

Human rights
considerations on
social listening and
infodemic
management

Social Listening & Infodemic Management

Hong Kong & YouTube, 2023

Dimitra D. Lingri

Managing Director European Healthcare
Fraud and Corruption Network

Declaration of Interests:

- Managing Director of [EHFCN](#) (European Healthcare Fraud and Corruption Network)
- Lawyer at the Greek Council of the State
- Senior legal expert for [Hellenic National Organization of Healthcare Provision-EOPYY](#).
- Appointed national expert in the [EU HTA Coordination Group for Medical Devices](#).
- Member of the WHO Expert Group on ethical considerations of social listening and infodemic management
- [Co Chair of EHFCN Working Group on Artificial Intelligence](#).
- Member of the [Board of Directors](#) of Health Technology Assessment International-HTAi
- Co-Chair of RWE & AI Interest Group of HTAi.
- Member of the [Strategic and Technical Advisory Group on Medical Devices - STAG MEDEV Advisory Group \(AG\) of World Health Organisation \(WHO\)](#),
- Co-chair of the MEDEV Definitions WG, the MEDEV HTA WG and the Pricing and Healthcare Financing WG of STAG MEDEV WHO. She is also a member of Regulations WG and Medical Devices in Digital Health WG of STAG MEDEV AG of WHO.
- Member of the [Fair Pricing Working Group of WHO](#) .

1 WHO WE ARE?

- International non-profit making organization (AISBL) financed though subscription fees
- Founded in 2005 London (UK), October 2004 (the European Healthcare Fraud and Corruption Declaration)
- Members are healthcare and counter fraud organizations in Europe (21 organizations in 2023)
- EHFCN Office
 Avenue Galilée 5/01
 1210 Brussels, Belgium



The Universal Declaration of Human Rights (UDHR)

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.**

Article 25

Everyone has the right to a standard of living adequate for the **health** and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Main characteristics of the UDHR freedom of expression

- Freedom of opinion
- Freedom of expression

Freedom of expression is a necessary condition for the realization of the principles of transparency and accountability that are, in turn, essential for the promotion and protection of human rights.

General principles: universality, indivisibility, interdependence and interrelatedness

Freedom of receiving information can play a pivotal role in strengthening democracy and countering disinformation, and reaffirming further that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19 of the International Covenant on Civil and Political Rights.

- <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedoms-opinion-and>

Protection of Public Health constitutes a limitation of freedom of expression.



The screenshot shows the top navigation bar of the United Nations Human Rights Office website. It includes the United Nations logo, the United Nations Human Rights Office of the High Commissioner logo, a 'HUMAN RIGHTS 75' anniversary logo, a 'Donate' button, and a search icon. Below the navigation bar is a menu with categories: 'What are human rights?', 'Topics', 'Countries', 'Instruments & mechanisms', 'Latest', and 'About us'. The main content area is titled 'Human Rights Instruments' and features the 'International Covenant on Civil and Political Rights' as a 'CORE INSTRUMENT' and 'UNIVERSAL INSTRUMENT'. The title is displayed in large, bold, black text. Below the title, it states 'ADOPTED 16 December 1966' and 'BY General Assembly resolution 2200A (XXI)'. There are social media share buttons for Facebook, Twitter, and LinkedIn. At the bottom, there is a 'Download' section with links for 'PDF' and 'View ratification status by country'.

United Nations | UNITED NATIONS HUMAN RIGHTS OFFICE OF THE HIGH COMMISSIONER | HUMAN RIGHTS 75 | Donate | Search

What are human rights? | Topics | Countries | Instruments & mechanisms | Latest | About us | [Get Involved](#)

Human Rights Instruments

CORE INSTRUMENT
UNIVERSAL INSTRUMENT

International Covenant on Civil and Political Rights

ADOPTED 16 December 1966 BY General Assembly resolution 2200A (XXI)

Share [f](#) [t](#) [in](#)

Download: [PDF](#) [📄](#) [View ratification status by country](#)

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:

