



Department of Balkan, Slavic & Oriental Studies
Department of International and European Studies
University of Macedonia

**Propaganda in the Contemporary World: International, Legal, and
Political Perspectives**

Foteini Mavroëidi

Supervisor: Associate Professor Nikolaos Zaikos

Acknowledgments

First, I would like to express my appreciation to my supervisor, professor Nikolaos Zaikos, for kindly accepting to supervise my thesis, as well as his support and guidance throughout this journey, and professor Chainoglou for providing her knowledge and expertise. I am very grateful to all the professors of the master's program for giving us a new perspective through their insightful knowledge and teaching. Lastly, I am deeply thankful to my family and friends for being supportive through this process.

Abstract: In this thesis we aim at exploring various forms and aspects of propaganda in the current international environment and their legal and political implications regarding governance and social impact. The complexity of the modern globalized international stage gave rise to new and sophisticated forms and mechanisms of propaganda. This study will include the definition and types of propaganda, while considering various actors deploying different means of propaganda, including state and other institutions, either in psychological warfare or in peacetime operations, both at national or international and global level, including examples from international relations. We will particularly focus on the role of authoritative states, employing propaganda to establish power, advance their causes or undermine democratic institutions on a global scale. We will also consider the emergence of propaganda from private groups promoting aggressive, reactionary, conspiratorial or even terrorist agendas, especially through digital means and social media, their societal impact, and the underlying associations to state-generated disinformation. Legal implications, within the context of international law, as well as prospective means to curb the impact of malicious propaganda will also be suggested.

“The undersigned hereby declares that this thesis is entirely my own work, and it has been submitted to the Department of Balkan, Slavic and Oriental Studies and International and European Studies in partial fulfilment of the requirements for the Degree of Master of Arts in Human Rights and Migration Studies. I declare that I respected the Academic Integrity and Research Ethics, and I avoided any action that constitutes plagiarism. I know that plagiarism can be punished with revocation of my master’s degree.

Foteini Mavroeidi

Table of Contents

<i>Theoretical foundations of propaganda</i>	9
<i>Elements and mechanisms of modern propaganda</i>	16
<i>Wartime propaganda and psychological warfare</i>	22
<i>Non-state actors: hate speech, conspiracy theories</i>	26
<i>a) Hate speech</i>	26
<i>b) Conspiracy theories</i>	29
<i>Perspectives of propaganda in international law</i>	33
<i>a) Subversive propaganda</i>	36
<i>b) Defamatory propaganda</i>	37
<i>c) Discriminatory propaganda, hate propaganda, and incitement to genocide</i>	38
<i>d) Incitement to terrorism</i>	40
<i>e) States and international law: revisions and restrictions for propaganda in times of war and peace</i>	41
<i>Conclusions</i>	54
<i>Bibliography</i>	56

Abbreviations

ECtHR : European Court of Human Rights

IACtHR: Inter-American Court of Human Rights

IACommHR: Inter-American Commission on Human Rights

ICCPR: International Covenant on Civil and Political Rights 1966

ICC: International Criminal Court

ICJ: International Court of Justice

ICTR: International Criminal Tribunal for Rwanda

ITU: International Telecommunication Union

UNGA: United Nations General Assembly

UNSC: United Nations Security Council

LofN: League of Nations

UN: United Nations

Cases and articles mentioned (in chronological order)

Nuremberg, Trial of the major war criminals before the International Military Tribunal. 14 November 1945 – 1 October 1946. 41AJIL 172

Universal Declaration of Human Rights (1948), Art. 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”*, www.un.org

International Covenant on Civil and Political Rights (1966) Art. 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 ideal of all kinds, regardless of frontiers, either orally, in writing of 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), of public health or morals. – (999 UNTS 171; ICCPR), www.ohchr.com

Helsinki Final Act (1975) (Conference on Security and Co-operation in Europe, “Final Act” (1 August 1975) 14 I.L.M. 1292, (p. 40-44, Information: Oral, Printing, Filmed and Broadcast) www.osce.org

European Court of Human Rights. *Handyside v. United Kingdom*, 7 December 1976, hudoc.echr.coe.int , (para. 49 of the judgment: “Freedom of expression... is applicable not only to “information” or “ideas” that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population”).

International Court of Justice (ICJ). *The Republic of Nicaragua v. The United States of America*. 27 June 1986.

European Court of Human Rights. *Lingens v. Austria*. 8 July 1986, hudoc.echr.coe.int, (para. 41 of the judgment: “in this connection, the Court has to recall that the freedom of expression, as secured in paragraph 1 of Article 10, constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and for each individual’s self-fulfilment. Subject to paragraph 2, it is applicable not only to “information” or “ideas” that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb. Such are the demands of that pluralism, tolerance and broadmindedness without which there is no “democratic society””. These principles are of particular importance as far as the press is concerned. Whilst the press must not overstep the bounds set, *inter alia*, for the “protection of the reputation of others”, it is nevertheless incumbent on it to impart information and ideas on political issues just as on those in other areas of public interest. Not only does the press have the task of imparting such information and ideas: the public also has a right to receive them”).

Human Rights Committee. *Aduayom et al v. Togo*. 30 June 1994. Comm.s Nos. 422-424/1990, (para. 7.4 In respect of the claim under article 19, the Committee observes that it has remained uncontested that the authors were first prosecuted and later not reinstated in their posts, between 1986 and 1991, inter alia, for having read and, respectively, disseminated information and material critical of the Togolese Government in power and of the system of governance prevailing in Togo. The Committee observes that the freedoms of information and of expression are cornerstones in any free and democratic society. It is in the essence of such societies that its citizens must be allowed to inform themselves about alternatives to the political system/parties in power, and that they may criticize or openly and publicly evaluate their Governments without fear of interference or punishment, within the limits set by article 19, paragraph 3. On the basis of the information before the Committee, it appears that the authors were not reinstated in the posts they had occupied prior to their arrest, because of such activities. The State party implicitly supports this conclusion by qualifying the authors' activities as "political offences", which came within the scope of application of the Amnesty Law of 11 April 1991; there is no indication that the authors' activities represented a threat to the rights and the reputation of others, or to national security or public order (article 19, paragraph 3). In the circumstances, the Committee concludes that there has been a violation of article 19 of the Covenant.

African Commission on Human and Peoples' Rights. *Media Rights Agenda and Others v. Nigeria*. 6 November 2000. Comm. Nos. 105/93, 128/94, 130/94 and 152/96. (para. 54 This Article reflects the fact that freedom of expression is a basic human right, vital to an individual's personal development, his political consciousness, and participation in the conduct of public affairs in his country. The problem at hand is whether the decrees requiring the registration of newspapers, and prohibiting many of them, violate this Article).

Inter-American Court of Human Rights (IACtHR). *Herrera-Ulloa v Costa Rica*. 2 July 2004. (judgment) para. 113 “In the same terms used by the Inter-American Court, the European Court of Human Rights has underscored the importance that freedom of expression has in a democratic society, when it stated that: [...] freedom of expression constitutes one of the essential pillars of democratic society and a fundamental condition for its progress and the personal development of each individual. This freedom should not only be guaranteed with regard to the dissemination of information and ideas that are received favorably or considered inoffensive or indifferent, but also with regard to those that offend, are unwelcome or shock the State or any sector of the population. Such are the requirements of pluralism, tolerance, and the spirit of openness, without which no “democratic society: can exist. [...] This means that [...] any formality, condition, restriction, or sanction imposed in that respect, should be proportionate to the legitimate end sought.”, para. 120 “Freedom of expression is not an absolute right; instead, it may be subject to restrictions, as Article 13 paragraphs 4 and 5 of the Convention Provide. Article 13(2) of the American Convention provides for the possibility of establishing restrictions on freedom of expression shall be subject to subsequent imposition of liability. However, beyond what is strictly necessary, such restrictions are not to limit the full scope of freedom of expression or become direct or indirect methods of prior censorship. In order to determine subsequent liabilities, three requirements must be met: 1) the restrictions must be previously established by law; 2) they must be intended to ensure the rights or reputation of others or to protect national security, public order, or public health or morals; and 3) they must be necessary in a democratic society”).

England & Wales, Court of Appeal (Civil Division). *Aziz v Aziz and Others*. 11 July 2007. HM the Sultan of Brunei Intervening para. 86 What this practice indicates is that in the context of diplomatic immunity mere speech (except perhaps of an extreme kind), as distinct from conduct which impedes the conduct of the activities of a mission, is not conduct which the receiving State is obliged to take steps to prevent, or which it is constitutionally entitled to prevent.

International Court of Justice (ICJ). *Djibouti v. France*. 4 June 2008. (para. 174. “The Court recalls that the rule of customary international law reflected in Article 29 of the Vienna Convention on Diplomatic Relations, while addressed to diplomatic agents, is necessarily applicable to Heads of State. This provision reads as follows: “The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or

detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.” This provision translates into positive obligations for the receiving State as regards the actions of its own authorities, and into obligations of prevention as regards possible acts by individuals. In particular, it imposes on receiving States the obligation to protect the honour and dignity of Heads of State, in connection with their inviolability”).)

1) Theoretical Foundations of Propaganda

The first step in every research is to consider our understanding of the subject. A proper definition is not only important but also closely associated with the way each scholar or school of thought across different eras understands and explores a given subject or encompasses a theory, while it is also a way of interpreting the world around us. Therefore, under this scope, we will examine the main definitions of propaganda in contemporary literature. In addition, in every definition lies an inherent theoretical background, based on the values of society, the researcher and/or the legislator who tries to define the term, and the purposes that the definition is expected to accomplish.

Propaganda can be described as an organized endeavor to influence and manipulate people's beliefs, ideas, and habits with a specific goal or objective in mind. It is a deliberate, methodical, and strategic course of action. To achieve the desired result, the arguments are presented in ways that are believed to be impactful, while information might be omitted or enhanced¹. Thus, propaganda does not attempt to examine all sides of an issue but only aims to present it in a way that is beneficial to the given goal. Therefore, it is inherently biased and, consequently, it is difficult to consider that it could have good intentions. Given this scope, propaganda is employed as a communication tool by government agencies, or individuals to steer the behavior of a population group. It differs from other types of communication due to the aspect of manipulation. This type of communication is not guided by the search for truth or some specific objective reality, but instead aims to please a certain part of the population, achieve a social purpose, or try to advance a given agenda. It is specifically the aspect of manipulation that distinguishes propaganda from purely truthful information and thus creates the distinctive impact of propaganda in communities, societies, nations, and states.

It so happens that in many cases, information can be used in different ways to accomplish and fulfill various goals. Informative communication occurs when information is used to accomplish a goal such as education. Propaganda, on the other

¹ Smith, Bruce Lannes. "Propaganda". Encyclopedia Britannica, 24 Jan. 2021.

hand, is the manipulation of information to promote a point of view, and in doing so, it presents only one perspective on an issue, while also failing to account for other possible ways of viewing that issue. Propaganda can be found in various forms of media, such as news, advertisements, and political campaigns. Its power lies in its ability to shape public opinion and influence behavior, often without the audience realizing it.

According to Edward Bernays, who is considered by many as the father of modern propaganda, as his book "Propaganda" was influential at the time of its publication, propaganda is defined as "the mechanism by which ideas are disseminated on a large scale"². Also, according to Bernays, since the leaders are not the ones solely responsible for decisions anymore, propaganda is a tool that helps them shift the viewpoints and beliefs of people. Under a similar perspective, K. Doring and H. D. Lasswell used the term "biased communication" to describe propaganda³.

Propaganda, formerly thought to be a type of persuasive conversation, is readily perceived as intrinsically flawed, since it overlooks, or even suppresses, essential evidence on the topic that is being debated⁴ and promotes only one way of thinking about a subject, producing many "false" conclusions. The propagandist uses partial truths and sometimes even blatant untruths to influence the audience, people who are in positions of power, or others who make decisions about policy so that they are convinced to take a particular course of action that the propagandist favors. What both propaganda and persuasion achieve is that the recipients do not see the messages to be forced on them, but the message is perceived as emanating from the recipients themselves⁵. This is why propaganda can be so effective, as it appeals to the emotions and biases of the audience rather than their rationality.

As propaganda only presents one side of an argument, it is inherently biased and thus it is difficult to be considered as having good intentions. The persuasive

² Bernays, E. *Propaganda*. New York: Routledge, 1928, p. 20.

³ Doring, K. 1988, *Harold Dwight Lasswell, His Communication with a Future*, pg. 5, also, Doring, K., & Lasswell, H.D. *Road of propaganda*. New York: Philosophical Library, Inc., 1959

⁴ Walton, D. "What Is Propaganda, and What Exactly Is Wrong with It." *Public Affairs Quarterly*, 1997, 11(4), p. 394.

⁵ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 43.

endeavor to change attitudes and actions by restricting freedom and creating conformity is inherent in propaganda. Propaganda is intended to reach a large number of people and to create a powerful effect. Since the first publication of Bernay's book, critics pointed out the significance of it in every aspect of human life as well as the necessity and the emergence of putting limits on it⁶.

According to some researchers, propaganda is justified by its purpose, so they tend to use excuses to legitimate the one-sided method by stating that it is necessary to achieve a positive goal, claiming that the end justifies the means. It is also difficult, even if we manage to point out propaganda from the beginning, to detect its true character and goal. Some scholars and some states tend to perceive or present propaganda as neutral or good. For example, Jowell and O' Donnell's definition gives a neutral meaning to the term and judges the propaganda depending on the goal the propagandist has in mind, although it still has a more negative connotation⁷.

