁵ “Коронавирус, «вышки 5G» и чипирование граждан – в борьбу с распространением опасной информации вступила Генпрокуратура,” D-Russia.ru, May 19, 2020, <http://d-russia.ru/koronavirus-vyshki-5g-i-chipirovanie-grazhdan-v-borbu-s-rasprostraneniem-opasnoj-informacii-vstupila-genprokuratura.html>.

⁶ “Misinformation flood hampers fight for virus vaccine in Africa,” News24, May 8, 2020, <https://www.news24.com/news24/africa/news/misinformation-flood-hampers-fight-for-virus-vaccine-in-africa-20200507>.

that its health minister tested positive for coronavirus and that Madagascar's president was part of a plot to spread deadly virus "treatments."⁷ Covid-19 false information in India has spanned coronavirus treatments, Italy's lockdown, and China's involvement with and handling of Covid-19, as well as hate-fueled disinformation targeting India's Muslim community.⁸

The Chinese government has spread disinformation about the virus for months, like falsely claiming the US was its source.⁹ At home and abroad, the Russian government has actively done the same—via state-owned and state-controlled media outlets and proxy groups that post on social media—from falsely alleging it was developed in a lab in Latvia,¹⁰ to falsely claiming British Prime Minister Boris Johnson was on a ventilator while he was hospitalized in April (he wasn't; he was on oxygen support),¹¹ to amplifying the conspiracy theory that Bill Gates had a hand in the virus' creation.¹² Pro-Iranian social media accounts have also spread the false claim that Covid-19 is a US-produced bioweapon, among other pieces of disinformation.¹³ Many examples abound; this is hardly (and is not intended to be) a comprehensive list.

In response to the misinformation and disinformation accompanying the Covid-19 crisis, or at least under the guise of responding to it, many governments have increased their censorship and censorship-related practices. Some of these approaches have been intended to meaningfully address the dangerous problems of misinformation and

⁷ Peter Mwai, "Coronavirus: The misinformation circulating in Africa about Covid-19," BBC, June 7, 2020, <https://www.bbc.com/news/world-africa-52819674>.

⁸ "Maximum Covid-19-related fact checks in April related to communal rumours: BOOM study," *The Indian Express*, May 9, 2020, <https://indianexpress.com/article/india/fake-news-in-the-time-of-coronavirus-boom-analyses-178-fact-checks-on-covid-19-related-misinformation-since-january-6401441/>.

⁹ Steven Lee Myers, "China Spins Tale That the U.S. Army Started the Coronavirus Epidemic," *The New York Times*, March 13, 2020, <https://www.nytimes.com/2020/03/13/world/asia/coronavirus-china-conspiracy-theory.html>.

¹⁰ At various points, Russian outlets have also accused "the U.S., the Brits, or the opposition in Belarus" of producing the coronavirus. Jakub Kalenský, "Analysis | Six reasons the Kremlin spreads disinformation about the coronavirus," March 24, 2020, Digital Forensic Research Lab, <https://medium.com/dfrlab/commentary-six-reasons-the-kremlin-spreads-disinformation-about-the-coronavirus-8fee41444f60>.

¹¹ Max Rizzuto, "Russian disinfo targets UK Prime Minister's hospitalization," Digital Forensic Research Lab, April 15, 2020, <https://medium.com/dfrlab/russian-disinfo-targets-uk-prime-ministers-hospitalization-d257d6f4d621>.

¹² Betsy Woodruff Swan, "State report: Russian, Chinese and Iranian disinformation narratives echo one another," *POLITICO*, April 21, 2020, <https://www.politico.com/news/2020/04/21/russia-china-iran-disinformation-coronavirus-state-department-193107>.

¹³ Taylor Hatmaker, "Pro-Iran accounts blamed the US for the coronavirus in latest social media disinformation campaign," *TechCrunch*, April 15, 2020, <https://techcrunch.com/2020/04/15/iran-coronavirus-disinformation-graphika-iuvm/>.

disinformation amid a public health crisis. Misinformation and disinformation claiming such falsehoods as coronavirus is a myth, social distancing is entirely ineffective, and drinking bleach is an effective Covid-19 cure can result in physical harm and death. There is good reason to respond to these kinds of dangerous claims.

That said, in many cases the response to Covid-19 mis- and disinformation has been a heightening of existing state censorship practices or to pass, impose, or rush into place new censorship rules and regulations. As just some examples of many, Hungary granted its Prime Minister sweeping censorship powers around the pandemic;¹⁴ the Philippines expanded presidential powers to punish those spreading Covid-19 “false information”;¹⁵ Iraq suspended Reuters journalists for coronavirus reporting that challenged state narratives;¹⁶ Egypt kicked out a *Guardian* reporter for contradicting government infection numbers;¹⁷ the United Arab Emirates announced hundreds of thousands of dollars in fines for those judged to be sharing coronavirus fake news;¹⁸ Turkey detained journalists for their coronavirus reporting;¹⁹ and Iran has been punishing doctors, detaining journalists, and warning citizens over the phone for contradicting the state line about coronavirus.²⁰ Reporters Without Borders’ 2020 report on global press freedom noted suppression of media freedom in response to the

¹⁴ Sara Fischer, “Coronavirus is being used to suppress press freedoms globally,” *Axios*, March 31, 2020, <https://www.axios.com/coronavirus-press-freedom-e11cd2d3-c1c3-4b67-b985-102c882a223d.html>.