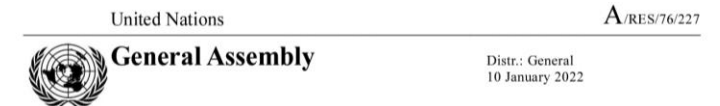
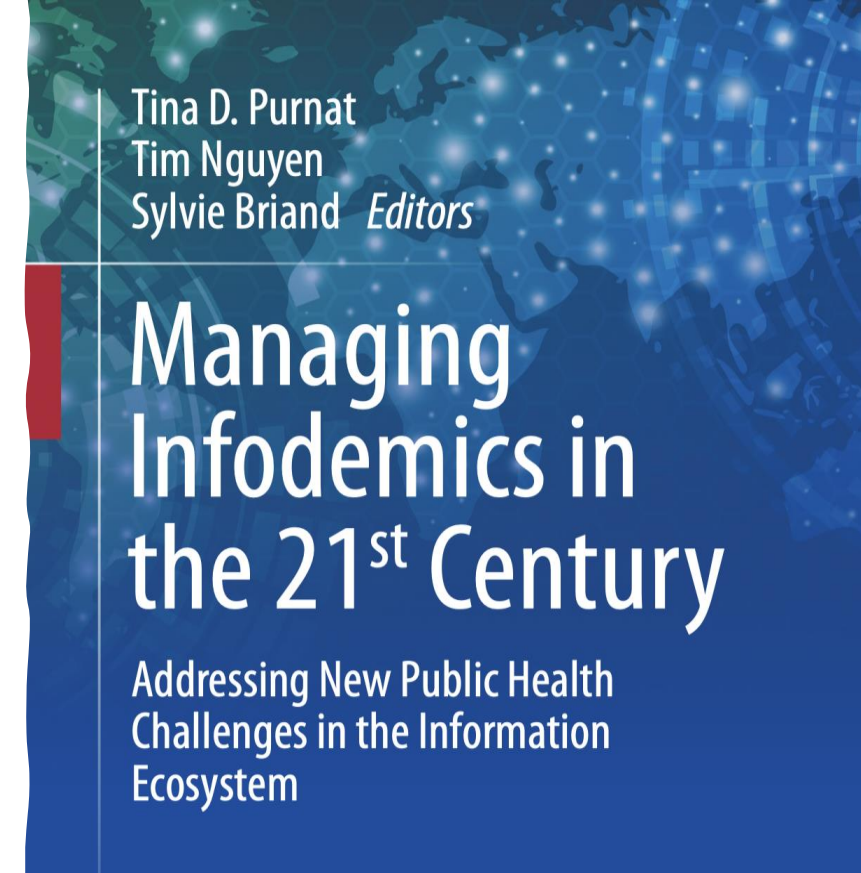
(a) For respect of the rights or reputations of others;

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

The concept of the infodemic management and the link to human rights

- **Infodemic:** an overabundance of information, accurate or not, in the digital and physical space, accompanying an acute health event such as an outbreak or epidemic.
- **Freedom of opinion and expression:** increasing the need for the dissemination of factual, timely, clear, accessible, multilingual and evidence-based information, and emphasizing the need for all relevant stakeholders to address the challenge of disinformation.

Resolution adopted by the General Assembly on 24 December 2021, A/RES/76/227



Seventy-sixth session
Agenda item 74 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Resolution adopted by the General Assembly on 24 December 2021

[on the report of the Third Committee (A/76/462/Add.2, para. 114)]

76/227. Countering disinformation for the promotion and protection of human rights and fundamental freedoms

The General Assembly.