Opposing viewpoints might be omitted, distorted, or denoted by the use of particular words and phrases that are created for a particular purpose⁸. Newly added information on an issue, that is true, may be used to inform people further on something they have previous knowledge of, is considered honest, and could weigh on people's opinions so one could say that this is "good propaganda". However, it is still a fact that propaganda picks and chooses what it presents to the audience. By selectively presenting information and constructing an argument, propaganda can have a significant influence on people's opinions. This is why it is important to critically evaluate the sources of information and seek out diverse perspectives to avoid falling prey to propaganda. Being aware of propaganda techniques can also help individuals recognize and resist its influence.

⁶ Public Relations, *Edward L. Bernays and the American Scene: Annotated Bibliography of and Reference Guide to Writing by and About Edward L. Bernays from 1917 to 1951*. London: Leopold Classic Library, 2014. "Propaganda has become so necessary a part of every idea and organization striving for public acceptance that its possibilities and Limits need to be defined", p. 4.

⁷ Walton, D. "What Is Propaganda, and What Exactly Is Wrong with It." *Public Affairs Quarterly*, 1997, 11(4), p. 401.

⁸ *Id.*, p. 399.

So far, we saw that throughout the years there have been multiple different approaches to the definition of propaganda and many scholars have attempted to give inclusive definitions, partly because by its own nature propaganda tries mostly to elude definition and pass by as simply informative. Still, the concept of propaganda remains hazy from an international law standpoint. A concrete and comprehensive definition of propaganda does not yet exist in international law, therefore making its regulation a challenging and difficult task. The lack of clarity has led to inconsistent application of propaganda laws across different countries and has also raised concerns about the potential violation of freedom of expression. The fine line between propaganda and freedom of expression further complicates its regulation. Additionally, different countries may have varying perspectives on what constitutes propaganda.

Propaganda can be examined through different viewpoints; therefore, an interdisciplinary approach is necessary to examine its various aspects. The study of mass psychology has contributed further to propaganda becoming more organized, and propaganda is considered a form of science in general⁹. So, as it proves to be so hard to identify propaganda, it is consequently hard to properly define and analyze it and possibly to track and restrain its harmful effects. It also might be challenging to identify propaganda because it reinforces some cultural beliefs and prejudices that are very ingrained in a community¹⁰.

The rapid technological advances in the past few decades have created a plethora of new means for the dissemination of propaganda,¹¹ as anyone can spread their own agenda and beliefs through different platforms, thus making it more difficult to be able to discern between propaganda and factual information.

Propaganda has evolved tremendously as there is now an increased understanding of human psychology, making it easier to identify the methods and means by which the public can be manipulated. A wide range of communicative

⁹ Bernays, E. *Propaganda*. New York: Routledge, 1927, p. 48

¹⁰ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 313

¹¹ *Id.*, p. 7

techniques is used to generate effects, that become apparent either right away or over the course of time¹². Hence, the examination of propaganda seems more prevalent but is proved to be more difficult as the subject is more widespread and elusive than ever before.

Propaganda is used by states and non-state groups to manipulate public opinion and advance their political agendas. Therefore, in order to point it out, one must examine many factors before it is too late, and propaganda results in negative actions for individuals, groups and/ or other targets, that are in contrast with the rights of people.

In retrospect, Altheide and Johnson introduced the term “bureaucratic propaganda”, where organizations issue official reports that seem to contain factual information, which is in fact falsified, manipulated, or misinterpreted, with the intention of preserving their legitimacy¹³. Here, for example, we have to mention the fact that the Vietnam War has been promoted as being critical to US security and best interests, having also prospects of winning, besides the fact that there was early evidence it was doomed, as any US military interference was, most likely, vain and condemned to failure.

Some scholars believe in the distinction between “good propaganda” and “bad propaganda”, depending on the intentions, however in the international law system and the majority of opinions, “good propaganda” is not considered propaganda in the first place.

Scholars in general tend to distinguish three different forms or types of propaganda. White propaganda typically contains factual information, since it originates from a reliable source and thus attempts to gain the audience’s trust. An example of where white propaganda is used is to encourage nationalism and patriotism,¹⁴ or to counter those feelings¹⁵. White propaganda is also used in political

¹² Alleyne, M. *Global Lies? Propaganda, the UN and World Order*. London: Palgrave Macmillan, 2003, p. 9

¹³ Jowett, G. S. and O’Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 51

¹⁴ Ellsberg, Daniel, *The Theory and Practice of Blackmail*. California: Rand Corporation, 1968, p. 2

¹⁵ Jowett, G. S. and O’Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 215

campaigns to promote a particular candidate or party and to highlight their accomplishments. It can also be used by companies to promote their products or services in a positive light, by emphasizing their benefits over competitors.

Black propaganda, on the other hand, can be found in cases when the source is hidden or ascribed falsely. Black propaganda tends to receive the most attention when exposed¹⁶ and is dependent on the recipient's willingness to believe the veracity of the source as it might look suspicious to the audience and subsequently fail. It requires caution when put in practice because the actual origin might be revealed. Black propaganda is often used in military operations to manipulate public opinion and discredit opponents. It can also be used to create fear and panic among the population, leading to a sense of insecurity and chaos.

When it comes to gray propaganda, the source is questionable and may not be appropriately recognized. The identity of the true source might be concealed or it might be unclear where the information came from. Gray propaganda prevents association with the source and thus is useful for disseminating messages that cannot be verified. The information has no apparent source, which makes it difficult to establish the propagandist and their motivations. It is a very usual form of propaganda that is found in everyday life, as the views that are delivered via supposedly neutral means are more compelling. Gray propaganda is often used in political campaigns as well, to spread false or misleading information. It can also be used by governments or organizations to influence public opinion without being directly linked to the message¹⁷.

The meticulous work of many researchers in recent years depicts the complicated nature of the concept of propaganda so it can't merely be treated as only one type of offense. This complexity drives most scholars to the conclusion that in order to examine propaganda more successfully a hybrid method should be

¹⁶ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 23

¹⁷ Dojcinovic, Pedrag (ed.). "Propaganda and International Criminal Law: From Cognition to Criminality", 2020, p. 6,12

implemented¹⁸. This hybrid method should analyze the different aspects of propaganda, including its content, dissemination, and impact on the audience, while also trying to gain a deeper understanding of the nuances and complexities of propaganda in different contexts.

In the case of modern history, especially the period after the two World Wars and the first decades of the 21st century, what makes modern propaganda distinctive is the deep understanding of how public opinion can be influenced and molded. The majority of definitions suggest that propagandists try to influence the flow of information, and purposefully mislead the public¹⁹.

Some scholars argue that there is an inherent problem in public speech and that propaganda is definitely and prevalently negative. That is because in public discourse rational discourse is perceived as ineffective and ignored, while mass audiences tend to ignore reflective, balanced, and logical thinking based on evidence and succumb to emotions and enthusiasm based on the deceptive or distorted types of debate. The fact is that by its very nature propaganda is designed and directed towards a mass audience, therefore appeals to the emotions and enthusiasm of the crowd in order to please the masses. Thus, it excludes reason and logic, while committing to fallacy²⁰.

¹⁸ Dojcinovic, Pedrag (ed.). "Propaganda and International Criminal Law: From Cognition to Criminality", 2020, , p. 30

¹⁹ Lock I., Ludolph, R. "Organizational propaganda on the Internet: A systematic review," *Public Relations Inquiry* 9(1), 2020, p. 103

²⁰ Walton D., 1997, "What Is propaganda, and What Exactly Is Wrong with It", *Public Affairs Quarterly*, vol. 11, no. 4, p. 393-394.

2) Elements and mechanisms of modern propaganda

Individual attitudes and feelings are frequently influenced or controlled in mass societies. What makes the current situation special compared to the past is the level of presentational expertise, coupled with a more precise grasp of how public opinion can be affected and molded²¹. This is evident in the rise of social media and targeted advertising, which allow for personalized messaging and manipulation of emotions on a massive scale²².

Propaganda comes from a place of a thorough examination of options, in order to achieve an already established goal and is premeditated. It is a collection of tools and tactics used to persuade or manipulate people into particular belief systems. Through the study of human psychology, it has been found that our sentiments and attitudes regarding various issues influence the way we perceive them²³. Therefore, the propagandist can examine people's attitudes and shape their perceptions through the use of language and visual symbols²⁴. Different perceptions are also molded through manipulation that is used for one's benefit.

It is well established that propaganda has evolved nowadays as one of the most prevalent and concerning elements of modern social systems²⁵. By using the most pervasive means, it seeks to influence or persuade toward a particular action or position. The propagandist attempts to manipulate information flow by influencing the media and providing erroneous information from sources that appear to be trustworthy. Concealment or disguise of identity is a key part for propagandists to attain their intended aims, as the goals might not be met if the genuine aim and true

²¹ Hughey, M. W. "Propaganda in the modern world," *International Journal of Politics, Culture, and Society*, 1996, vol. 9, p. 569

²² As Abraham Lincoln has stated: "Public sentiment is everything. With public sentiment, nothing can fail; without it, nothing can succeed... he who molds opinion is greater than he who enacts law." Fascell, Dante B. "The Helsinki Accord: A Case Study." *The Annals of the American Academy of Political and Social Science*, vol. 442, 1979.

²³ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 9

²⁴ Id., p. 8

²⁵ Hughey, M. W. "Propaganda in the modern world," *International Journal of Politics, Culture, and Society*, 1996, vol. 9, p. 577

source are discovered. Propaganda is also used to cover up actions or events that threaten government authority.

Propaganda works better when there are societal emotions that can be exploited²⁶. It is also significantly more successful in the absence of an informed population. Effective propaganda, as it is expected, depends on an easily manipulatable audience. Without critical judgment, people may think they are being persuaded, when in fact they are being cajoled or conditioned into thinking in a particular way. For fulfilling its purposes, a variety of psychological techniques are used to persuade people. One of these techniques involves conditioning the population to feel a certain way about an event. This conditioning can be achieved through repeated exposure to certain stimuli, such as media coverage, which can influence individuals' emotions and attitudes towards the event.

The dynamic character of the subject under study is also undeniable. The media are constantly evolving, and therefore this continuously evolving dynamic creates and modifies ideas and their interpretations in unprecedented ways²⁷.

A key tool of propaganda is the repetition of themes and messages, as many psychologists also believe that people are more likely to embrace an idea through constant exposure to it.

In addition, the media create perceptions of what popular opinions are. People tend to adopt the beliefs suggested by media, due to the subconscious criteria that they either need to think like others to satisfy their need to avoid social exclusion or to stand out from the mass. Modern psychology has the tools to discern and expose the true dimensions of this phenomenon and to measure its effects and impacts on the life of societies as it is proved in election debates and in perilous situations such as various crises and different types of wars. Understanding the psychology behind

²⁶ Hughey, M. W. "Propaganda in the modern world," *International Journal of Politics, Culture, and Society*, 1996, vol. 9, p. 575

²⁷ Jowett, G. S. and O' Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 228

belief adoption can help develop strategies to promote critical thinking and reduce the impact of misinformation²⁸.

People's opinions are also considerably dependent on the media they choose to consume, since they will most likely follow and get their information from a limited number of media that they feel inclined to pay attention or have access to, or their social circle uses. Hence, although there is a broad variety of forms and types of media, most people tend to have a very restricted view, due to sociological and psychological reasons. This limited view can lead to confirmation bias and the establishment of echo chambers, where people only hear opinions and information that align with their preexisting beliefs, and as a result, reinforce existing beliefs and biases.

It also appears that prejudice tends to play a significant part in shaping our responses to issues, either positively or negatively, as some beliefs are so deeply rooted, that it seems as if we have chosen to take a side on an issue through our own free will, when in fact we have simply accepted it as the truth because it has been ingrained in us through our attitudes. In order to make the propaganda more effective, the propagandist must collect information on the targeted audiences²⁹. To successfully engage an audience in a new idea, propagandists must understand the intricacies of why people hold onto their current beliefs. This includes learning about their values, beliefs, and any negative feelings they might have toward certain issues. The propagandist can then use this information to formulate and deliver messages that are tailored to appeal to the specific audience, by using language, symbols, and themes that resonate with the values of their target demographic.

When the message is pertinent to the listeners' preexisting attitudes and beliefs, the more likely it is to be successfully communicated. In order to identify an ideology, the behaviors, and values must be determined as ways of thinking that are shared. Once this is done, the propagandist can craft messages that take these values into account and create an effective narrative that will allow the message to penetrate more deeply and leave a lasting impression on the audience.

²⁸ Walton D., 1997, "What Is propaganda, and What Exactly Is Wrong with It", *Public Affairs Quarterly*, vol. 11, no. 4, p. 401-402.

²⁹ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 15

The subject is more likely to have an impact if it is not considered important by the audience. Deeply ingrained beliefs that are founded on patterns are not likely to change. Behavioral patterns that stem from emotion are difficult to alter³⁰. Therefore, propagandists must be skilled at understanding the needs and values of their audience, as well as the emotional triggers that are present in their worldview in order to craft messages that can pierce the veil of those patterns and ingrained beliefs and create a desire to change or to adopt a new belief.