¹⁵ Xave Gregorio, “Jail time, up to P1-M fine await peddlers of fake COVID-19 news,” *CNN Philippines*, March 25, 2020, <https://www.cnnphilippines.com/news/2020/3/25/Fake-news-peddlers-P1-million-fine-under-Duterte-special-powers.html>.

¹⁶ “Iraq suspends Reuters for three months over report on coronavirus cases,” *Reuters*, April 14, 2020, <https://www.reuters.com/article/us-iraq-reuters/iraq-suspends-reuters-for-three-months-over-report-on-coronavirus-cases-idUSKCN21W1RW>.

¹⁷ Michael Safi, “Egypt forces *Guardian* journalist to leave after coronavirus story,” *The Guardian*, March 26, 2020, <https://www.theguardian.com/world/2020/mar/26/egypt-forces-guardian-journalist-leave-coronavirus-story-ruth-michaelson>.

¹⁸ Louisa Loveluck, Robyn Dixon, and Adam Taylor, “Journalists threatened and detained as countries on multiple continents restrict coronavirus coverage,” *The Washington Post*, April 5, 2020, https://www.washingtonpost.com/world/journalists-threatened-and-detained-as-countries-on-multiple-continents-restrict-coronavirus-coverage/2020/04/05/90d9953e-6eb7-11ea-a156-0048b62cdb51_story.html.

¹⁹ Joel Simon, “COVID-19 is spawning a global press-freedom crackdown,” *Columbia Journalism Review*, March 25, 2020, <https://www.cjr.org/analysis/coronavirus-press-freedom-crackdown.php>.

²⁰ “Doctors Punished for Contradicting Iran’s Official Line on COVID-19,” *Center for Human Rights in Iran*, April 15, 2020, <https://iranhumanrights.org/2020/04/doctors-punished-for-contradicting-irans-official-line-on-covid-19/>; Golnaz Esfandiari, “Coronavirus Conspiracy? Iranian Commander Suggests Virus Might Be U.S. Biological Weapon,” *RadioFreeEurope/RadioLiberty*, March 5, 2020, <https://www.rferl.org/a/coronavirus-conspiracy-iranian-commander-suggests-virus-might-be-us-biological-weapon/30470600.html>; and “Iranian authorities detain journalist Mohammad Mosaed again for social media posts,” *Committee to Protect Journalists*, February 27, 2020, <https://cpj.org/2020/02/iranian-authorities-detain-journalist-mohammad-mos/>.

coronavirus pandemic, such as heavy censorship in China and Iran and the US and Brazil becoming “models of hostility towards the media,” including during the health crisis.²¹

These changes will have long-lasting effects beyond the Covid-19 pandemic.

In this paper, I focus on the responses in three different countries, using them as case studies: China, India, and Russia. I briefly examine the spread of misinformation and disinformation around Covid-19 in these countries, and I analyze government responses that shed light on how the crisis has impacted state censorship. While I necessarily discuss media and internet platforms throughout these sections, my focus predominantly remains on state-led censorship actions, not content governance policies implemented voluntarily by the private platforms.²² (Noting that in some countries, there may be platforms which seem voluntary but in fact are not.) I conclude with an analysis of the censorship responses these different states have taken during the Covid-19 crisis, with brief discussion of future implications.

²¹ *2020 World Press Freedom Index* (Paris: Reporters Without Borders, 2020), <https://rsf.org/en/2020-world-press-freedom-index-entering-decisive-decade-journalism-exacerbated-coronavirus>.

²² For a thorough analysis of how internet platforms have responded to Covid-19 misinformation and disinformation, see: Spandana Singh and Koustubh “K.J.” Bagchi, *How Internet Platforms Are Combating Disinformation and Misinformation in the Age of COVID-19* (Washington, D.C.: New America, June 1, 2020), <https://www.newamerica.org/oti/reports/how-internet-platforms-are-combating-disinformation-and-misinformation-age-covid-19/>.

Case Study: China

The Chinese government has heavily censored the information space in China during the pandemic, including most notoriously the warnings and news of the death of Li Wenliang, a doctor in Wuhan who tried to warn about the coronavirus outbreak. When Dr. Li posted messages online in December 2019 trying to warn fellow medical professionals about the outbreak, he was investigated by authorities for spreading “false comments.”²³ When he then died from coronavirus in February 2020, after continued government efforts to censor and dismiss his warnings, his death was reported by several media outlets after which they were removed.²⁴ Hashtags began trending on Chinese social media platforms about Dr. Li’s death and the apparent scramble to censor it, some of which demanded an apology from the government and protested the censorship. These hashtags were quickly censored, as were thousands of comments on Weibo on the events.²⁵ Dr. Ai Fen, who was overseeing the outbreak at Wuhan Central hospital, spoke out about continued reprimands of her and her colleagues for attempting to issue the same warnings as Dr. Li about Covid-19. Authorities then began censoring that interview on Chinese social media,²⁶ and she became suddenly unreachable in the weeks following the interview.²⁷

The Chinese government also has been actively spreading misinformation and disinformation about the pandemic online. For instance, a spokesperson for the Ministry of Foreign Affairs tweeted a link to a website falsely claiming the US was responsible for coronavirus. Numerous state-controlled websites, television networks, and social media accounts spread similar lies about the pandemic domestically and abroad as well.²⁸ Journalists in China have bravely reported on the coronavirus coverup, a lack of

²³ Yvette Tan, “Li Wenliang: ‘Wailing Wall’ for China’s virus whistleblowing doctor,” BBC, June 23, 2020, <https://www.bbc.com/news/world-asia-china-53077072>.