The United Nations General Assembly resolution (UNGA) 76/227



United Nations

General Assembly

A/RES/76/227

Distr.: General
10 January 2022

Seventy-sixth session

Agenda item 74 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

**Resolution adopted by the General Assembly
on 24 December 2021**

[on the report of the Third Committee (A/76/462/Add.2, para. 114)]

76/227. Countering disinformation for the promotion and protection of human rights and fundamental freedoms

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,¹ the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights,³ the Convention on the Elimination of All Forms of Discrimination against Women,⁴ the Convention on the Rights of the Child,⁵ the Convention on the Rights of Persons with Disabilities,⁶ the International Convention on the Elimination of All Forms of Racial Discrimination⁷ and all other relevant international human rights instruments, including the Vienna Declaration and Programme of Action,⁸

Recalling the universality, indivisibility, interdependence and interrelatedness

Pandemic Accord

Draft Pandemic Treaty, right to information, and infodemic

Article 17. Strengthening pandemic and public health literacy 1. The Parties commit to increase science, public health and **pandemic literacy** in the population, as well as **access to information on pandemics** and their effects, **and tackle false, misleading, misinformation or disinformation**, including through promotion of **international cooperation**. In that regard, each Party is encouraged to: (a) **promote and facilitate**, at all appropriate levels, in accordance **with national laws and regulations**, development and implementation of educational and public awareness programmes on pandemics and their effects, by informing the public, communicating risk and managing infodemics through effective channels, including social media; (b) conduct **regular social listening** and analysis to identify the prevalence and profiles of misinformation, which contribute to design communications and messaging strategies for the public to counteract misinformation, disinformation and false news, thereby strengthening public trust; and (c) promote communications on scientific, engineering and technological advances that are relevant to the development and implementation of international rules and guidelines for pandemic prevention, preparedness, response and recovery of health systems, based on science and evidence.



FOURTH MEETING OF THE INTERGOVERNMENTAL
NEGOTIATING BODY TO DRAFT AND NEGOTIATE
A WHO CONVENTION, AGREEMENT OR OTHER
INTERNATIONAL INSTRUMENT ON PANDEMIC
PREVENTION, PREPAREDNESS AND RESPONSE
Provisional agenda item 3

A/INB/4/
1 February 2022

Zero draft of the WHO CA+ for the consideration of the Intergovernmental Negotiating Body at its fourth meeting

**WHO convention, agreement or other international instrument on
pandemic prevention, preparedness and response (“WHO CA+”)**

BACKGROUND, METHODOLOGY AND APPROACH

1. In recognition of the catastrophic failure of the international community in showing solidarity and equity in response to the coronavirus disease (COVID-19) pandemic, the World Health Assembly convened a



Considerations on implementation

- UDHR, Draft Pandemic Treaty, Treaty, International Covenant on Civil and Political Rights → international legal texts.
 - Not (automatically) *a priori* incorporated to the national law
 - An effective implementation procedure is needed (two levels)
 - In accordance with national laws and regulations
 - Modification of secondary legislation (if needed)
 - Implementation should take into consideration all relevant areas of the law
-