Propaganda uses ideas to achieve its goals by regulating the dissemination of information and trying to influence public sentiment. It is the purposeful and systematic pursuit of a reaction that furthers the propagandist's desired aim. Propaganda can be both subtle and overt, with the common denominator being its potential to mislead or persuade people through the manipulation of information and the exploitation of emotion.

International shortwave radio broadcasters play a significant part in the dissemination of propaganda in multiple countries³¹, especially in regions where there is limited or no internet access, and due to the lack of education and the ability to acquire or discern information, people are more prone to accept whatever they hear³². These stations generate audiences by tailoring their programming to certain groups and broadcasting in many different languages. The impact of this propaganda programming is hard to determine. Some of it is quite successful when the local population has limited access to a range of alternative media outlets. Shortwave radio broadcasts also become more prevalent in times of conflict when social media might be blocked by a government. Through their programming, these stations are able to reach out to a large number of people and get their message across, sometimes to a greater extent than other forms of media available to them.

³⁰ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 54

³¹ Id., p. 143

³² McCoy, Jason, "Making Violence Ordinary: Radio, Music and the Rwandan Genocide", *African Music*, 2009, Vol. 8, No. 3, p. 85-96.

In countries such as India and Mexico, soap operas have been used to propagate messages to viewers³³. These series are often used to convey messages in an entertaining format, making it easier for people to understand and internalize the message. The appeal of these stories and characters resonates with the viewers and, as a result, audiences are more likely to be receptive to the messages. When it comes to television, its more domestic nature has not allowed it to be used for international propaganda on a larger scale, however, it is still a medium used to disseminate propaganda when needed.

Advertising is a major form of propaganda, consisting of a planned goal that is achieved through crafted arguments and proclamations that are intended to persuade the audience to adopt the perspective of the advertiser and take a particular action. According to Jowett and O'Donnell, it is the most pervasive type of propaganda in our society, as it is found everywhere. It is a tool to inform people about the options and the accessibility of products and commodities³⁴. Advertising has been trying to become more effective in recent years by considering various factors, in order to achieve exposure to the desired target audience. Therefore, the advertiser has to analyze the characteristics, preferences, and needs of the target population and cater the message in a way that will meet their requirements and make the products and services desirable. This requires a deep understanding of the platforms used by the target audience and how they interact with content online.

Although advertising is an easily recognizable form of propaganda by many people, thus making advertising have a negative connotation in many peoples' minds, it has been very successful in creating a massive consumer culture in the past few decades. This has led to the rise of many successful brands and companies, as well as an increase in competition among businesses, making it necessary for advertisers to constantly come up with new and innovative ways to grab the attention of the target audience and stand out from their competitors.

³³ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 158

³⁴ *Id.*, p. 162

The internet plays a major role in the dissemination of propaganda and will be analyzed in a later chapter. Anybody can disseminate a message and distort information to serve their own purposes, without regard for accuracy or the possibility of harm. The internet runs without restriction in the comparatively unregulated realm of cyberspace since there are no established standards or requirements.³⁵ The interactive nature of the internet has created a sense of community. This virtual community allows for the unrestricted sharing of information which has led to a new platform for the spread of propaganda and misinformation.

³⁵ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 173

3) Wartime propaganda and psychological warfare

Wartime propaganda is old as war itself³⁶. In the 20th century propaganda directed against the enemy, at least since WWI, has used extensive leaflet, radio, and loudspeaker campaigns directed against the opposing military in order to influence them to lay down their arms and surrender³⁷. Even operational language employed at CENTCOM (central military command) briefings was often used to conceal rather than reveal information to the press³⁸.

Wartime propaganda was extremely prevalent during World War II, but nowadays psychological warfare is more prevalent than ever. An increasing number of states, along with NATO, have institutionalized psychological operations, as part of their psychological warfare activities, and, in order to succeed, they have even issued manuals containing provisions on the definition and content of psychological operations. For example, NATO's psychological operations policy defines them as: "planned psychological activities in peace, crisis, and war directed to enemy, friendly and neutral audiences in order to influence attitudes and behavior affecting the achievement of political and military objectives. They include Strategic Psychological Activities (SPA), Psychological Consolidation Activities (PCA), Battlefield Psychological Activities (BPA) and Peace Support Psychological Activities (PSPA) (AAP-6)" (NATO Psychological Operations Doctrine at 1-1)³⁹. There are equivalent notions of psychological warfare by the American Department of Defense (Doctrine for Joint Psychological Operations GL-7) and in the "Commanders Handbook on the Law of

³⁶ "Warfare is the way (Tao) of deception" (Sun-tzu), Seitz, J. "Propaganda and War", *SOJ Psychology* 5(2), 2018, p. 1

³⁷ This proved to be effective during the Gulf War. *Id.*, p. 6

³⁸ But in democratic countries journalists as well as scientists point out publicly this phenomenon: "If you didn't have an independent and free press, you would have propaganda – ours, theirs, whoever's. You need a free press to sift through the propaganda and tell the story of what's going on, whether it's going well or badly. We are the brokers of information, and if we don't exist, a nation, a civil society, a democracy, is poorer". *Id.*, p. 6.

³⁹ Chainoglou, Kalliopi. "Psychological Warfare." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Aug. 2016.

Naval Operations”⁴⁰. Of course, all these organized activities raise the issue of their legality in the context of International Law. It seems that only such “attacks” against civilians are forbidden. The Commentary on the HPCR Manual on International Law Applicable to Air and Missile Warfare, states that: “the application of the general rules prohibiting attacks directed against civilians or civilian objects, as well as indiscriminate attacks, is confined to air or missile attacks that entail violent effects, namely, acts resulting in death, injury, damage or destruction (Rule 21 HPCR Commentary 105)”. This is proved to be problematic since the psychological impact of such activities most times seems to have more grave and long-term effects than physical injuries. Hence, there is a very blur line of division between the legality and illegality of the method of psychological warfare⁴¹.

As such, psychological warfare has a long history, as it has been practiced since ancient times. Inherently, it is the use of propaganda against an opponent with the goal of demoralizing the opponent, undermining his desire to fight, and is, therefore, a large component of warfare⁴². The term “psychological warfare” does not have a clear definition, but is frequently linked to psychological operations, various non-violent forms of conflict that affect the enemy⁴³.

Psychological operations are typically defined as well-thought-out actions that are intended to spread messages and alter people’s views and sentiments in a way that advances the aims of their creators. The ultimate goal of psychological operations is to undermine the enemy’s desire to fight, garner further assistance from troops, and minimize the number of civilian losses during battles. The goal of psychological warfare is to sway the opponent’s thinking. It also includes spreading false or misleading information with the intention to weaken the will of the enemy, using

⁴⁰ Chainoglou, Kalliopi. “Psychological Warfare.” *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Aug. 2016.

⁴¹ Id.

⁴² Britannica, The Editors of Encyclopaedia. "Psychological warfare". *Encyclopedia Britannica*, 30 Nov. 2015.

⁴³ Chainoglou, Kalliopi. “Psychological Warfare.” *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Aug. 2016.

technological means to induce the enemy to surrender, or desert, and encouraging the populace of the enemy to overthrow its government.

NATO's psychological operations policy defines psychological operations as "planned psychological activities in peace, crisis, and war directed to enemy, friendly and neutral audiences in order to influence attitudes and behavior affecting the achievement of political and military objectives"⁴⁴.

Psychological warfare has evolved into an organized and pervasive technique, as is a significant component of warfare overall. Over the past few years, psychological warfare has also become more prevalent online, due to the widespread use of the internet. The use of social media platforms and other digital technologies has made it easier for psychological warfare tactics to reach a larger audience and spread rapidly. As a result, governments and organizations are increasingly investing in online psychological warfare strategies to gain an advantage in conflicts.

Propaganda is used for these objectives before an official declaration of war and goes on after the end of the conduction of hostilities. The result of psychological warfare cannot always be judged right away, and the outcome may become apparent after a long time has passed⁴⁵. It is the most difficult to be detected, thus it is important to be ruled by international law in order to prevent or, at least, restrain its harmful impact. The informed scientific knowledge and classification of all types of propaganda contain partially the ability to include it in the chart of the restricted actions that cause potential damage to the public welfare.

Psychological warfare begins before the hostilities and even continues after the military operations are over. During wartime, the key audiences include the home audience, the enemy audience, and the neutral audience. The home audience must be persuaded that the war is warranted, while the enemy audience, both the army and the citizens, must be discouraged and demoralized. The neutral audience must also be persuaded because its assistance may be essential. If the support of the neutral

⁴⁴ Chainoglou, Kalliopi. "Psychological Warfare." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Aug. 2016.

⁴⁵ Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018, p. 232

audience is not gained, it is important to keep it from supporting the enemy⁴⁶. When it comes to the enemy audience, thorough research and obtaining information on the enemy is crucial in order to understand its culture and, therefore, be able to use an effective psywar technique.

President Dwight D. Eisenhower saw psychological warfare considerations as an inseparable element of national security strategy. He even considered political warfare front far more dangerous than shooting war, and with his double identity as a general and a politician, his thoughts and words must have an additional impact on our thoughts and a profound influence on his foreign policy as a president, more prevalently in the fields of peace and disarmament⁴⁷.

As far as the messages are considered, there are a lot that are universal and are used in the majority of conflicts, and others that are more specific to the circumstances of the conflict. Supporting the war's objectives and boosting morale are the themes used towards the home audience. When it comes to the enemy audience, the themes include creating a chasm between the population and the authorities, as well as the military, and fostering feelings of remorse in the troops⁴⁸. Guilt messages tend to be used in most types of conflicts. These themes aim to weaken the enemy's support base and create dissent within their ranks. By highlighting the gap between the people and those in power, it becomes easier to mobilize opposition against the enemy.

Civilian casualties might result from the mental anguish brought on by specific psychological warfare tactics, which were designed to terrify or destroy their morale.⁴⁹ Psychological warfare is a well-established strategy that adjusts to the tactical realities of battle. However, as legislation concerning human rights grows, states could be required to use less harmful psychological warfare techniques.

⁴⁶ Schleifer, Ron. *Psychological Warfare in the Arab Israeli Conflict*. New York: Palgrave Macmillan, 2014, p. 2

⁴⁷ Osgood, Kenneth A. "Form before Substance: Eisenhower's Commitment to Psychological Warfare and Negotiations with the Enemy." *Diplomatic History*, No. 3, Oxford University Press, July 2000, p. 406

⁴⁸ Id., p. 15

⁴⁹ Chainoglou, Kalliopi. "Psychological Warfare." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Aug. 2016.

4) Non–state actors:

a) Hate Speech

The status of hate speech in customary International Law is unsettled⁵⁰. There is a prohibition of the dissemination of hate speech in Article 3 of the International Convention on the Elimination of Racial Discrimination to prohibit the dissemination of hate propaganda. The most common notion of hate speech is the bias-motivated, hostile and malicious language targeted at a person or group because of some actual or perceived innate characteristics⁵¹. If in this hate “mixture” we add the digital aspect of our days the outcome becomes more difficult to define and control. Hence, there are broad and narrow definitions⁵² and as for the legal aspect of the problem at hand, the definitions are also murky, but very much needed. So, there is the EU definition, YouTube’s definition, one for Twitter, for Facebook, and the plurality of definitions is an additional point to the severity of the phenomenon of online hate⁵³.

We could say that digital propaganda feeds on people’s already established beliefs as in most cases one has to search for something particular or follows thing that already aligns with their interests and opinions. Digital propaganda takes many forms and is present in diverse contexts. There are official websites of organized hate groups as well as informal groups and individuals who produce hateful content. There are explicitly racist, misogynistic, or otherwise discriminatory pages, channels, or communities on social networking platforms (Facebook, Twitter, Youtube) as well as forums on Reddit, listservers, internet chat communities, discussion forums, and blogs designed to disseminate hateful rhetoric⁵⁴. Therefore, it is quite a task to detect and regulate hate speech and even if sometimes hateful content is banned and removed from platforms, these communities have a way to resurface in new forms. So, in order

⁵⁰ Dojčinović, Predrag (ed.). *Propaganda and International Criminal Law: from Cognition to Criminality*. New York: Routledge, 2021, p. 8

⁵¹ Siegel, Alexandra A. “Online Hate Speech.” *Social Media and Democracy: The State of the Field, Prospects for Reform*, edited by Nathaniel Persily and Joshua A. Tucker, SSRC Anxieties of Democracy. Cambridge: Cambridge University Press, 2020, p. 57

⁵² *Id.*, p. 58

⁵³ *Id.*, p. 58

⁵⁴ *Id.*, p. 62

to combat hate speech two types of approaches seem to prevail: content moderation and counter speech. The first strategy involves banning accounts or communities that violate platforms' terms of service or stated rules. A profound paradigm is the voluntary Code of Conduct on Countering Illegal Hate Speech Online issued by the European Commission on May 13, 2016, in conjunction with Facebook, Twitter, YouTube and Microsoft. The Code required the removal of any hate speech as defined by the European Union (EU)⁵⁵.

Digital propaganda over-emphasizes some ideas to the point that they become acceptable and popular among people. It also uses simple and attractive images that induce viewers to accept the messages presented. The propaganda could further reach a wider audience as people share and spread it to their followers. However, it is proven that people tend to believe and read what confirms their already existing opinions and are less likely to be influenced by opinions that support the opposite of what they believe in. However, people that don't have strong established opinions and possess little to no information on certain issues, are likely to be influenced and manipulated by online propaganda and disinformation and adopt those opinions. There are mixed opinions on how to tackle online hate speech – might decrease hate comments, might move them to other platforms of social media nowadays.