²⁴ James Griffiths, “China’s censors tried to control the narrative on a hero doctor’s death. It backfired terribly,” CNN, February 7, 2020, <https://www.cnn.com/2020/02/07/asia/china-doctor-death-censorship-intl-hnk/index.html>.

²⁵ “Li Wenliang: Coronavirus death of Wuhan doctor sparks anger,” BBC, February 7, 2020, <https://www.bbc.com/news/world-asia-china-51409801>.

²⁶ Lily Kuo, “Coronavirus: Wuhan doctor speaks out against authorities,” *The Guardian*, March 11, 2020, <https://www.theguardian.com/world/2020/mar/11/coronavirus-wuhan-doctor-ai-fen-speaks-out-against-authorities>.

²⁷ “Whistleblowing doctor missing after criticizing Beijing’s coronavirus censorship,” Reporters Without Borders, April 14, 2020, <https://rsf.org/en/news/whistleblowing-doctor-missing-after-criticizing-beijings-coronavirus-censorship>.

²⁸ Robert Boxwell, “How China’s fake news machine is rewriting the history of Covid-19, even as the pandemic unfolds,” *Politico*, April 4, 2020, <https://www.politico.com/news/magazine/2020/04/04/china-fake-news-coronavirus-164652>.

personal protective equipment for doctors, and other state failures across transparency and responsiveness to the pandemic. But the Chinese government has employed a range of censorship tools to clamp down on this information within China.

In *Censored*, Margaret Roberts describes how the Chinese government not only restricts foreign news websites and removes undesired content, but also employs what she calls friction and flooding. Friction raises costs of circumventing censorship so as to disincentivize or prohibit individuals from doing so, often via hidden technologies that make it look to the user like they are dealing with technical errors rather than state censorship. Flooding involves the wide-spread promotion and dissemination of state narratives so that individuals have a harder time finding alternative views—a technique that has been used widely in response to COVID-19.²⁹ Media outlets were instructed to limit negative stories, and the online space was flooded with positive comments about the crisis. As Lotus Ruan from the Citizen Lab told *The New York Times*, it was not just an attempt to block critical commentary but to fundamentally alter the nature of the discussion.³⁰

The government has also relied on physical coercion in addition to technical measures. Three journalists investigating Covid-19 went missing;³¹ multiple individuals who tried to live-stream video from within Wuhan were detained.³² Prison sentences remain a very real threat for those who choose to post information critical of the government's pandemic response or even shining light on the state's censorship around and mishandling of Covid-19.³³ In late March, the Chinese Ministry of Foreign Affairs also

²⁹ Margaret Roberts, *Censored: Distraction and Diversion Inside China's Great Firewall* (Princeton: Princeton University Press, 2020).

³⁰ Javier C. Hernández, "As China Cracks Down on Coronavirus Coverage, Journalists Fight Back," *The New York Times*, March 14, 2020, <https://www.nytimes.com/2020/03/14/business/media/coronavirus-china-journalists.html>.

³¹ "Whistleblowing doctor missing after criticizing Beijing's coronavirus censorship," Reporters Without Borders, April 14, 2020, <https://rsf.org/en/news/whistleblowing-doctor-missing-after-criticizing-beijings-coronavirus-censorship>.

³² Rosie Perper, "A 4th Chinese citizen journalist was reportedly detained after livestreaming what life was like in Wuhan at the height of its coronavirus outbreak," Business Insider, May 19, 2020, <https://www.businessinsider.com/zhang-zhan-fourth-chinese-journalist-arrested-for-livestreaming-in-wuhan-2020-5>.

³³ See, e.g., "China Media Bulletin 144: New disinformation tactics, coronavirus censorship, activist arrests," Freedom House, May 2020, <https://freedomhouse.org/report/china-media-bulletin/2020/new-disinformation-tactics-coronavirus-censorship-activist-arrests#A3>.

revoked the press credentials of US journalists in China working at *The New York Times*, *The Wall Street Journal*, and *The Washington Post*.³⁴

All told, the Chinese government's turn to censorship techniques amid a public crisis is not surprising. But this time the costs have been more apparent—as the pandemic rapidly spread throughout the country and the government tried to stifle dissent.³⁵

³⁴ “COVID-19 reporting curtailed as China revokes press credentials of US reporters at 3 outlets,” Committee to Protect Journalists, March 20, 2020, <https://cpj.org/thetorch/2020/03/the-torch-covid-19-reporting-curtailed-as-china-revokes-press/>.

³⁵ Li Yuan, “Coronavirus Weakens China’s Powerful Propaganda Machine,” *The New York Times*, February 26, 2020, <https://www.nytimes.com/2020/02/26/business/china-coronavirus-propaganda.html>.

