



To: Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

From: [NYU Center for Social Media and Politics](#)

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Since the emergence of the networked digital era nearly two decades ago, we have witnessed [tremendous progress in the study](#) of social media's impact on mass and elite political communication and behavior. The development in basic scientific research is particularly evident in the emerging body of scholarship on the production, diffusion, and consumption of misinformation. A key theme that runs through this research — much of which has thus far focused on the United States and Western Europe — is that the [exposure to](#) and [sharing of](#) misinformation on social media [remains a relatively rare activity](#) and is concentrated in relatively small portions of the public. While social platforms are viewed by many as a [direct threat to democratic societies](#), [we continue to lack empirical evidence of a causal impact on electoral outcomes](#) and [traditional media remains a central vector](#) through which misinformation spread. However, [recent research](#) from the NYU Center for Social Media and Politics shows that most people are susceptible to believing misinformation when they encounter it online — a finding that alarmingly holds for misinformation related to the pandemic. Taken together, recent scholarship shows that although online misinformation comprises a relatively small portion of the public's media diet, it has the potential to leave individuals dangerously misinformed.

While recent scholarship has helped shed light on the impact of the networked digital era on mass and elite communications, urgent questions remain unanswered and, at times, unanswerable. As Joshua A Tucker and Nathaniel Persily write in their [recent edited volume *Social Media and Democracy: The State of the Field, Prospects for Reform*](#), “Platforms control the information that most richly describes politics and society and therefore the data necessary to make sound judgments across virtually all major policy domains.” Data sharing regimes remain insufficient and uneven across platforms and countries. As a result, the speed of knowledge production is impeded by the need to undertake massive data collection efforts, limiting the ability for scholars to produce policy-relevant research at the speed at which it is needed. The need for more robust data access is especially urgent in the Global South, where scholarly data collection efforts face even more acute challenges.

It is in this context of limited evidence that governments are able to enact overly broad and restrictive policies to protect against a nebulous “enemy” that lacks systematic understanding. From [Sri Lanka](#) to [Myanmar](#), we have witnessed governments block access to social media to restrict speech during periods of crises. Other countries, including [Germany](#), have enacted laws aimed at combating online harms, but with potentially significant impacts on free speech. However, we have limited data with which to assess the impact of these policies.

Viewed this way, data access is a necessary condition for the creation and assessment of evidence-based public policy. Social media has become a central feature of the infrastructure that enables communication in the digital era. As a result, policies governing online social networks will necessarily have tremendous impacts on speech. One of the defining questions of the coming years will be responding to the challenges posed by these new communication technologies without restricting speech. Without robust data access, the policymaking process will be left “flying blind,” a troubling context in which to create policies with significant human rights implications.

The policies that govern data access will themselves be complicated. As [Nathaniel Persily writes](#), “The policy challenge involves creating a regime that respects user privacy, keeps user data out of the hands of government, and allows for public facing research that could lead to policy-relevant insights concerning the nature of the online information ecosystem.” While policies will need to balance these competing priorities, expanding data access to scholars committed to putting the findings from their research in the public domain will enable informed policymaking on the governance of digital communication technologies.

The Special Rapporteur has sought input on the policies that governments and platforms can enact to combat online harms without limiting speech. We kindly urge her to include data access for researchers as a central feature of her efforts, and welcome further conversation.