Social media is a form of technology that provides information in digital formats and allows anyone to share their opinions and ideas with others. As mentioned previously, the concealment of identity, which is often a crucial part of propaganda, is made possible through the Internet, where anonymity is prevalent.

Social media are utilized to manipulate public opinion. Internet resources provide access to information as well as chances for group interaction. Users create and manage false social media profiles that are heavily automated, both in authoritarian regimes and democracies. Today, computational technologies, like algorithms and others, play a significant political role in matters like news consumption, problem awareness, and cultural comprehension. Political campaigns

⁵⁵ The attempt to moderate content was spurred by fears over a rise in intolerant speech against refugees in order to prevent possible terror attacks. Siegel, Alexandra A. "Online Hate Speech." *Social Media and Democracy: The State of the Field, Prospects for Reform*, edited by Nathaniel Persily and Joshua A. Tucker, SSRC Anxieties of Democracy. Cambridge: Cambridge University Press, 2020, p. 71

and politicians have manipulated public opinion using bots. However, certain barriers are impeding the innovative, democratic uses of technology. Social media sites are finding it difficult to comprehend how their platforms might be used to influence politics⁵⁶.

Content sites often encourage anonymity which on the one hand protects users from harassment, bullying, and trolling, but on the other hand create a space where users believe that their words have no consequences and repercussions, as they are hidden behind an online anonymous persona and for a long time would not face any legal consequences in instances when they committed crimes such as bullying or online hate. The anonymity and relative lack of legal consequences encourage people to use these platforms in harmful ways. People do not realize the consequences of their actions and are led to believe that their anonymous persona will be an impenetrable one and would never face any legal repercussions. The lack of consequence and understanding of its effects has created a dangerous environment where people are not held accountable for their actions and thus are able to get away with things, they would otherwise not be able to do.

Online political activism has increased among young people. Information and tips related to political activism are spread through social media, such as Twitter, Facebook, and Instagram, which continue to expand and thrive. On the one hand, social media sites become a means of participating in political processes, enabling users to participate in movements and causes they believe in, while on the other hand, they are also a space that increasingly makes possible all kinds of activities including cyberbullying, abuse, and other sorts of harassment involving the dissemination of derogatory comments and images. With the use of social media, these harmful tendencies are magnified, because communication is conducted directly from one individual to another without the filter of social norms and limitations that exist in a face-to-face interaction. Researchers pointed out that users more prone to be negatively affected by online hate speech tend to be young, male, very active on social

⁵⁶ Woolley, S. C. and Howard P. N., *Computational Propaganda: Political Parties, Politicians, and Political Manipulation on social media*, Oxford: Oxford University Press, 2018, p. 4

media, and members of tightly networked communities in which producers of such speech frequently retweet⁵⁷.

Bots account for a very big percentage of the activity on social media platforms and are becoming harder and harder to spot since they are generated to resemble human attitudes and now appear on multiple platforms simultaneously. Bots that have been engineered to seem like real people have been employed to push their views and stifle any opposing opinions. During election times, political campaigns have used online propaganda to sway the votes or demonize the opponent. Various misinformation and disinformation campaigns have been organized in an attempt to target opponents or others who might be considered threatening to the desired result. It is a very potent new weapon that has become extremely widespread.⁵⁸ It is built on “automation and anonymity”⁵⁹. Crimes can be committed while the offenders are hidden. This poses a challenge for law enforcement agencies as it becomes difficult to identify and apprehend the perpetrators⁶⁰.

b) Conspiracy Theories

Likely and Unlikely Stories: Conspiracy Theories in the Age of Propaganda

It is not easy to define and spot conspiracy theories and prevent the damage they cause, because not all of them have a single cause or origin. It is nevertheless well established that they were widespread in early modern Europe and that modern-day conspiracy theories have broader historic and cross-cultural precedents than that one could anticipate. The phenomenon is described by Sunstein as “an effort to explain

⁵⁷ Siegel, Alexandra A. “Online Hate Speech.” *Social Media and Democracy: The State of the Field, Prospects for Reform*, edited by Nathaniel Persily and Joshua A. Tucker, SSRC Anxieties of Democracy. Cambridge: Cambridge University Press, 2020., p. 76

⁵⁸ Woolley, S. C. and Howard P. N., *Computational Propaganda: Political Parties, Politicians, and Political Manipulation on Social Media*, Oxford: Oxford University Press, 2018, p. 6

⁵⁹ Id., p. 7

⁶⁰ Siegel, Alexandra A. “Online Hate Speech.” *Social Media and Democracy: The State of the Field, Prospects for Reform*, edited by Nathaniel Persily and Joshua A. Tucker, SSRC Anxieties of Democracy. Cambridge: Cambridge University Press, 2020, p. 77

some event or practice by referring to the secret machinations of powerful people who have also managed to conceal their role”⁶¹.

Conspiracy theories have been fueled by the internet and social media, which has made it easier for them to spread rapidly and reach a wider audience. This has led to a rise in distrust of institutions and authorities, as well as an increase in polarization.

To better understand the phenomenon of conspiracy theories we must suggest that it appears differently in politically repressive versus democratic contexts. Sustain and Vermeule suggest that in authoritative regimes under the repression of the media, such theories have some kind of justification⁶², whereas in democratic societies the mainstream of “conspiracy cascades” is proved to be the extensive use of social networks⁶³. Under this spectrum, we have to define two subtypes of “conspiracy theories”. First, “integration propaganda” was defined in the 1960s by Ellul as “one-way communication serving to present as both necessary and normal the

⁶¹ Marmura, Stephen M.E., “Likely and Unlikely Stories: Conspiracy Theories in an Age of Propaganda”, *International Journal of Communication*, 8, 2014, p.2378

⁶² Kahiye, Mohamed. “Somali Journalists Launch ‘Disinformation Lab’ to Combat Spread of Fake News.” VOA, Voice of America (VOA News), 1 June 2021 The Federation of Somali Journalists has launched a campaign to combat the spread of false information, fake news, hate speech and propaganda. The federation says Somalia is already seeing a huge spike in social media misinformation campaigns ahead of elections ... The country’s chronic internal conflict and political instability has made Somalia a fertile ground for the spread of misinformation...To curb the growing challenge for media workers in the country, the Federation of Somali Journalists has launched what it calls a Disinformation Lab to combat the spread of lies, myths and distortions ahead of upcoming elections”. As the lead researcher of the lab states: “the lab’s researchers will support journalists with digital tools, training, and other resources to detect, analyze and flag false election - related news in real - time fashion. In a fragile environment where trust is so low, safeguarding the election process from fake news is as crucial as saving the country from descending into civil war again”. On the other hand the problem of the Somaliland nearby remains (ISPI- Italian Institute for International Political Studies, Marcus Virgil Hoehne “Somaliland: 30 Years of De Facto Statehood, and No End In Sight”, 7 May 2021. We have two failed states, one acknowledged, the other not, next to each other and fake news or misrepresentation of all parties make successes in terms of peace and state building more difficult than they already are, with the abhorrent prospect of another military confrontation imminent.

⁶³ Marmura, Stephen M.E., “Likely and Unlikely Stories: Conspiracy Theories in an Age of Propaganda”, *International Journal of Communication*, 8, 2014, p. 2379

dominant institutions and practices associated with the prevailing social/political order, which ensures that it remains largely invisible”⁶⁴. As an example of this kind of propaganda, Marmura suggests the concerns about the decision of Obama’s administration to intervene militarily in Libya in 2010. The concerns the media expressed, were about the safety of the American troops, the cost of the operation, and the stance of the NATO allies, whereas concerns about the safety of civilians, and the violation and/or obstruction of international law were considered as being beyond limits of acceptable discourse⁶⁵.

An important factor in conspiracy theories is the emotional aspect that is overemphasized by the propagandists. The most commonly used propaganda allied with the call to war is not integration but, rather, “agitation propaganda” which is designed to instill fear or moral outrage toward a declared enemy. As in the former case of integration propaganda Herman & Chomsky as well as Pedro have dictated that critical media commentary is obstructed by false or misleading information and finally it is revealed as such (e.g., the case of the absence of weapons of mass destruction in Iraq) when military action is well underway and public attention is diverted elsewhere⁶⁶. This type of propaganda often relies on emotional appeals and oversimplification of complex issues, while ignoring or downplaying opposing viewpoints. It can be particularly effective in times of crisis or heightened tensions, as people may be more susceptible to messages that play on their fears and anxieties.

A prominent example of agitation propaganda with ongoing fatal implications throughout history is the case of the forged documents known as the “Protocols of the Elder of Zion”. Cohn has successfully pointed out how they impacted pogroms against Russia’s Jewish population from 1881 to 1920⁶⁷.

⁶⁴ Marmura, Stephen M.E., “Likely and Unlikely Stories: Conspiracy Theories in an Age of Propaganda”, *International Journal of Communication*, 8, 2014, p. 2380

⁶⁵ Id., p. 2381

⁶⁶ Id., p. 2381. Moreover the International Criminal Court had decided on 9 December 2020 not to proceed with the case due to insufficient evidence of the alleged crimes committed by United Kingdom nationals in the context of the Iraq conflict and occupation from 2003 to 2008.

⁶⁷ Webman Esther, *The Global Impact of the Protocols of the Elders of Zion*, Abingdon: Routledge, 2011, pp. 68.

In order to understand all aspects of propaganda and its impact on international affairs it is paramount that we acquire some knowledge on how a state manipulates media in pursuit of psychological warfare. A case study of Russia, presented by Prof. Veebel is very comprehensive, especially in light of the recent ongoing war, which seems to have many different preludes in different areas of interest of Russia. Therefore, as it is pointed out, disinformation, media propaganda, threats, and psychological techniques are used to deter or to destroy attacks. In order to find some sort of defense against such attacks knowledgeable and critical consumer of news is needed⁶⁸ in order to learn to spot the media when they try to demonize or deter and demoralize the adversary or even mobilize target populations by mixing truth with lies⁶⁹. So, when Russian politicians arrived in Estonia to “rile things up” about the removal of a memorial to Soviet soldiers in 2007, Russian-language websites had no problem offering instructions on how to attack Estonian sites. The researchers have detected the different channels used in Russian information operations to transmit messages that include misinformation⁷⁰.

With all these incidents of carefully and painstakingly organized and executed propaganda, it is no wonder that International Law has an equally painstaking duty to protect nations and populations, and individuals from the corrosive moral and even physical implications of all kinds and forms of propaganda.

⁶⁸ Veebel, Viljar, 2016, “Estonia confronts propaganda, Russia manipulates Media in Pursuit of Psychological Warfare”, *Per Concordiam* 7, 2016, pp. 14-15

⁶⁹ Id., p. 16. As an example, he presents a photo taken outside St. Basil’s Cathedral in Moscow in March 2015 where a Russian opposition leader, Boris Nemtsov was gunned down, and there are flowers and signs pointing “Propaganda kills” and “Fight!”, pointing how defamatory propaganda can lead to killings.

⁷⁰ Id., p. 18. This incident took place, as mentioned in 2007, while Estonia maybe felt safe being an EU member since 2003 and a NATO member since 2004.

5) Perspectives of propaganda in International Law

“A rule of law does not disappear because it is frequently violated.”⁷¹

The very existence of International Law is the pursuit of justice for states and civilians in a global level⁷². In this pursuit, the establishment of International Criminal Court on 17 July 1998 was particularly crucial, when 120 states adopted “the Rome Statute of the International Criminal Court”. Thus, for the first time in the history of humankind, states decided to accept the jurisdiction of a permanent international criminal court for the prosecution of the perpetrators of the most serious crimes committed in their territories or by their nationals after the entry into force of the Rome Statute on 1 July 2002⁷³. Still, since personality in international law makes the consideration of the interrelationship between rights and duties necessary, afforded under the international system and the capacity to enforce claims, it is crucial that one have close regard to the rules of international law in order to determine the precise nature of the capacity of the entity in question. Therefore, a range of factors needs to be carefully examined in order to determine whether an entity has international personality, and, if so, what rights, duties and competences apply in any particular case. This fact, combined with the elusive nature of propaganda, poses critical considerations both in the detection of propaganda by international law and in the apply of its rules for the protection of human and civil rights internationally⁷⁴.

Propaganda is one of the most widespread trends in world politics. Nation states do not wish to appear before the international community as lawbreakers. The most significant issues of propaganda law have not received much attention or generated much controversy. Regarding individual states, the law is quite clear in

⁷¹ Ingram, Peter. “Maintaining The Rule of Law.” *The Philosophical Quarterly*, Vol. 35, No. 141, Oxford University Press (OUP), Oct. 1985, pp. 361-362

⁷² Shaw, Malcom. *International Law*, Part 1, Cambridge: Cambridge University Press, 2021, p. 32

⁷³ From the webpage of the ICC. [Understanding-the-icc.pdf](#)

⁷⁴ Shaw, Malcom. *International Law*, Part 1, Cambridge: Cambridge University Press, 2021 p. 156

prohibiting propaganda that could become provocative, warmongering, intimidating, and terrorist⁷⁵.

Propaganda in the case of authoritative states is a very debatable subject matter, partly because such states never consider themselves to be authoritative, whilst they forbid the liberty of the press and any kind of international observations of what they consider their own “territory” of responsibility. The cases of some African leaders who tend to try to “use” the International Criminal Court for their own purposes raises some kind of alertness in the international community. Hence, the International Criminal Court, besides and in accordance with its purposes, has a prevalent role in the effort to prosecute those most responsible for serious international crimes, thus helping the cause for peace in conflict-torn African countries.