Case Study: India

Misinformation about the coronavirus and its origins have spread throughout India during the Covid-19 pandemic, especially on social media and mobile apps like WhatsApp. Citizens have attacked Muslims in India amid false conspiracy theories that Muslim communities are behind the virus' spread.³⁶ Unlike other countries such as Russia (discussed later) that have moved to technically block Covid-19-related information deemed "false" alongside offline enforcement mechanisms (e.g., arrests, police phone calls to citizens), the Indian government has primarily relied on arrests, not technical blocks, to purportedly address the spread of this misinformation.³⁷ And the arrests and detentions have in fact mostly focused on criticisms of the government.

The government has targeted medical professionals on the front lines of combating the pandemic with arrests, detentions, and other physical coercion methods for their communications about Covid-19. For instance, in March, doctors were arrested for posting photos on social media of substandard personal protective equipment (PPE) in their hospitals. In one case, a local court ruled the government couldn't intimidate doctors, after a doctor was released by authorities only when he praised the state's support of medical workers online.³⁸ In April, a hospital superintendent told doctors to hand over names and numbers of those in hospital WhatsApp groups so they could be passed onto the police,³⁹ and authorities moved to threaten doctors in Kashmir with six months in prison for speaking against the government's pandemic response.⁴⁰ Many

³⁶ Joanna Slater and Niha Masih, "As the world looks for coronavirus scapegoats, Muslims are blamed in India," *The Washington Post*, April 23, 2020, https://www.washingtonpost.com/world/asia_pacific/as-world-looks-for-coronavirus-scapegoats-india-pins-blame-on-muslims/2020/04/22/3cb43430-7f3f-11ea-84c2-0792d8591911_story.html.

³⁷ See, e.g., "How India's government tries to suppress all Covid-19 reporting," Reporters Without Borders, April 12, 2020, <https://rsf.org/en/news/how-indias-government-tries-suppress-all-covid-19-reporting>. That said, the Modi administration has discussed troubling internet policies on content. Vinu Goel, "India Proposes Chinese-Style Internet Censorship," *The New York Times*, February 14, 2019, <https://www.nytimes.com/2019/02/14/technology/india-internet-censorship.html>.

³⁸ Sonia Sarkar, "Indian doctors face censorship, attacks as they fight coronavirus," *Al Jazeera*, April 13, 2020, <https://www.aljazeera.com/news/2020/04/indian-doctors-face-censorship-attacks-fight-coronavirus-200410063124519.html>.

³⁹ "Safdarjung Hospital seeks contact details of staff WhatsApp group admins to check fake news," *Deccan Herald*, April 4, 2020, <https://www.deccanherald.com/national/north-and-central/safdarjung-hospital-seeks-contact-details-of-staff-whatsapp-group-admins-to-check-fake-news-821308.html>.

⁴⁰ Puja Changoiwala, "COVID-19: Government Threatens Kashmir Doctors With 'Strict Action' for Media Leaks," *The Wire*, April 4, 2020, <https://thewire.in/rights/covid-19-government-threatens-kashmir-doctors-with-strict-action-for-media-leaks>.

other doctors have spoken about state efforts to suppress information about pandemic readiness and PPE supplies when it doesn't reflect well on government leadership.⁴¹

Arrests and detentions have also targeted citizens outside medical professions. The government has arrested dozens of journalists for their Covid-19 reporting that contradicted official information or criticized the government's policies.⁴² Police have denied journalists entry to areas in which they have attempted to report and then detained and threatened them.⁴³ One journalist was even arrested for sedition after suggesting a regional official could be replaced by the ruling party after a surge in Covid-19 cases in that area.⁴⁴ Arrests have also targeted ordinary citizens.⁴⁵ In some of these cases, such as with citizens allegedly telling people outside the area to come back home during the pandemic, there may be legitimate reasons to investigate the limiting of information's spread. But these arrests and detentions have mainly appeared to target those posting state-contradictory or -critical information online, all aimed at squashing criticisms of the government's pandemic response.⁴⁶

This response is in some ways akin to previous Indian government efforts to prevent the spread of misinformation. For one, India has mainly relied on existing legislation to act against information on Covid-19, such as the 1897 Epidemic Diseases Act.⁴⁷ The aforementioned state actions against pandemic information are more so done under the auspices of preventing violence, upholding order, and in the pandemic's case, protecting public health, than under policies specifically passed for the coronavirus.⁴⁸ When passed, the law was intended to give the government expanded powers as necessary to contain the bubonic plague. But its age, vague language, and current

⁴¹ See, e.g., Pallavi Pundir, "What It's Like to Be a Frontline Doctor and Speak Up Amid Growing Censorship in India," *VICE*, April 14, 2020, https://www.vice.com/en_in/article/7kzyyg/indian-coronavirus-frontline-doctor-speaks-up-amid-censorship.

⁴² See, e.g., "55 Indian Journalists Arrested, Booked, Threatened For Reporting on COVID-19: Report," *The Wire*, June 16, 2020, <https://thewire.in/media/covid-19-journalists-arrested-booked-report>.