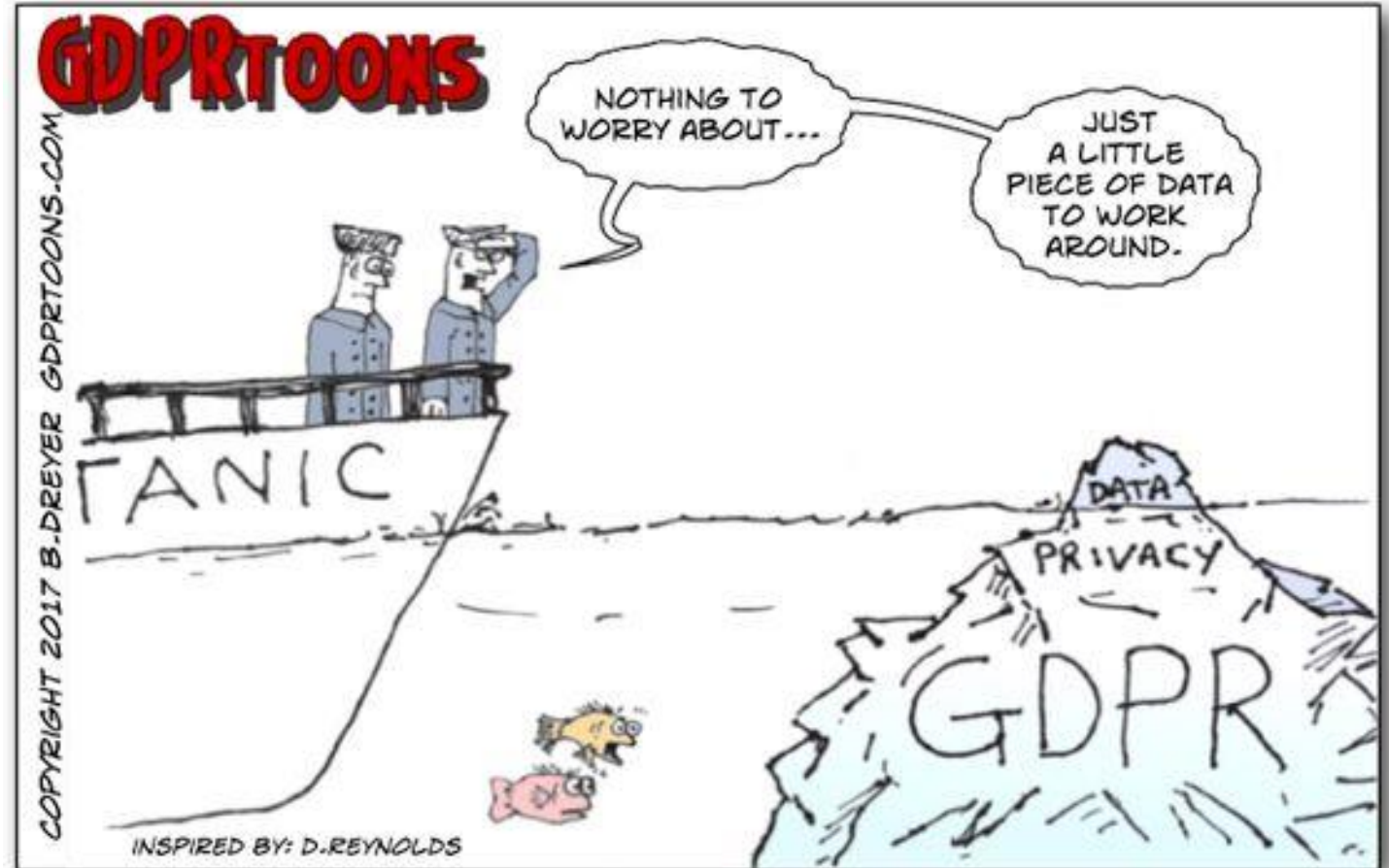
Processing information & AI: 7 key requirements

- **Human agency and oversight:** AI systems should empower human beings, allowing them to make informed decisions and fostering their fundamental rights. At the same time, proper oversight mechanisms need to be ensured, which can be achieved through human-in-the-loop, human-on-the-loop, and human-in-command approaches
- **Technical Robustness and safety:** AI systems need to be resilient and secure. They need to be safe, ensuring a fall back plan in case something goes wrong, as well as being accurate, reliable and reproducible. That is the only way to ensure that also unintentional harm can be minimized and prevented.
- **Privacy and data governance:** besides ensuring full respect for privacy and data protection, adequate data governance mechanisms must also be ensured, taking into account the quality and integrity of the data, and ensuring legitimised access to data.
- **Transparency:** the data, system and AI business models should be transparent. Traceability mechanisms can help achieving this. Moreover, AI systems and their decisions should be explained in a manner adapted to the stakeholder concerned. Humans need to be aware that they are interacting with an AI system and must be informed of the system's capabilities and limitations.
- **Diversity, non-discrimination and fairness:** Unfair bias must be avoided, as it could have multiple negative implications, from the marginalization of vulnerable groups, to the exacerbation of prejudice and discrimination. Fostering diversity, AI systems should be accessible to all, regardless of any disability, and involve relevant stakeholders throughout their entire life circle.
- **Societal and environmental well-being:** AI systems should benefit all human beings, including future generations. It must hence be ensured that they are sustainable and environmentally friendly. Moreover, they should take into account the environment, including other living beings, and their social and societal impact should be carefully considered.
- **Accountability:** Mechanisms should be put in place to ensure responsibility and accountability for AI systems and their outcomes. Auditability, which enables the assessment of algorithms, data and design processes plays a key role therein, especially in critical applications. Moreover, adequate an accessible redress should be ensured.