There have been several attempts to control the dissemination of propaganda in international law. The fact that no comprehensive definition of the concept of propaganda exists in international law has made its regulation even more challenging. This lack of a clear definition has posed difficulties in formulating rules that could adequately and effectively prevent the proliferation of propaganda in the international legal system. The implementation and enforcement of propaganda laws have been criticized for being vague and subjective, leaving room for interpretation and potential abuse, making it harder to hold individuals and states accountable for engaging in such activities.

The right to freedom of expression is a basic human right that is guaranteed by democratic countries’ constitutions. That means that any effort to restrict propaganda during peacetime would end up conflicting with the basic human right to freedom of expression and information⁷⁶. The many forms of propaganda that are particularly governed by international law can be used to explain the limitations to the freedom of expression typically recognized under international human rights law.

⁷⁵ Larson, Arthur. “The Present Status of Propaganda in International Law,” *Law and Contemporary Problems*, 1966, vol. 31, no. 3, p. 443

⁷⁶ De Brabandere, Eric. “Propaganda.” *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Nov. 2012.

Since they are subject to the limitations outlined in international human rights agreements, the freedoms of speech and information may be restricted under the exceptions allowed by several human rights agreements and instruments. For example, international human rights law recognizes the need to restrict expressions of advocacy of hatred that constitutes incitement to discrimination, hostility, or violence. These restrictions are put in place to protect individuals and groups from harm and ensure that the exercise of these freedoms does not infringe upon the rights of others.

According to Article 19 of the 1948 Universal Declaration of Human Rights, everyone has the right to express themselves freely. This freedom includes the ability to express ideas freely and gather information without hindrance. Article 19 of the International Covenant on Civil and Political Rights (ICCPR) (1966) has a similar clause. The dedication of the states to the freedom of information has been reinforced by other international treaties as well, such as the Helsinki Final Act (1975)⁷⁷.

There are four sources of international law: treaties and conventions, customs, general principles of law, and judicial decisions. (CASE LAW) The European Court of Human Rights (ECtHR) has highlighted several times that freedom of information also applies to facts and ideas that are considered neutral, unimportant, and that disturb the government or any part of society. The significance of freedom of speech has also been emphasized by the Human Rights Committee, the African Commission on Human and Peoples' Rights (ACommHPR), and the Inter-American Court of Human Rights (IACtHR)⁷⁸.

Freedom of information may be also limited within the terms of Article 19 of the ICCPR, provided that such limitations are authorized by law and required for public safety and order. The freedom of speech is subject to limitations under the European Convention on Human Rights Article 10 (2) which states that "The exercise of these

⁷⁷ Conference on Security and Cooperation in Europe (CSCE). "It contains three major "Baskets" involving political and security questions; economic scientific, and technological cooperation; and cooperation in strengthening human contacts, the exchange of information, and cultural and educational relations. In terms of international law, the Final Act is not a legally binding document, but as President Ford pointed out prior to his departure for the Helsinki Summit, it has important moral and political ramifications over the long term." Fascell, Dante B. "The Helsinki Accord: A Case Study." *The Annals of the American Academy of Political and Social Science*, vol. 442, 1979

⁷⁸ De Brabandere, Eric. "Propaganda." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Nov. 2012.

freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary". Similar limitations have also been recognized by the IACtHR.

Article 4(b) of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) states that State Parties "shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offense punishable by law". Thus, because of the complexity of the concept of propaganda, it is difficult for it to be categorized within the international law context and therefore be properly regulated.

From an international law standpoint, propaganda can be divided into four different types; subversive propaganda, defamatory propaganda, discriminatory/hate propaganda and incitement to genocide, and finally, incitement to terrorism.

a) Subversive Propaganda

International law has long prohibited the dissemination of subversive information. It may be characterized as propaganda intended to undermine the institution of a state by inciting rebellion, or civil unrest among its citizens. The regulation of inter-state propaganda is the primary objective of laws governing subversive propaganda. It relates to the International Court of Justice's (ICJ) affirmation of the concept of states' sovereign equality and their duty to refrain from meddling in the domestic affairs of other states. States are under a legal obligation to refrain from disseminating subversive propaganda in times of peace since the instigation of an unlawful conduct is itself criminal, and to also refrain from interfering in another state's domestic affairs.

A fundamental tenet of customary international law is the requirement that states refrain from making public remarks that might incite civil unrest in another state. Early international legal documents emphasize the need of refraining from doing so. In UNGA Resolution 290 (IV), titled “Essential of Peace”, states are urged to avoid making threats, whether direct or implied or acting in a way that might harm another state’s sovereignty or autonomy. Resolution 2131 (XX) of 1965, titled “Declaration on the Inadmissibility of Intervention in the Domestic Affairs of states and the Protection of Their Independence and Sovereignty”, declares that states are prohibited from organizing, aiding, inciting, funding or condoning subversive activities intended to violently overthrow the government of another state. Similar clauses are also found in the Friendly Relations Declaration of 1970, however, they are primarily focused on war propaganda. Under contemporary international law, the ban on subversive propaganda does not apply to international propaganda aimed toward a peaceful transition in a regime.

Several bilateral and multilateral agreements stipulate that propaganda against signatory parties should be avoided. This kind of clause is seen in a number of Pan-American conventions⁷⁹.

Despite the clear language of these United Nations resolutions, it remains difficult to hold states accountable due to the lack of enforcement mechanisms.

b) Defamatory Propaganda

In terms of international law, defamatory propaganda is the verbal insult of foreign states. Although propaganda messages may in reality contain aspects of truth, it is generally agreed that the objective of spreading false information is a key component of propaganda.

A distinction must be made between defamation coming from state actors and defamation coming from individuals. When it comes to defamatory state propaganda, the broad consensus is that the most aggressive forms of defamation are banned.

⁷⁹ Larson, Arthur. “The Present Status of Propaganda in International Law,” *Law and Contemporary Problems*, 1966, vol. 31, no. 3, p. 447

According to Article 29 of the Vienna Convention on Diplomatic Relations (1961) diplomatic representatives must be respected, and all required means should be taken to avoid possible attack on the individuals themselves or their honor. According to the ICJ this clause, in addition to applying to diplomatic representatives, must also apply to Heads of State. States are generally required to refrain from insulting or disparaging the head of another State, otherwise, the State that is in target may object and seek fair compensation according to international law. When it comes to defamation coming from individuals, international law is not as restrictive. States are not required to penalize defamatory behavior and actions by individuals. Article 19 ICCPR, puts a restriction on the right to free speech to guarantee respect for the dignity of others. As it is not apparent what would be considered an assault on the dignity of foreign Heads of State in international law, thus making regulation and punishment a difficult task.

There are multiple treaties that prohibit defamatory propaganda. Some bilateral treaties include those between India and Pakistan in 1948, those between Santo Domingo and Haiti in 1949, and those between India and Pakistan. There are also multilateral treaties, such as agreements between Latin American countries. The Convention Concerning the Use of Broadcasting and the Cause of Peace, which was finalized in Geneva in 1996, is the biggest attempt of this sort, as 22 states joined as parties and most of them reiterated their support in answer to the General Assembly's inquiry in 1954's resolution that revived the Convention⁸⁰.

Defamation is prohibited, and to some extent, criminalized in most legal systems. The broad legal theory of defamation is one that is acknowledged by civilized nations.

c) Discriminatory Propaganda, Hate Propaganda, and Incitement to Genocide

The issue of banning discriminatory propaganda was first brought up during the Nuremberg Trials. In the late 1990s, worldwide attention to discriminatory

⁸⁰ Larson, Arthur. "The Present Status of Propaganda in International Law," *Law and Contemporary Problems*, 1966, vol. 31, no. 3, p. 449

propaganda and incitement to commit international crimes rose, as a result of the propaganda during the genocide in Rwanda. The subject of inciting genocide has been covered by the International Criminal Tribunal for Rwanda (ICTR) several times. This type of propaganda does not always involve more than one country. It can also occur within a nation's own borders.

Article 3 of the Convention on the Prevention and Punishment of the Crime of Genocide, put into force in 1951, establishes "direct and public incitement to commit genocide" as a crime and enounces complicity in genocide, which may also be interpreted to include incitement to genocide. It was also incorporated into the Rome Statute, which was established by International Criminal Court (ICC), and came into effect in 2002. According to Article 25 (3) (e) of the Rome Statute, a person who explicitly and openly calls for genocide is guilty and subject to punishment for the crime.

There are questions about whether there must be a direct correlation between incitement and the crime itself, and if incitement may only be punished if it is preceded by the crime itself. The ICTR found that incitement to commit genocide is a violation regardless of whether such propaganda results in the actual crime of genocide. It affirmed the existence of the crime as a distinct offense, punishable as such if the person has the purpose to urge others to commit genocide.

When it comes to discriminatory propaganda, it also includes prejudice on the basis of race and religion. Article 20 (2) of the aforementioned ICCPR states that "any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law". This comes after Article 19 of the ICCPR which includes a more general principle on the freedom of expression.

Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (entered into force in 1969) includes a similar restriction, which asks states to punish the dissemination of ideas premised on racial supremacy and hatred. The UN Security Council (UNSC) has also stressed the need of putting an end to misinformation that sows division and fear.

d) Incitement to Terrorism

While certain instances of terrorist propaganda and incitement to terrorism may be covered under the laws against hate speech and discriminatory propaganda, some laws aim to outlaw terrorist propaganda by outlawing both direct and indirect incitement to terrorism⁸¹.

In Resolution 1373 (2001), the UNSC stated that it is against the goals and objectives of the UN Charter, to knowingly finance, organize or incite terrorist attacks. Article 4 of the Council Framework Decision of June 13, 2002, on Combating Terrorism, asks member states of the European Union to take the appropriate measures to guarantee that inciting or assisting a terrorist in an offense is rendered punishable. This was followed by another Framework Decision on December 9, 2008. Article 1 specifically deals with the prevention and ban of incitement to terrorism.

The 2005 Council of Europe Convention on the Prevention of Terrorism is one of the first thorough initiatives to prohibit incitement to terrorism. According to Article 5 (2) of the Convention, all states are urged to make incitement to terrorism a crime under their domestic legislation. Incitement to terrorism is defined in Article 5 (1) of the Convention as “the distribution, or otherwise making available, of a message to the public, with the intent to incite the commission of a terrorist offense, where such conduct, whether or not directly advocating terrorist offenses, causes a danger that one or more such offenses may be committed”.

The UNSC’s Resolution 1624 urged all of its members to pass laws that prohibit incitement to commit terrorism and prevent such incitement. The resolution was not enacted in accordance with Chapter VII of the UN Charter, but because states are asked to report to the Counter-Terrorism Committee on the actions they took to put this resolution into effect, the Resolution resembles a requirement.

The legislation against inciting terrorism primarily targets outright calls for terrorist acts to be committed. What the UNSC Resolution 1624 forbade does not

⁸¹ De Brabandere, Eric. “Propaganda.” Max Planck Encyclopedia of Public International Law, Oxford University Press, Nov. 2012

include indirect provocation. However, the Council of Europe Convention on the Prevention of Terrorism specifically prohibits speaking in a way that incites terrorism.

Evidently, the latest efforts to control incitement to terrorism violate free speech. The Explanatory Report of the Council of Europe Convention on the Prevention of Terrorism states that while its authors were aware that such laws would restrict free speech, they believed that this restriction is a permissible constraint on that right. The ECtHR has previously acknowledged the right a democratic society has to defend itself against actions of terrorist organizations and that the right to free speech is not an absolute right. In certain situations, the perpetrator's motivation and the actual risk posed by the conduct will determine the outcome. The established limitations on free speech must be considered when assessing the present state of incitement to terrorism⁸².

e) States and International Law: Revisions and Restrictions for propaganda in times of war and peace

It is crucial for governments to understand the legal duties as well as the moral commitments. All governments use propaganda as a tool for their foreign policies and therefore safeguard it.

The majority of the restrictions on propaganda mentioned above, such as those against defamatory or subversive propaganda, are directed at states. If a state violates international law with regard to propaganda, this violation may trigger the State's international responsibility, under Article 4 of the UN ICL's Draft Articles on Responsibility of States for Internationally Wrongful Acts (2001)⁸³.

State accountability is also recognized when the State is required to make sure that certain rights of individuals are protected, as in the case of defamatory

⁸² Larson, Arthur. "The Present Status of Propaganda in International Law," *Law and Contemporary Problems*, 1966, vol. 31, no. 3, p. 445. In general, incitement of an illegal act is illegal. It is generally accepted, that there is no conflict without the use of propaganda. ICCPR CERD Art 20 ICCPR Art 19, United nations chapter art 2 par 4

⁸³ De Brabandere, Eric. "Propaganda." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Nov. 2012

propaganda, or when the State is required to make specific behavior illegal, as in the instance of inciting terrorism. In some situations, breaking these commitments leads to international accountability. States may take unilateral action to prohibit suspected propaganda communications that threaten their internal security.

According to Article 45 of the International Telecommunication Union (entered into force in 1994), all radio stations must be run in a way that doesn't interfere negatively with other Member States' radio services. According to Article 34 of the ITU Constitution, a Member State has the right to block any private message if it appears to constitute a risk to the safety of a state.