⁴³ "Journalists detained, assaulted in India during COVID-19 lockdown," Committee to Protect Journalists, April 28, 2020, <https://cpj.org/2020/04/journalists-detained-assaulted-in-india-during-cov/>.

⁴⁴ "Surge in harassment of Indian reporters over coronavirus coverage," Reporters Without Borders, May 27, 2020, <https://rsf.org/en/news/surge-harassment-indian-reporters-over-coronavirus-coverage>.

⁴⁵ Bhavya Dore, "Fake News, Real Arrests," *Foreign Policy*, April 17, 2020, <https://foreignpolicy.com/2020/04/17/fake-news-real-arrests/>.

⁴⁶ Jason Rezaian, "In India, the pandemic is cover for Modi's war on journalists," *The Washington Post*, June 1, 2020, <https://www.washingtonpost.com/opinions/2020/06/01/india-pandemic-is-cover-modis-war-journalists/>.

⁴⁷ "Police crack down on Covid-19 'misinformation', activists concerned," *Hindustan Times*, April 30, 2020, <https://www.hindustantimes.com/india-news/about-500-cases-lodged-in-india-for-social-media-posts-on-covid-19/story-PBaxt7oNs9ldPNUCVRiUUM.html>.

⁴⁸ Bhavya Dore, "Fake News, Real Arrests," *Foreign Policy*, April 17, 2020, <https://foreignpolicy.com/2020/04/17/fake-news-real-arrests/>.

interpretations by the national government in addressing Covid-19 prompts many questions about just how the law applies in today's context.⁴⁹

All of that said, the Indian government did ask the Supreme Court on March 31 to order news outlets to not publish information without essentially checking with the government's "true factual position."⁵⁰ It was ultimately shot down. Critics pointed out this would be outright censorship and undemocratic.⁵¹ But even though the Court did not go along with the government's request, it did concerningly write, "We do not intend to interfere with the free discussion about the pandemic, but direct the media refer to and publish the official version about the developments."⁵²

There have also been criticisms raised before,⁵³ as there have been with New Delhi's response during Covid-19,⁵⁴ that officials are choosing to focus narrowly on technologies and individuals involved with individual pieces of misinformation rather than addressing systemic reasons behind that misinformation's rapid spread and prompting of violence (e.g., anti-Muslim sentiment). This is another similarity with historically recent state policies around misinformation.

These efforts also intersect with ongoing policies and practices of employing regional internet shutdowns as a means of controlling unwanted protest. Notably, India shut down the internet, albeit on a regional basis, more than any other country in the world in 2019.⁵⁵ The Indian government has kept internet access incredibly limited in Jammu and Kashmir, which until earlier this year was the longest internet shutdown in any democracy on earth—making it enormously difficult for citizens to get online at all, let

⁴⁹ Sonam Chandwani, "Epidemic Disease Act and COVID-19," Lexology, June 15, 2020, <https://www.lexology.com/library/detail.aspx?g=11baf77f-1104-4525-afd7-2487b1240a6c>.

⁵⁰ Rohan Venkataramakrishnan, "India's government wants to censor the media to fight Covid-19 – but transparency is a better weapon," *The Scroll*, April 1, 2020, <https://scroll.in/article/957849/indias-government-wants-to-censor-the-media-to-fight-covid-19-but-transparency-is-a-better-weapon>; and "Indian Supreme Court denies government request for prior censorship of COVID-19 news," Committee to Protect Journalists, March 31, 2020, <https://cpj.org/2020/03/indian-supreme-court-denies-government-request-for/>.

⁵¹ "How India's government tries to suppress all Covid-19 reporting," Reporters Without Borders, April 12, 2020, <https://rsf.org/en/news/how-indias-government-tries-suppress-all-covid-19-reporting>.

⁵² https://drive.google.com/viewerng/viewer?url=https://www.livelaw.in/pdf_upload/pdf_upload-371977.pdf

⁵³ See, e.g., Timothy McLaughlin, "How WhatsApp Fuels Fake News and Violence in India," *WIRED*, December 12, 2018, <https://www.wired.com/story/how-whatsapp-fuels-fake-news-and-violence-in-india/>.

⁵⁴ See, e.g., Bhavya Dore, "Fake News, Real Arrests," *Foreign Policy*, April 17, 2020, <https://foreignpolicy.com/2020/04/17/fake-news-real-arrests/>.

⁵⁵ Meghan Chilappa, "Grappling With India's Internet Shutdowns From Afar," *Slate*, May 1, 2020, <https://slate.com/technology/2020/05/india-internet-shutdowns-jammu-kashmir.html>; and Justin Sherman, "Democracies Can Become Digital Dictators," *WIRED*, January 5, 2020, <https://www.wired.com/story/opinion-democracies-can-become-digital-dictators/>.

alone quickly and reliably.⁵⁶ While access has been granted in part, shutdowns still continue—which are especially harmful during a pandemic when individuals need access to information and online communications to interact with one other safely.⁵⁷ And while the government has not, in response to the pandemic, expanded shutdowns, the pre-existing ones have dramatic effects.