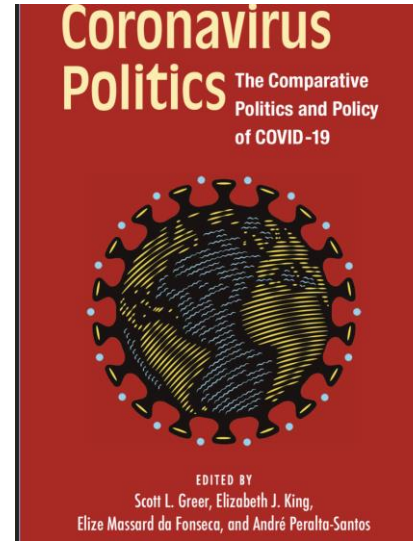


Processing information and personal data

- Lawfulness, fairness, and transparency
- Purpose Limitation
- Data Minimisation
- Accuracy
- Storage Limitation
- Integrity and Confidentiality
- Accountability



Post-pandemic experience: from the emergency law to the core human rights perspective



Welcome to the United Nations

UN Sustainable Development Group

UN in Action Resources Data 2030 Agenda Latest About

Home / Resources Library / COVID-19 and Human Rights: We are all in this together

Resource

COVID-19 and Human Rights: We are all in this together

April 2020

COVID-19 and Human Rights We are all in this together

COVID-19 Human Right

Human rights are key in shapin

Human rights are critical – for the response and the recovery

They put people at the centre and produce better outcomes

Human rights are key in shaping the pandemic response, both for the public health emergency and the broader impact on people's lives and livelihoods. Human rights put people centre-stage. Responses that are shaped by and respect human rights result in better outcomes in beating the pandemic, ensuring healthcare for everyone and preserving human dignity. But they also focus our attention on who is suffering most, why, and what can be done about it. They prepare the ground now for emerging from this crisis with more equitable and sustainable societies, development and peace.

Why are human rights so important to the COVID-19 response?

The world is facing an unprecedented crisis. At its core is a global public health emergency on a scale not seen for a century, requiring a global response with far-reaching consequences for our economic, social and political lives. The priority is to save lives.

In view of the exceptional situation and to preserve life, countries have no choice but to adopt extraordinary measures. Extensive lockdowns,

equip States and whole societies to respond to threats and crises in a way that puts people at the centre. Observing the crisis and its impact through a human rights lens puts a focus on how it is affecting people on the ground, particularly the most vulnerable among us, and what can be done about it now, and in the long term. Although this paper presents recommendations, it is worth underlining that human rights are obligations which States must abide by.

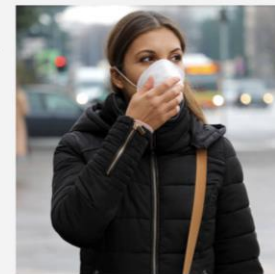
Guaranteeing human rights for everyone poses a challenge for every country around the world to a differing degree. The public health crisis is fast becoming an economic and social crisis and

Комиссар по правам

tic work Human rights defenders Documents Human Rights Comm

19

on Council
ght to
stems, they
ull and
ations of
dramatic
otably for
: rights to



it ensure
sting and
ular
ulnerabile
and
as also

aced by health and care professionals, the majority of whom are
alth communication to promote trust and support for necessary



THE UNIVERSAL DECLARATION OF Human Rights

of the inherent dignity and of the equal and
embers of the human family is the foundation
peace in the world,
ontempt for human rights have resulted in
outraged the conscience of mankind, and
h human beings shall enjoy freedom of
advice and belief
and liberty
from fear and want has been proclaimed
as the aspiration of the common people.

determined to promote social progress and better standards of life in
larger freedom,

WHEREAS Member States have pledged themselves to achieve, in co-
operation with the United Nations, the promotion of universal respect
for and observance of human rights and fundamental freedoms,

WHEREAS a common understanding of these rights and freedoms is of
the greatest importance for the full realisation of this pledge.