When it comes to propaganda for war, it was first regulated by rules of international law according to the 1936 International Convention Concerning the Use of Broadcasting in the Cause of Peace. State parties are required by Article 2 to take steps to guarantee that station broadcasts from inside their territories do not serve as a call for war against another "high contracting party" or to actions that could result in such a war. Article 6 reiterates that the Convention was intended to forbid incitement to war, whether it was conducted by the State or an individual.

War propaganda is most harmful when it can persuade people that are afraid of a potential external threat that war is essential in order to protect the country's security. Therefore, there is a need for separate legislation that forbids the use of propaganda for war since other legislation is insufficient.

The idea of propaganda for war was perceived to include both the outright encouragement to go to war and the prelude talk that made such incitement successful.

Article 20 (1) of the ICCPR stipulates that any propaganda for war must be forbidden by law, however, there is very little jurisprudence on the matter.⁸⁴ The ICCPR's inclusion of a ban on war propaganda originated from the events of World War II, where it was recognized that such propaganda had been crucial throughout the War.

⁸⁴ Kearney, Michael. "Propaganda for War, Prohibition." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, May 2009.

Article 20 (1) limits the State's capacity to engage in propaganda that might lead to the provocation of crimes of an international nature, such as warfare.

War propaganda also violates the Covenant of the League of Nations and the Pact of Paris, as well as Article 177 of the International Covenant on Human Rights. The United Nations Charter's Article 2 (4) states that members should avoid using force against the territorial sovereignty and self-determination of any State.

Throughout the Cold War (1947-1991), multiple UN General Assembly resolutions denounced propaganda for war. The unanimously approved Resolution 110 (II) condemns all kinds of propaganda practiced in any nation, that are intended to instigate or promote any harm to peace. Resolution 381 (V) of 1950 denounced propaganda against peace, including inciting violence or other aggressive behavior, actions meant to stifle press freedom and alienate individuals. Both of the above were used by Resolution 819 (IX) of 1954 to state that there was no clash between banning propaganda for war and upholding a person's right to free speech.

Resolution 110 (II) was reinforced by the 1965 Declaration on the Promotion Among Youth of the Ideas of Peace, Mutual Respect, and Understanding between Peoples after the Third Committee's acceptance of the draft Covenant in 1961, The Friendly Relations Declaration (1970) and the preface to the 1978 Declaration on Preparation for Societies for Life in Peace, from which the US and Israel abstained on the grounds that it threatened freedom of expression, as well as the 1981 Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States and the 1987 Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, all state that all states have the obligation to abstain from propaganda for wars of aggression.⁸⁵

Since the conclusion of the Cold War, neither a resolution of the UN Security Council nor a resolution of the UN General Assembly have mentioned the obligation to refrain from spreading propaganda for war.

⁸⁵ Kearney, Michael. "Propaganda for War, Prohibition." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, May 2009.

The illegality of warmongering propaganda is established, but recently because formal international war was not illegal for a long time, but a foreign power providing aid has always been illegal.⁸⁶

The Nuremberg trials established that aggressive war was an international crime even before the United Nations Charter⁸⁷.

Not many states have passed laws making the ban against incitement to wars of aggression effective, excluding states of the former Soviet Bloc. These states tend to still contain punitive provisions from the communist era. Any action taken in the Name of Article 20 (1) ICCPR is not likely to be questioned, allowing states to perceive and implement the provision in a way that does not seem to be compatible with the drafters' intentions or other principles, even though many states continue to highlight measures seemingly taken to comply with Article 20 (1) ICCPR.⁸⁸

The propensity of states like Israel to limit the application of Article 20 (1) ICCPR to propaganda that exposes the state to "an act of aggression", while ignoring propaganda that calls for aggression by that state against other states, is significant in this regard. India has given the ban a broader interpretation than the one intended in order to justify restricting freedom of expression for the sake of good ties with other states.⁸⁹

States usually point to legislative restrictions on communication that encourages acts of violence other than wars of aggression, as having made Article 20 (1) ICCPR effective. By doing this, states are changing the prohibition's goal from one that protects people from government propaganda that calls for war to one that defends the states from potential threats. By permitting their inclusion under the heading of Article 20 (1) ICCPR, the Committee runs the danger of failing to notice

⁸⁶ Larson, Arthur. "The Present Status of Propaganda in International Law," *Law and Contemporary Problems*, 1966, vol. 31, no. 3, p. 445

⁸⁷ *Id.*, p.445

⁸⁸ Kearney, Michael. "Propaganda for War, Prohibition." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, May 2009.

⁸⁹ *Id.*

government misuse of the prohibition. These measures fall under Article 19 (3) or Article 20 (2) ICCPR.⁹⁰

There are thirteen reservations by Australia, Denmark, Iceland, Ireland, Liechtenstein, Malta, the Netherlands, New Zealand, Norway, Sweden, Switzerland, United Kingdom, and the United States, and five declarations by Belgium, Finland, Luxemburg, and Thailand in relation to Article 20 (1) ICCPR. These objections have one thing in common: either that the provision is redundant, considering the legislation already in place regarding public order offenses, or that it poses an intolerable risk to the freedom of speech given the ambiguities surrounding the definitions of propaganda and war. Finland stands out as it has engaged in extensive dialogue with the UN Committee and recently passed penal legislation regarding the prohibition of aggression that defines offenses as including the public dissemination of assertions intended to sway public opinion in favor of acts of aggression while still maintaining its reservation to Article 20 (1) ICCPR.

The ban on propaganda for war and the clause of freedom of expression, actually go hand in hand. The numerous reservations of states when it comes to the ban on propaganda for war hinder the successful implementation of the legislation. Discussion on the subject must take place while acknowledging the reality that war propaganda is a current problem that poses a serious threat to world peace⁹¹.

As mentioned before, a State is prohibited from using propaganda that is hostile to other nations. The level of a state's accountability for private propaganda activities committed by individuals is the next matter that should be discussed. Under international law, states do not have liability for the actions of private parties, including businesses and people. International law holds states accountable for slander committed by individuals against foreign officials.⁹² An individual can be held accountable for inciting conflict while acting on behalf of a state. Practically speaking,

⁹⁰ Kearney, Michael. "Propaganda for War, Prohibition." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, May 2009.

⁹¹ The Nuremberg trials are a primary source of law for state propaganda.

⁹² Larson, Arthur. "The Present Status of Propaganda in International Law," *Law and Contemporary Problems*, 1966, vol. 31, no. 3, p. 450

domestic law is left to handle the majority of this issue's resolution. Therefore, the accountability for private propaganda is less obvious, with the exception of cases where domestic law has addressed the issue.

The State also assumes responsibility when it comes to private broadcasters when their behavior or actions can be linked to the State⁹³. It is more debated whether states are responsible for propaganda transmitted by private citizens. States typically claim that their citizens are not accountable for such actions and support this claim with arguments about freedom of speech. In the instance of defamation, there is a clear distinction. There are laws against defamation in multiple countries that are comparable to those that prohibit subversive propaganda by individuals. As indicated by several decisions of the ad hoc criminal courts, the ban of discriminatory propaganda is primarily directed at persons and may consequently result in an individual's liability for the offense. Defamation laws are in place to protect individuals from false statements that may harm their reputation, while laws against subversive propaganda aim to prevent the spread of ideals that may undermine the government or society. The ban on discriminatory propaganda also seeks to protect individuals from harmful and discriminatory messages⁹⁴.

Many states throughout the globe recognize psychological operations and psychological warfare as acceptable forms used through conflict. However, propaganda that encourages unlawful acts of warfare is considered illegal, as opposed to legitimate psychological warfare tactics⁹⁵. Many practices used in psychological warfare against military targets, as well as civilians are permitted.

When it comes to psychological warfare, although acts of sexual violence are frequently referred to as forms of psychological warfare, they are not recognized as a

⁹³ De Brabandere, Eric. "Propaganda." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Nov. 2012

⁹⁴ United States Department of Justice, *Act of June 5 1974*, Office of Privacy and Civil Liberties, 1974 USA: Act of June 5 1974, Art. 50 Individual responsibility for private propaganda has produced the least law. Most is left to domestic legislation, because it is harder to punish private actors. Still, this is very important and has since been overviewed in the 2020 revisal in Art. 552.

⁹⁵ Chainoglou, Kalliopi. "Psychological Warfare." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Aug. 2016.

tactic under international humanitarian law⁹⁶. Therefore, while acts of sexual violence can be devastating psychologically and emotionally to the victims, they are not currently recognized as a valid form of psychological warfare under international humanitarian law. This lack of recognition contributes to the underreporting of sexual violence in conflict zones.

According to international humanitarian law, the parties involved in an armed conflict shall take measures while deciding the possible means and techniques of warfare, with the goal of preventing, or at the very least, limiting accidental civilian casualties. In keeping with this, it is forbidden to deploy inherently arbitrary weapons, as well as tactics that have the potential to inflict needless harm.

The repercussions of such acts, combined with the intention of the opponent, establish whether the form of warfare in issue is legitimate and when it is illegal. The principle is known as the principle of distinction, which requires combatants to distinguish between civilians and military targets.

Additional protocol (I) to the Geneva Conventions.

According to Rule 18 HPCR Commentary 102 par. 5, if the actuality of licit targets in the region is used only as a justification for carrying out the operation, while, in reality, the goal of the violent act is to terrorize the local populace, the operation should be regarded as illegal⁹⁷.

The UN Special Rapporteur on the Situation of Human Rights in the Occupied Palestinian Territories, called the legality of sonic booms into question in the 2996 report, which found that the use of shelling and sonic booms violated the rights to life and human dignity⁹⁸.

In the post-cold war world, the nondemocratic regimes adopt different methods of controlling the people in their states as well as strategies to control their public image both inward and outward. Among them is the deployment of a potent combination of censorship and propaganda which allows them at the same time to

⁹⁶ Chainoglou, Kalliopi. "Psychological Warfare." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Aug. 2016.

⁹⁷ *Id.*

⁹⁸ *Id.*

dominate the media space and create an unchallenged alternate reality for their audiences so they can be easily manipulated while all democratic content is suppressed and distorted⁹⁹. But while authoritative states silence their people, they try to broaden their influence in the democratic world, using an elaborated network of propaganda, which contains simulated NGOs, think tanks, election monitors, and news media while actively seeking to undermine democracy from within¹⁰⁰, controlling the soft – power of democracies, while promoting their kind of “soft power”. Nevertheless, it is difficult to determine the role of “hate speech” in propaganda because there is no formal definition of “hate speech” in international human rights law. Therefore, most United Nations instruments refer to “incitement to discrimination, hostility or violence”.

Limitations of the freedom of speech under International Law seek to strike a fine balance between two fundamental principles:

On the one hand, there is the principle of equality and non-discrimination for all people, which ensures that everyone has an equal opportunity to enjoy their human rights and is protected by the law and treated with respect.

On the other hand, the right to freedom of opinion and expression protects the right to hold opinions without interference and the freedom of expression, including the right to seek, receive and share information and ideas of all kinds, through any means and regardless of boundaries.

While certain restrictions on freedom of expression may be motivated by principles of equality and non-discrimination, “direct and public incitement to genocide” and “advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence” are strictly prohibited under international law and are considered the “severest forms of hate speech”.

⁹⁹ Walker, Christopher. “The Authoritarian Threat: The Hijacking of ‘Soft Power’”, *Journal of Democracy*, Vol. 27, No. 1, Jan. 2016, p. 11. Specifically, the writer exhibits a evident paradigm for this “battle over information”, as he calls it: after the massive stock-market collapse in August 2015, China’s state-run media have no report whatsoever of this fact.

¹⁰⁰ Id.

The International Convention on the Elimination of all Forms of Racial Discrimination (CERD), adopted by the UN General Assembly in 1965, prohibits “propaganda” and “dissemination of ideas” about racial superiority and racial discrimination, including from public authorities or public institutions (art. 4).

After the atrocities during the Second World War, the General Assembly of the United Nations passed the first human rights treaty in 1948: The Convention on the Prevention and Punishment of the Crime of Genocide. It specifies that genocide is a crime that may occur in both times of war or peace, and it requires states to take actions to prevent it and punish perpetrators.

The Rome Statute of the International Criminal Court adopted in 1998 also holds “criminally responsible and liable for punishment” anyone who directly and publicly incites others to commit genocide” (art. 25).

“Addressing hate speech does not mean limiting or prohibiting freedom of speech. It means keeping hate speech from escalating into something more dangerous, particularly incitement to discrimination, hostility, and violence, which is prohibited under international law”¹⁰¹.

As it is difficult to be described or defined “hate speech” poses additional problems to International Law. IL prescribes two different sets of rules. One is to be found in Article 4 of the *International Convention on the Elimination of all Forms of Racial Discrimination* (CERD) (General Assembly Resolution 2106A(XX), 21 December 1965, entered into force 4 January 1969) and the other in Articles 19 and 20 of the *International Covenant on Civil and Political Rights* (ICCPR) (General Assembly Resolution 2200A(XXI) 16 December 1996, entered into force 3 January 1976).