⁵⁶ Manoj Joshi, “The Throttling of Internet Speeds in Kashmir is Aimed at Fighting Ideas, Not Terrorism,” *The Wire*, May 2, 2020, <https://thewire.in/rights/the-throttling-of-internet-speeds-in-kashmir-is-aimed-at-fighting-ideas-not-terrorism>

⁵⁷ See, e.g., “End Internet Shutdowns to Manage COVID-19,” Human Rights Watch, March 31, 2020, <https://www.hrw.org/news/2020/03/31/end-internet-shutdowns-manage-covid-19#>.

Case Study: Russia

The Russian government has actively spread disinformation about Covid-19 through state-owned or state-controlled media outlets like Sputnik and RT (formerly, Russia Today)⁵⁸ as well as, according to the US State Department, through coordinated, state-backed efforts on social media platforms.⁵⁹ There has also been misinformation spread within Russia about the coronavirus, such as false claims that the pandemic is somehow related to 5G telecommunications technology, which reportedly led to a cellular base station being set on fire.⁶⁰

In supposed response to this pandemic mis- and disinformation, the Russian government has expanded state censorship. This has generally occurred in two ways: upping the use of existing censorship authorities; and introducing new authorities to punish citizens and platforms for spreading what the Kremlin deems to be “false information.” Some of this appears to genuinely target legitimately false information about Covid-19, but many cases appear to maliciously target accurate information the Russian government prefers not to be spoken about or shared.

First, the Russian government has upped the use of existing state authorities to censor information pertaining to the coronavirus. In March, Roskomnadzor, Russia’s media and internet regulator, was already threatening “stringent” action against services—traditional media like television and radio as well as online media like websites and social media platforms—that spread “false information” about Covid-19. This explicitly drew on Federal Law No. 149-FZ, an existing law that criminalizes the

⁵⁸ See, e.g., Anna Pellegatta and Lukas Andriukaitis, “Russia exploits Italian coronavirus outbreak to expand its influence,” Digital Forensic Research Lab, March 30, 2020, <https://medium.com/dfrlab/russia-exploits-italian-coronavirus-outbreak-to-expand-its-influence-6453090d3a98>; and Eto Buziashvili, “Bioweapons, secret labs, and the CIA: pro-Kremlin actors blame the U.S. for coronavirus outbreak,” Digital Forensic Research Lab, January 30, 2020, <https://medium.com/dfrlab/bioweapons-secret-labs-and-the-cia-pro-kremlin-actors-blame-the-u-s-for-coronavirus-outbreak-ffc2139c28dd>.

⁵⁹ “U.S. Officials Link COVID-19 Disinformation Campaign To Russian Proxy Accounts,” RadioFreeEurope/RadioLiberty, February 22, 2020, <https://www.rferl.org/a/u-s-officials-link-covid-19-disinformation-campaign-to-russian-proxy-accounts/30448927.html>; and Paul D. Shinkman, “State Department: China Working With Russia to Spread Coronavirus Disinformation,” *U.S. News & World Report*, May 8, 2020, <https://www.usnews.com/news/world-report/articles/2020-05-08/state-department-china-working-with-russia-to-spread-coronavirus-disinformation-on-twitter>.

⁶⁰ “Коронавирус, «вышки 5G» и чипирование граждан – в борьбу с распространением опасной информации вступила Генпрокуратура,” D-Russia.ru, May 19, 2020, <http://d-russia.ru/koronavirus-vyshki-5g-i-chipirovanie-grazhdan-v-borbu-s-rasprostraneniem-opasnoj-informacii-vstupila-genprokuratura.html>.

sharing of information which threatens public safety.⁶¹ Roskomnadzor also referenced, in subsequent statements, Article 13.15 of the Code of Administrative Violations, another existing authority that similarly allows the state to censor information it deems a threat to public health or peoples' subconscious.⁶²

Roskomnadzor used these authorities to issue content takedown orders to newspapers, radio stations, online websites, and social media platforms, among others, aimed at what the state deemed illegal "false information." While some may have targeted information that is in fact actually false (e.g., one March takedown order appears to have targeted false rumors about a curfew in Moscow), several appear to have targeted posts, articles, etc. that contradicted the state's official counts on Covid-19 infections.⁶³

In addition to using these authorities to issue content takedown orders, the Russian government has also, during the Covid-19 pandemic, used existing state authorities for content *blocking* to up its censorship practices. Per existing Russian law, if media platforms do not comply with orders issued by Roskomnadzor to take down information, law enforcement authorities can order Roskomnadzor to take measures to technically block access to that content online. And according to a statement by Russia's Prosecutor General, the Russian government has upped use of this authority as well—allegedly issuing more content blocking orders to Roskomnadzor in the first five months of 2020,⁶⁴ most of them pertaining to coronavirus "false information," than the Prosecutor General's office issued in all of 2019.⁶⁵ Even if one questions the exact figures given in the statement, the Russian government is nonetheless asserting its increased use of state censorship authorities during the pandemic.

The Russian government is also leveraging existing, offline coercion measures to silence the online spreading of information, including house visits from authorities, phone calls from authorities, and criminal investigations and arrests. For example, back in March, a Russian political analyst and the head of a Russian medical workers union

⁶¹ "Роскомнадзор предупреждает об ответственности за распространение ложной информации," Roskomnadzor, March 18, 2020, <https://rkn.gov.ru/news/rsoc/news72342.htm>.