NOW THEREFORE THE GENERAL ASSEMBLY
PROCLAIMS this Universal Declaration of Human Rights as a common
standard of achievement for all peoples and all nations, to the end that
every individual and every organ of society, keeping this Declaration
constantly in mind, shall strive by teaching and education to promote
respect for these rights and freedoms and by progressive measures,
national and international, to secure their universal and effective
recognition and observance, both among the peoples of Member States
themselves and among the peoples of territories under their jurisdiction.

essential, if man is not to be compelled to have recourse,
against tyranny and oppression, that human
rights should be protected by the rule of law,
WHEREAS it is essential to promote the development of friendly relations
among nations,
WHEREAS the peoples of the United Nations have in the Charter reaffirmed
their faith in fundamental human rights, in the dignity and worth of
the human person and in the equal rights of men and women and have

ARTICLE 1 — All human beings are born free and equal in dignity
and rights. They are endowed with reason and conscience and
should act towards one another in a spirit of brotherhood.

ARTICLE 2 — 1. Everyone is entitled to all the rights and freedoms
set forth in this Declaration, without distinction of any kind, such as
race, colour, sex, language, religion, political or other opinion,
national or social origin, property, birth or other status.
2. Furthermore, no distinction shall be made on the basis of the
political, jurisdictional or international status of the country or
territory to which a person belongs, whether this territory be an
independent, Trust or Non-Self-Governing territory, or under any
other limitation of sovereignty.

ARTICLE 3 — Everyone has the right to life, liberty
and the security of person.

ARTICLE 4 — No one shall be held in slavery or servitude; slavery
and the slave trade shall be prohibited in all their forms.

ARTICLE 5 — No one shall be subjected to torture
or to cruel, inhuman or degrading treatment or punishment.

ARTICLE 6 — Everyone has the right to recognition everywhere
as a person before the law.

ARTICLE 7 — All are equal before the law and are entitled without
any discrimination to equal protection of the law. All are en-
titled to equal protection against any discrimination in violation of
this Declaration and against any incitement to such discrimination.

ARTICLE 8 — Everyone has the right to an effective remedy by the
competent national tribunals for acts violating the fundamental
rights granted him by the constitution or by law.

ARTICLE 9 — No one shall be subjected to arbitrary
arrest, detention or exile.

ARTICLE 10 — Everyone is entitled in full equality to a fair
and public hearing by an independent and impartial tribunal, in the
determination of his rights and obligations and of any criminal
charge against him.

ARTICLE 11 — 1. Everyone charged with a penal offence has the
right to be presumed innocent until proved guilty according to law.
2. In the exercise of this right the accused shall be entitled to the
following minimum guarantees: (a) to be informed promptly of the
charge against him; (b) to have adequate time and facilities for
preparing his defence; (c) to defend himself in person or to be
assisted by legal counsel of his own choice; (d) to examine, or
have examined, the witnesses against him; (e) to obtain the
attendance and examination of witnesses on his behalf under the
same conditions as the witnesses against him; (f) to be tried
without undue delay; (g) to be tried by a competent authority of
independent jurisdiction; (h) to be tried in public, or in the
presence of a judge, save where otherwise expressly provided in
the law for the protection of the private life of the individual;
(i) not to be convicted of a crime unless the criminal offence
and its elements were defined at the time when it was
committed; (j) not to be subjected to arbitrary interference
with his privacy, family, home or correspondence, nor to attacks
upon his honour and reputation; (k) to be free from
retroactive penal laws.

ARTICLE 12 — No one shall be subjected to arbitrary
interference with his privacy, family, home or correspondence,
nor to attacks upon his honour and reputation.

ARTICLE 13 — 1. Everyone has the right to free choice
of domicile.