It is important to be mentioned that CERD was the first international treaty to deal directly with the issue of hate speech and its provisions on hate speech are also by far the most far-reaching. Article 4 provides:

“State Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one color or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any

¹⁰¹ United Nations, Strategy and Plan of Action on Hate Speech, June 18 2009 Synopsis

form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:

- (a) Shall declare an offense punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;
- (b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offense punishable by law;
- (c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

As such are the articles different authors have seen under the differing points of view these provisions. There is, nevertheless a consensus about the categories of activities that States Parties are bound to declare offenses punishable by law:

1. Dissemination of ideas based on racial superiority;
2. Dissemination of ideas based on racial hatred;
3. Incitement to racial discrimination;
4. Acts or racially motivated violence;
5. Incitement to acts or racially motivated violence; and
6. The provision of assistance, including of a financial nature, to racist activities¹⁰². Some have raised concerns about the conflict between Article 4 and the guarantees of freedom of speech particularly under Articles 19 and 20 of the Universal Declaration of Human Rights and Articles 19 and

¹⁰² See for example, Mahalic, Drew, and Joan Gambia Mahalic. "The Limitation Provisions of the International Convention on the Elimination of All Forms of Racial Discrimination." *Human Rights Quarterly* 9, No. 1, Feb. 1987, p. 93 Hate Speech: Can the International Rules be Reconciled?

21 of the International Covenant on Civil and Political Rights. But, the careful wording of the chapeau of article 4 locates restrictions on hate speech as an inextricable piece of a body of rights that are invisible, which must be given “due regard” as such. Additionally, ICERD explicitly recognizes the right to freedom of opinion and expression (article 5(d)(viii))¹⁰³.

After the adoption in 1948 of the Universal Declaration of Human Rights (‘UDHR’), which included a relatively full catalogue of human rights, the UN General Assembly instructed the Commission on Human Rights to commence the drafting of a single covenant on human rights. While the drafting of a treaty covering civil and political rights was completed in a short time, disagreement over whether to include economic, social, and cultural rights led the Economic and Social Council (‘ECOSOC’) to request guidance from the General Assembly. The General Assembly initially ordered the Commission to produce one covenant but later reversed its position due to mediocre drafting progress, further prompting from ECOSOC and opposition of some Western States to economic, social, and cultural rights. In 1966, it approved the adoption of two Covenants: the International Covenant on Civil and Political Rights (‘ICCPR’) and the International Covenant on Economic, Social and Cultural Rights (the ‘Covenant’ or ‘ICESCR’), the latter lacking a complaints mechanism. Two decades after this schism, the ‘renaissance’ of economic, social, and cultural rights (‘ESC rights’) is partly attributable to the pioneering work of the UN Committee on Economic, Social and Cultural Rights (‘the Committee’). Established in 1987, the Committee has developed a ‘jurisprudence’ through its general comments and State-specific concluding observations. This work has been influential and catalytic in helping develop the conceptual framework of economic, social, and cultural rights¹⁰⁴.

¹⁰³ McDougall, Gay. “International Convention on the Elimination of All Forms of Racial Discrimination”. *Audiovisual Library of International Law*, 21 Dec. 1965.

¹⁰⁴ Langford, Malcolm, and Jeff A. King. “Committee on Economic, Social and Cultural Rights: Past, Present and Future.” *Social Rights Jurisprudence: Emerging Trends in International and Comparative Law*, edited by Malcolm Langford, Cambridge: Cambridge University Press, 2009

Since propaganda is used subtly as a form of political influence, the case of China and other states can be considered as a case study that connects old types and modern elements of propaganda. Therefore, China's perception of soft power is an example of how propaganda is perceived or conceived, or even practiced in the modern world. In modern China, propaganda tends to appear in many forms, and adopts a specific agenda, while trying to be normalized and accepted or just be unnoticed by the limitations of international law. Still, Chinese propaganda names herself as a "soft power" and tries to maintain a prominent role in everyday life and in the international state and status of the world's most populated country¹⁰⁵.

Nowadays, there is an alertness of the independent media and they spot early on the attempts of manipulation of governments or other actors. It is once more proved that censorship is another significant factor and task force of propaganda, through which is controlled not only what is to be published and discussed publicly, but also, what is to be misrepresented or silenced¹⁰⁶.

In 2013, the false report that the President of the USA had been injured in an attack on the White House sent the Dow Jones on a US\$ 136 billion dive¹⁰⁷. The false allegation that Hillary Clinton was operating a child-trafficking ring from the basement of a Washington pizzeria prompted a man to investigate with an assault rifle (in what Fisher, Cox and Herman called "pizzagate", and it may have influenced the 2016 US election. Hence, it's obvious why fake news is widely considered a substantial security threat¹⁰⁸.

¹⁰⁵ Kingsley, E. "Soft Power and the Chinese Propaganda System," *Journal of Contemporary China*, Vol. 21, No. 78, 2012, pp. 901, 906

¹⁰⁶ Roth, Andrew. "'Don't Call It a War' – Propaganda Filters the Truth about Ukraine on Russian Media." *The Guardian*, The Guardian, 26 Feb. 2022. In his article, A. Roth explains how the Kremlin's invasion of Ukraine was presented (and, therefore, "interpreted" by Moscow's propaganda) in order for the public not to feel uncomfortable by the harsh truth. Hence, the Russian government has taken extraordinary steps to control Facebook, Twitter, and Instagram, as well as independent media, demanding self-censor or restrict certain people of them.

¹⁰⁷ Baade, B. "Fake News and International Law", *European Journal of International Law*, vol. 29, issue 4, 2018, p. 1357

¹⁰⁸ Id., p. 1358

However, since there are differences of opinion on factual issues and there are often underlying disputes between parties involved, the logical solution sometimes, is to institute a commission of inquiry to be conducted by reputable observers to ascertain precisely the facts in contention. The first-time provisions for such inquiries were considered as a possible alternative to the use of arbitration law in the 1899 Hague Conference. However, this technique has its limitations, since it can only have relevance in the case of international disputes, where the conflict centers around a genuine disagreement as to particular facts which can be resolved by resources to an impartial and conscientious investigation, and when different forms of propaganda are involved, they distort the facts, making the actual culprits of the conflict difficult to be detected and be put under trial¹⁰⁹.

¹⁰⁹ Shaw, Malcolm. *International Law*, Part 2, Cambridge: Cambridge University Press, 2021 p. 771.

6) Conclusions

A more comprehensive approach to defining propaganda is needed. It takes careful consideration of historical context, and analysis of propaganda means and outlets, as well as a critical assessment of the complete procedure to properly analyze propaganda. A thorough understanding of propaganda necessitates a study of the long-term consequences and not only the immediate results. Furthermore, it is crucial to recognize the role of media literacy in countering the effects of propaganda and promoting critical thinking among individuals, by educating people on how to analyze and evaluate information.

International law will undoubtedly change to include more provisions, at least for some forms of propaganda, as there have been many global efforts to prevent terrorism.

Given the fact that global and regional media have an all more important role in dispersing diverse forms of propaganda, International Law and the International Court of Law gain a more prominent role and significance in preventing and eliminating the diaspora of propaganda and making amendments for states and individuals multiply affected by its negative impact. International Law provides ways to resist the pressure of more or less implicit hate speech as well as committing to the urgent necessity of sticking together on a dependable basis around.

There is little question that in the global political environment it is imperative to address the challenges with the voice of International Law, which would increase the chances of success in the defence of human rights. Even partial success in any given case of preventing or reversing the impacts of propaganda on groups or individuals would benefit all states and citizens in an international environment largely affected by the media and by more or less frequent ways of inciting discrimination and negatively impacting basic human rights. International Law can act, as in the past, as a unitary actor in the fight against the violation of human rights, by condemning the breach of the prohibition of incitement to acts of discrimination and hate.

The dangerous nature of propaganda derives from the fact that it is not perceived by its subjects as such, rather it is instilled in people as a mindset, an attitude, and the approaches of International Law, political scientists, and others who

consider the truth and peace as vital in the world, are to find a way not only to prevent the distortion of the reality but to seem relevant to people subjected to it, who come to disregard the common values of democracy and liberty that have to underpin the construction of a democratic international environment that values the true spirit of International Law.

Maybe propaganda is, in a way, an inherent characteristic of political power in order to be obtained, maintained, and even fortified, as Thucydides and Machiavelli clearly showed us¹¹⁰. Therefore, in the age of the prominence of media and globalization, it is of great importance for International Law to control manipulation via propaganda and maintain the rule of law in the always and rapidly changing global political environment.

¹¹⁰Denham, Robert D., "Northrop Frye and Niccolò Machiavelli", *Quaderni d'italianistica*, Volume XXXV, No. 1, 2014, p. 50 Frye believes that hypocrisy can be a virtue if it is seen not as a moral principle but as a tactical one. "Machiavelli," Frye writes in *The Great Code*, "attempted to distinguish and isolate the tactical use of illusion in the art of ruling" (CW 19: 34), meaning, once again, that hypocrisy is the mask that the prince presents to his subjects.

Bibliography

Akanibo, A. Samuel. "Tackling Hate Speech Under International Law: An Appraisal." *The Journal of Property Law and Contemporary Issues*, 2021.

Alleyne, M. *Global Lies? Propaganda, the UN and World Order*. London: Palgrave Macmillan, 2003.

Auerbach, J. and Castronovo, R. (ed.). *The Oxford Handbook of Propaganda Studies*, Oxford: Oxford University Press, 2013.

Baade, B. "Fake News and International Law," *European Journal of International Law*, Vol. 29, No. 4, 2018, pp. 1357–1376. Doi: 10.1093/ejil/chy071

Bayer J. et al. *Disinformation and propaganda: impact on the functioning of the rule of law and democratic processes in the EU and its Member States*. European Parliament, 2021.

Bernays, Edward. *Propaganda*. New York: Routledge, 1928.

Bayefsky, Anne F., et al. "Human Rights: The Helsinki Process." *Proceedings of the Annual Meeting (American Society of International Law)*, vol. 84, 1990, pp. 113–30. *JSTOR*, <http://www.jstor.org/stable/25658533>.

Brady, Anne-Marie, and Wang Juntao. "China's Strengthened New Order and the Role of Propaganda." *Journal of Contemporary China*, no. 62, Informa UK Limited, Nov. 2009, pp. 767–88. Doi:10.1080/10670560903172832.

Britannica, The Editors of Encyclopaedia. "psychological warfare". *Encyclopedia Britannica*, 30 Nov. 2015, <https://www.britannica.com/topic/psychological-warfare>. Accessed 24 Jan 2022.

Carroll, Anthony, and Rajagopal Balkrishnan. "The Case for the Independent Statehood of Somaliland." *American University of International Law Review*, No. 8, 1993, pp. 653–81.

Casey, Ralph. "EM 2: What Is Propaganda? (1944) | AHA." *Historians.Org*, <https://www.historians.org/about-aha-and-membership/aha-history-and->

archives/gi-roundtable-series/pamphlets/em-2-what-is-propaganda-(1944).

Accessed 24 Nov 2021.

Chainoglou, Kalliopi. "Psychological Warfare." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Aug. 2016.

Cohen, Roni. "Regulating Hate Speech: Nothing Customary about It"." *Chicago Journal of International Law*, No. 11, 2014, pp. 229–55.

Cole, Robert. *International Encyclopedia of Propaganda*. London: Fitzroy Dearborn, 1998.

Da San Martino, Giovanni, et al. "SemEval-2020 Task 11: Detection of Propaganda Techniques in News Articles." *Proceedings of the Fourteenth Workshop on Semantic Evaluation*, International Committee for Computational Linguistics, 2020, pp. 1377-1414 Doi:10.18653/v1/2020.semeval-1.186.

Da San Martino, et al. "A Survey on Computational Propaganda Detection." *Proceedings of the Twenty-Ninth International Joint Conference on Artificial Intelligence*, International Joint Conferences on Artificial Intelligence Organization, July 2020, pp. 4826–32, Doi:10.24963/ijcai.2020/672.

Da San Martino, Giovanni, Shaden Shaar, et al. "Prta: A System to Support the Analysis of Propaganda Techniques in the News." *Proceedings of the 58th Annual Meeting of the Association for Computational Linguistics: System Demonstrations*, Association for Computational Linguistics, 2020, pp. 287–93, Doi:10.18653/v1/2020.acl-demos.32.

De Brabandere, Eric. "Propaganda." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, Nov. 2012.

Denham, Robert D. *Northrop Frye and Others: Twelve Writers Who Helped Shape His Thinking*. Ottawa: University of Ottawa Press, 2015.

Denham, Robert D., "Northrop Frye and Niccolò Machiavelli", *Quaderni d'italianistica*, Volume XXXV, No. 1, 2014, pp 41-53.

Dimitrov, Dimitar, et al. "Detecting Propaganda Techniques in Memes." *Proceedings of the 59th Annual Meeting of the Association for Computational Linguistics and the*

11th International Joint Conference on Natural Language Processing (Volume 1: Long Papers), Association for Computational Linguistics, 2021, pp. 6603–17, Doi:10.18653/v1/2021.acl-long.516.

Dimitrov, Dimitar, et al. “SemEval-2021 Task 6: Detection of Persuasion Techniques in Texts and Images.” *Proceedings of the 15th International Workshop on Semantic Evaluation (SemEval-2021)*, Association for Computational Linguistics, 2021, pp. 70–98, Doi:10.18653/v1/2021.semeval-1.7.

Dojčinović, Predrag (ed.). *Propaganda and International Criminal Law: from Cognition to Criminality*. New York: Routledge, 2021.

Dovring, Karin, and Harold Lasswell. *Road Of Propaganda: The Semantics Of Biased Communication*. New York: Philosophical Library, 1959.