⁶² "Роскомнадзор потребовал у СМИ и социальных сетей удалить ложную информацию о коронавирусе," Roskomnadzor, March 20, 2020, <https://rkn.gov.ru/news/rsoc/news72366.htm>.

⁶³ Justin Sherman, "Russia orders tech platforms to remove coronavirus 'fake news'," Atlantic Council, March 27, 2020, <https://www.atlanticcouncil.org/blogs/new-atlanticist/russia-orders-tech-platforms-remove-coronavirus-fake-news/>.

⁶⁴ Technically, from January 1 to June 4, 2020.

⁶⁵ "Генеральная прокуратура Российской Федерации направила 120 требований в Роскомнадзор о блокировке недостоверной информации о коронавирусе," Prosecutor General of the Russian Federation, June 8, 2020, <https://genproc.gov.ru/smi/news/genproc/news-1858758/>.

were targeted with criminal investigations for sharing social media posts that questioned state coronavirus infection counts.⁶⁶ In April, Russia's Investigative Committee (the primary federal investigations body) opened a criminal case into a citizen's claim on Twitter and a micro-blog that coronavirus was created in Russia.⁶⁷ In May, a Moscow entrepreneur was arrested for posting about sales of masks in Moscow that were sent from China as part of humanitarian aid.⁶⁸ These measures are used by the Kremlin not just to punish individuals for spreading information it deems undesirable but also as a way to make an example out of those not complying with state narratives.⁶⁹

Second, the Russian government has introduced new punishments for citizens and media platforms sharing "false information" about life-threatening circumstances. On March 31, Russia's parliament voted on amendments to the Russian Criminal Code to increase penalties for spreading "fakes" (also referred to by the Russian government as "false information") with dire effects; for instance, intentionally spreading "fakes" that result in a negligent death or other dire effects can be punished with up to 5 years in prison.⁷⁰ President Vladimir Putin signed the bill into law on April 1.⁷¹

That same legislation included penalties for those violating quarantine during a state emergency or pandemic, with varying fines for individuals, public officials, the self-employed, and legal entities. It also included similar penalties for those violating state rules during an emergency situation, but one that need not be a pandemic.⁷² This

⁶⁶ Eto Buziashvili, "Suppressing democracy in the name of coronavirus," Digital Forensic Research Lab, March 27, 2020,

<https://medium.com/dfrlab/suppressing-democracy-in-the-name-of-coronavirus-220989f8e1c3>.

⁶⁷ "Investigators launch criminal case into fake news that coronavirus was created in Russia," TASS, April 7, 2020, <https://tass.com/society/1141397>.

⁶⁸ "Entrepreneur arrested in Moscow on suspicion of spreading false information about the sale of masks received as humanitarian aid," *Meduza*, May 21, 2020, <https://meduza.io/en/news/2020/05/21/entrepreneur-arrested-in-moscow-on-suspicion-of-spreading-false-information-about-the-sale-of-masks-received-as-humanitarian-aid>.

⁶⁹ For instance, this kind of deterrence-through-self-censorship effort can be seen in doctors deliberately downplaying or not speaking about shortfalls in Russia's pandemic response: Robyn Dixon, "Russian medical workers say coronavirus is ravaging their ranks. But hospitals chiefs are silent," *The Washington Post*, April 22, 2020,

https://www.washingtonpost.com/world/europe/russia-coronavirus-hospitals-infection/2020/04/22/ea45b6c-7e43-11ea-84c2-0792d8591911_story.html.

⁷⁰ "Parliament approves law on 5-year prison term for fakes that entail dire effects," March 31, 2020,

<https://tass.com/society/1138195>; and "Russians Face up to 5 Years in Jail for Spreading False Coronavirus News," *The Moscow Times*, March 31, 2020,

<https://www.themoscowtimes.com/2020/03/31/russians-face-up-to-5-years-in-jail-for-spreading-false-coronavirus-news-a69808>.

⁷¹ "Владимир Путин подписал закон о штрафах за нарушение карантина," *Meduza*, April 1, 2020, <https://meduza.io/news/2020/04/01/vladimir-putin-podpisal-zakon-o-shtrafah-za-narushenie-karantina>.

⁷² "Hitting back against quarantine breakers," *Meduza*, March 31, 2020,

<https://meduza.io/en/feature/2020/03/31/hitting-back-against-quarantine-breakers>.

is critically important: where the provisions do not limit the expanded state authorities to a pandemic, or link them specifically to a public health emergency, the Covid-19 crisis has been a guise under which the Kremlin has expanded its state censorship capabilities writ large. Expanded state authorities notably include censorship. But some of these state power expansions included in the April 1 law highlight a way in which the Kremlin is using the pandemic to expand state criminal authorities as a means of controlling speech as well.

Five Key Trends

These case studies on government censorship measures during the Covid-19 pandemic, in the presence of real mis- and disinformation or not, illuminate five key trends occurring around the world.