ARTICLE 14 — 1. Everyone has the right to seek and to enjoy
in other countries asylum from persecution.

ARTICLE 15 — 1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied
the right to change his nationality.

ARTICLE 16 — 1. Men and women of full age, without any
limitation due to race, nationality or religion, have the right to
marry and to found a family. They are entitled to equal rights
as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full
consent of the intending spouses.
3. The family is the natural and fundamental group unit of
society and is entitled to protection by society and the State.

ARTICLE 17 — 1. Everyone has the right to own property
alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

ARTICLE 18 — Everyone has the right to freedom of thought,
conscience and religion; this right includes freedom to change
his religion or belief, and freedom, either alone or in community
with others and in public or private, to manifest his religion or
belief in teaching, practice, worship and observance.

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.

ARTICLE 20 — 1. Everyone has the right to freedom
of peaceful assembly and association.
2. No one may be compelled to belong to an association.

ARTICLE 21 — 1. Everyone has the right to take part in
the government of his country, directly or through freely chosen
representatives.
2. Everyone has the right of equal access to public service in
his country.

ARTICLE 22 — Everyone is entitled to a social and international
order in which the rights and freedoms set forth in this
Declaration can be fully realized.

ARTICLE 23 — 1. Everyone has the right to work, to free choice
of employment, to just and favourable conditions of work
and to protection against unemployment.
2. Everyone, without any discrimination, has the right to
equal pay for equal work.
3. Everyone who works has the right to a just and
favourable remuneration which shall include compensation
for overtime, subject to national laws, regulations, contracts
and collective agreements, and to participation in the
benefits of social progress.

ARTICLE 24 — Everyone has the right to rest and leisure,
including reasonable limitation of working hours and
periodic holidays with pay.

ARTICLE 25 — 1. Everyone has the right to a standard of living
adequate for the health and well-being of himself and of his
family, including food, clothing, housing and medical care and
necessary social services, and the right to security in the event
of unemployment, sickness, disability, widowhood, old age
or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care
and assistance. All children, whether born in or out of
wedlock, shall enjoy the same social protection.

ARTICLE 26 — 1. Everyone has the right to education.
Education shall be free, at least in the elementary and
fundamental stages. Elementary education shall be
compulsory. Technical and professional education shall
be made generally available and higher education shall
be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of
the human personality and to the strengthening of respect
for human rights and fundamental freedoms. It shall
promote understanding, tolerance and friendship among
all nations, racial or religious groups, and shall further
the activities of the United Nations for the maintenance
of peace.
3. Parents have a prior right to choose the kind of
education that shall be given to their children.

ARTICLE 27 — 1. Everyone has the right freely to
participate in the cultural life of the community, to enjoy
the arts and to share in scientific advancement and its
benefits.
2. Everyone has the right to the protection of the moral
and material interests resulting from any scientific, literary
or artistic production of which he is the author.

ARTICLE 28 — Everyone is entitled to a social and international
order in which the rights and freedoms set forth in this
Declaration can be fully realized.

ARTICLE 29 — 1. Everyone has duties to the community
in which alone the free and full development of his
personality is possible.
2. In the exercise of his rights and freedoms, everyone
shall be subject only to such limitations as are determined
by law solely for the purpose of securing due
recognition and respect for the rights and freedoms
of others and of meeting the just requirements of
morality, public order and the general welfare in a
democratic society.
3. These rights and freedoms may in no case be
exercised contrary to the purposes and principles of
the United Nations.

ARTICLE 30 — Nothing in this Declaration may be
interpreted as authorizing any State, group or
individual to engage in any activity aimed at
destroying any of the rights and freedoms set
forth herein, or at limiting their scope, by
means of such measures as war, aggression,
tyranny or oppression.

The statement of the rights represent a goal, or a standard, to which every man can look and with which he can compare what he in fact enjoys. The fact that no country was prepared to vote against the Declaration indicates its compelling moral force.

• H.V. Evatt, President of the United Nations General Assembly, from 1948 to 1949

Thank you very much for your attention!

email: dimitra.lingri@ehfcn.org