Ellsberg, Daniel, *The Theory and Practice of Blackmail*. California: Rand Corporation, 1968.

Farrior, Stephanie. “Molding the Matrix: The Historical and Theoretical Foundations of International Law Concerning Hate Speech.” *Berkeley Journal of International Law*, Berkeley Journal of International Law, 1996, Doi:10.15779/Z38J34B.

Fascell, Dante B. “The Helsinki Accord: A Case Study.” *The Annals of the American Academy of Political and Social Science*, vol. 442, 1979, pp. 69–76.

Fino, Audrey. “Defining Hate Speech.” *Journal of International Criminal Justice*, no. 1, Oxford University Press (OUP), Mar. 2020, pp. 31–57, Doi:10.1093/jicj/mqaa023.

Goldmann Matthias & Mona Sonnen, “Soft Authority against Hard Cases of Racially Discriminating Speech: Why the CERD Committee Needs a Margin of Appreciation Doctrine”, *Goettingen Journal of International Law* 7, 2016, pp. 131-155.

Golovchenko, Yevgeniy, Cody Buntain, Gregory Eady, Megan A. Brown, and Joshua A. Tucker. “Cross-Platform State Propaganda: Russian Trolls on Twitter and YouTube during the 2016 U.S. Presidential Election.” *The International Journal of Press/Politics* 25, No. 3, 2020, 357–389. <https://doi.org/10.1177/1940161220912682>.

Guarino, Stefano, et al. "Characterizing Networks of Propaganda on Twitter: A Case Study." *Applied Network Science*, no. 5 (1), Springer Science and Business Media LLC, Sept. 2020, pp. 1–22, Doi:10.1007/s41109-020-00286-y.

Guess, Andrew M., and Benjamin A. Lyons. "Misinformation, Disinformation, and Online Propaganda." *Social Media and Democracy: The State of the Field, Prospects for Reform*, edited by Nathaniel Persily and Joshua A. Tucker, Cambridge University Press, Cambridge, 2020, pp. 10–33. SSRC *Anxieties of Democracy*.

Herrera, David Martín. "International Coverage of Hate Crimes. Should Hate Speech Become Hate Crime?," *Uniwersalny I regionalny*, Vol. 2, 2014. pp. 97-111.

Hughey, M. W. "Propaganda in the modern world," *International Journal of Politics, Culture, and Society*, Vol. 9, 1996, pp. 569–577.

Hannum, Hurst. "International Law and Cambodian Genocide: The Sounds of Silence." *Human Rights Quarterly*, Vol. 11, No. 1, Feb. 1989, pp. 85–138, Doi:10.2307/761936.

Hirsch, Francine. "The Soviets at Nuremberg: International Law, Propaganda, and the Making of the Postwar Order." *The American Historical Review*, Vol. 113, No. 3, 2008, pp. 701–730.

Huff, Mickey. "Joint Declaration on Freedom of Expression and 'Fake News,' Disinformation, and Propaganda." *Secrecy and Society* 1, No. 2, Feb. 2018, Doi:10.31979/2377-6188.2018.010207.

Ingram, Peter. "Maintaining The Rule of Law." *The Philosophical Quarterly*, Vol. 35, No. 141, Oxford University Press (OUP), Oct. 1985, pp. 359-381, Doi:10.2307/2219472.

Ishibashi, Kanami. "State Practice of Asian Countries in International Law." *Asian Yearbook of International Law*, Vol. 25, 2019, pp. 247–252.

Jalloh, Charles Chernor. "Regionalizing International Criminal Law?" *International Criminal Law Review* 9, Brill, 2009, pp. 445–499, Doi:10.1163/157181209x457956.

Jowett, G. S. and O'Donnell, V. *Propaganda and Persuasion*. California: Sage Publications, 2018.

Kahiye, Mohamed. "Somali Journalists Launch 'Disinformation Lab' to Combat Spread of Fake News." *VOA, Voice of America (VOA News)*, 1 June 2021, https://www.voanews.com/a/africa_somali-journalists-launch-disinformation-lab-combat-spread-fake-news/6206486.html. Accessed 20 Dec 2022

Karpf, Dave. "How Digital Disinformation Turned Dangerous." *The Disinformation Age*, edited by W. Lance Bennett and Steven Livingston, Cambridge University Press, Cambridge, 2020, pp. 153–168. SSRC *Anxieties of Democracy*, Doi:10.1017/9781108914628.006.

Kearney, Michael. "Propaganda for War, Prohibition." *Max Planck Encyclopedia of Public International Law*, Oxford University Press, May 2009.

Kingsley, E. "Soft Power and the Chinese Propaganda System," *Journal of Contemporary China*, Vol. 21, No. 78, 2012, pp. 899-914.

Kowalska, Samanta. "Freedom of Speech in the Face of Terrorism – Selected International Law Regulations." *Przeegląd Prawniczy Uniwersytetu Im. Adama Mickiewicza*, Adam Mickiewicz University Poznan, Dec. 2018, Doi:10.14746/ppuam.2018.8.02.

Langford, Malcolm, and Jeff A. King. "Committee on Economic, Social and Cultural Rights: Past, Present and Future." *Social Rights Jurisprudence: Emerging Trends in International and Comparative Law*, edited by Malcolm Langford, Cambridge: Cambridge University Press, 2009, pp. 477–516. Doi: 10.1017/CBO9780511815485.025

Larson, Arthur. "The Present Status of Propaganda in International Law," *Law and Contemporary Problems*, 1966, vol. 31, no. 3, pp. 439-451.

Lieberman, Ar. V., (2017), "Terrorism, the Internet, and Propaganda: A Deadly Combination", *Journal of National Security Law and Policy* 9, pp. 1-44.

Leiser, Mark. "Regulating Computational Propaganda: Lessons from International Law." *Cambridge International Law Journal*, Elsevier BV, 2019, Doi:10.2139/ssrn.3440157.

Lock I., Ludolph, R. "Organizational propaganda on the Internet: A systematic review," *Public Relations Inquiry* 9(1), 2020, pp. 103-127.

Mahalic, Drew, and Joan Gambee Mahalic. "The Limitation Provisions of the International Convention on the Elimination of All Forms of Racial Discrimination." *Human Rights Quarterly* 9, No. 1, Feb. 1987, pp. 74–101, Doi:10.2307/761947.

Manzoor, Parvez, et al. "Propaganda Revisited: Understanding Propaganda in the Contemporary Communication Oriented World." *Global Regional Review*, No. III, Humanity Only, Sept. 2019, pp. 317–24, Doi:10.31703/grr.2019(iv-iii).36.

Marmura, Stephen M.E., "Likely and Unlikely Stories: Conspiracy Theories in an Age of Propaganda", *International Journal of Communication*, 8, 2014, pp. 2377-2395.

Martin, J. *International Propaganda: Its Legal and Diplomatic Control*. Minnesota: University of Minnesota Press, 1958.

McCoy, Jason, "Making Violence Ordinary: Radio, Music and the Rwandan Genocide", *African Music*, 2009, Vol. 8, No. 3, pp. 85-96. <https://www.jstor.org/stable/20788929>

McDougall, Gay. "International Convention on the Elimination of All Forms of Racial Discrimination ." *Audiovisual Library of International Law*, 21 Dec. 1965, <https://legal.un.org/avl/ha/cerd/cerd.html>. Accessed 20 Sep 2022

Mello, M., "Hagan v. Australia: A Sign of the Emerging Notion of Hate Speech in Customary International Law", *Loyola of Los Angeles International and Comparative Law Review*, Vol. 26, No. 2, 2006, pp. 365-378.

Mendelson, M. "Practice, Propaganda and Principle in International Law," *Current Legal Problems*, Vol. 42, No. 1, 1989, pp. 1–19.

Osgood, Kenneth A. "Form before Substance: Eisenhower's Commitment to Psychological Warfare and Negotiations with the Enemy." *Diplomatic History*, No. 3, Oxford University Press , July 2000, pp. 405–33, Doi:10.1111/0145-2096.00225.

Pasqualucci, J.M. "Criminal Defamation and the Evolution of the Doctrine of Freedom of Expression in International Law", *Vanderbilt Journal of International Law*, Vol. 19, Issue 2, 2006, pp. 379-433.

Postman, Neil. "PROPAGANDA." *ETC: A Review of General Semantics*, Vol. 36, No. 2, 1979, pp. 128–33.

Public Relations, *Edward L. Bernays and the American Scene: Annotated Bibliography of and Reference Guide to Writing by and About Edward L. Bernays from 1917 to 1951*. London: Leopold Classic Library, 2014.

Qualter, Terence. *Propaganda and Psychological Warfare*. New York: Literary Licensing, LLC, 1962.

Ronen, Y. "Incitement to Terrorist Acts and International Law." *Leiden Journal of International Law*, Vol. 23, No. 3, 2010, pp. 645–674, Doi:10.1017/S0922156510000269.

Roth, Andrew. "'Don't Call It a War' – Propaganda Filters the Truth about Ukraine on Russian Media." *The Guardian*, The Guardian, 26 Feb. 2022, <https://www.theguardian.com/world/2022/feb/26/propaganda-filters-truth-ukraine-war-russian-media>.

Samad, M. Yusuf, and Richardus Eko Indrajit. "The Implementation of a Social Media Analytics Tool 'Social Bearing' to Comprehend Foreign Propaganda Related to Papuan Separatist Issues." *Journal Pertahanan*, Vol. 8 no. 1, Indonesia Defense University, Apr. 2022, pp. 66–79, Doi:10.33172/jp.v8i1.1644.

Sangsuvan, Kitsuron. "Balancing Freedom of Speech on the Internet under International Law." *North Carolina Journal of International Law and Commercial Regulation* 39, 2014, pp. 701-755.

Saran, Vladislav, "Media Manipulation and Psychological War in Ukraine and the Republic of Moldova", *CES Working Papers*, Vol. VIII, Issue 4, 2016, pp. 738-752.

Shaw, Malcolm N., *International Law*, 8th edition, Cambridge: Cambridge University Press 2021.

Scheffer, David. "Lessons from the Rwandan Genocide." *Georgetown Journal of International Affairs*, Vol. 5, No. 2, 2004, pp. 125–32.

Schleifer, Ron. *Psychological Warfare in the Arab-Israeli Conflict*. New York: Palgrave Macmillan, 2014.

Seitz, J. "Propaganda and War", *SOJ Psychology* 5(2), 2018, pp. 1-7, Doi:10.15226/2374-6874/5/2/0015.

Siegel, Alexandra A. "Online Hate Speech." Chapter. In *Social Media and Democracy: The State of the Field, Prospects for Reform*, edited by Nathaniel Persily and Joshua A. Tucker, 56–88. SSRC *Anxieties of Democracy*. Cambridge: Cambridge University Press, 2020.

Smith, Bruce Lannes. "propaganda". *Encyclopedia Britannica*, 24 Jan. 2021, <https://www.britannica.com/topic/propaganda>. Accessed 24 Jan 2022.

Sproule, J. M. "Propaganda studies in American social science: The rise and fall of the critical paradigm," *Quarterly Journal of Speech*, Vol. 73, No.1, 1978, pp. 60-78.

Tallgren, Immi. "The Sensibility and Sense of International Criminal Law", *European Journal of International Law*, Volume 13, Issue 3, April 2002, pp. 561–595.

Timmermann W. K. *Incitement, Instigation, Hate Speech and War Propaganda in International Law*, LL.M. in International Humanitarian Law, Centre Universitaire de Droit International Humanitaire. <https://www.yumpu.com/en/document/read/8771498/incitement-instigation-hate-speech-and-war-propaganda-in> Accessed 13 Dec 2021

Timmermann, W. K. "Incitement in international criminal law", *International Review of the Red Cross*, Vol. 88, N. 864, 2006, pp. 823-852.

Tsesis, Al., "Social Media Accountability for Terrorist Propaganda", *Fordham Law Review*, Vol. 86, Issue 2, 2017, pp. 605-631.

United Nations, *Strategy and Plan of Action on Hate Speech*, June 18 2009 Synopsis

United States Department of Justice, *Act of June 5 1974*, Office of Privacy and Civil Liberties, 1974 <https://www.justice.gov/opcl/privacy-act-1974>. Accessed Jan 22 2023

Veebel, Viljar, 2016, "Estonia confronts propaganda, Russia manipulates Media in Pursuit of Psychological Warfare", *Per Concordiam* 7, 2016, pp. 14-19.

Walker, Christopher. “The Authoritarian Threat: The Hijacking of ‘Soft Power’”, *Journal of Democracy*, Vol. 27, No. 1, Jan. 2016, pp. 49-63.

Walton, D. “What Is Propaganda, and What Exactly Is Wrong with It.” *Public Affairs Quarterly*, 1997, 11(4), 383–413. <http://www.jstor.org/stable/40435999>.

Webman, Es., *The Global Impact of The Protocols of the Elders of Zion, A century old myth*, Abingdon: Routledge 2011.

Woolley, S. C. and Howard P. N., *Computational Propaganda: Political Parties, Politicians, and Political Manipulation on Social Media*, Oxford: Oxford University Press, 2018.

Δημητρολόπουλος, Περικλής. “Οι Πρόθυμοι Της Προπαγάνδας.” *AthensVoice*, 4 Apr. 2022, <https://www.athensvoice.gr/epikairotita/politiki-oikonomia/752358/oi-prothymoi-tis-propagandas>. Accessed 7 Sep 2022.