First, the pandemic has illuminated the fact that even authoritarian governments, where one often assumes strong controls over what is and is not said online, have been hit by the spread of damaging misinformation and disinformation. In Russia, for instance, there were false rumors of a curfew; there was misinformation (though, ironically, mirroring disinformation the Russian government itself spread last year) that lighting cell towers on fire was key to stopping the virus' spread. In Turkey, there have been rumors spanning genetic immunity to the virus and cures of drinking soup.⁷³ Though many authoritarian governments have spread disinformation aggressively during the pandemic (including those in China, Iran, and Russia), they too may be impacted by the spread of information that is detrimental to public health.

Second, the pandemic has underscored that government censorship in one country pertaining to something like an infectious disease can have global ripple effects on health, safety, and security. Many have pointed out the fact that the Chinese government's decision to suppress information about the coronavirus when the outbreak first began was a globally detrimental decision that enabled the virus' global spread and the deterioration of global supply chains for personal protective and other health equipment that followed. Censorship of information about the coronavirus quickly became a geopolitical problem.

Third, authoritarian regimes (yet not exclusively—India is a democracy, albeit backsliding) have used the COVID-19 pandemic as an excuse to further suppress free speech. A public health emergency and fears of false information can serve as a fig leaf for censorship under the banner of the public interest. Censorship expansions under these fig leaves likely will not go away once the pandemic ends. In Russia, for example, the Russian government at both national, regional, and municipal levels has leveraged online content controls to legitimately work to contain the coronavirus, but it also has been a reason for authorities to rapidly expand and escalate the use of surveillance

⁷³ Ashoka, "Misinformation Spreads Faster Than Coronavirus: How A Social Organization In Turkey Is Fighting Fake News," *Forbes*, April 17, 2020, <https://www.forbes.com/sites/ashoka/2020/04/17/misinformation-spreads-faster-than-coronavirus-how-a-social-organization-in-turkey-is-fighting-fake-news/#65147ddf417d>.

technologies that were used less widely or with more public pushback before the pandemic began.

Finally, these case studies are a reminder that for all the technical mechanisms a government may have to censor information, offline, physical coercion is still an effective supplement if not substitute for the ability to technically block or remove online information.⁷⁴ In China, India, and Russia, journalists were actively harassed, detained, arrested, and/or threatened for doing their jobs in investigating the pandemic. Even if authorities cannot intercept content or block access to a website, they can still, at least in some individual cases, send law enforcement or other security officials to physically stop or intimidate those spreading information that contradicts state narratives or in this case criticizes the state's pandemic response. A health crisis of this scale and severity again highlights the vitality of information openness and transparency in crisis warning and government accountability, yet the simultaneous risks of false information undermining those very ends.

⁷⁴ Whether that is the government's ability to unilaterally do so or its influence on companies it can order to do the same.

What Should Be Done?

This all matters because the global information space is fracturing. Dictators have been using problems with the open internet, including misinformation and disinformation, to justify repressive policies that exert strong state control over the internet in their borders. The Covid-19 pandemic has accelerated the preexisting problem and given states more cover to exacerbate these internet content crackdowns, including through technical blocks and offline coercion through state law enforcement and security services.

What this demonstrates is the need for the United States to reassume a leadership role in promoting and defending a free and open internet. First of all, this begins at home. The way to fight misinformation and disinformation in a democracy is to promote and protect a free, transparent, professional, and independent press as well as a free and open internet space. Executive orders, for example, which attempt to bully social media platforms into altering content moderation policies in favor with those in political power lie in disturbing opposition to this ideal response. The undermining of US government conclusions about legitimate misinformation and disinformation operations by domestic and foreign actors likewise hurts efforts to protect domestic internet freedom while mitigating legitimate risks. Reinvigorating a democratic vision for the internet at home is vital to promoting a free and open internet model and to contesting the troubling or outright authoritarian information policies highlighted throughout this report.

American policymakers should promote and protect a free, transparent, professional, and independent press. They should promote laws and regulations that allow for responsible private-platform content moderation while not getting the state overly involved in internet content. They should better engage the private-sector in conversations about complicated content moderation decisions, at home and abroad, to get better insight into company decision-making on this issue set. And they should encourage the vetting and discussion of conclusions about mis- and disinformation that poisons public discourse, rather than broadly attacking them.

The United States must also reinvigorate its leadership role abroad. In light of a US leadership vacuum on global internet freedom, authoritarian governments in China, Russia, Iran, Turkey, and Syria, among others, have continued winning votes on their content proposals in the United Nations. Beijing in particular has invested heavily in cyber diplomacy and capacity-building abroad to train foreign governments on social media control and supply internet infrastructure for emerging-market-economy

countries. Meanwhile, there is much potential cooperation between the United States and the European Union that is currently going unaddressed.

Looking forward, US policymakers should fund the State Department and other agencies who work on global internet speech and freedom issues. Policymakers should reinvest in cultivating effective, mutually beneficial relationships with other democracies who share similar values in protecting a free and open online space. And policymakers should revitalize engagement with countries like India and Brazil, whose internet policies are poised to have outsized effects on the global information space and the internet regulation path that other countries will follow.

As the Covid-19 pandemic has underscored, crises will only give leaders who wish to suppress internet freedom more cannon fodder to do so. When so much of global free speech today depends on a free and open internet, revitalized democratic leadership on promoting and defending internet freedom, both at home and abroad, is a way to promote a better vision for the internet while combating state-led internet censorship. The United States must reassume its role as one of those leaders.