

ALLIANCE FOR HEALTHY INFOSPHERE

POLITICAL ADVERTISING

POSITION PAPER, April 2021

The digital revolution and the overall digitalisation of political campaigning have rapidly transformed democratic political processes. Online political advertising has not only opened up new possibilities for democratic dialogue and creative engagement, it has also become a relatively cheap and easy way of amplifying information manipulation too. As the new vulnerabilities have emerged with the rise of online political advertising, the European Commission's aim to tackle them and limit their impact on the quality of democracy should be recognised.

[Alliance for Healthy Infosphere](#) composed of 11 think tanks, civil society initiatives, academic bodies and private companies across 7 EU member states welcomes the European Commission's initiative to introduce new legislation on political advertising by the end of 2021.

A few principles, however, must be underlined to build a coherent, efficient and fair regulatory framework.

DEFINITIONS AND REGULATION

Broadening the scope and reflecting new technologies

While the definitions of political advertising in each member state are defined by law and should include online advertising for the purpose of election campaign spending limits oversight, the definitions for the purpose of transparency of online advertising cannot be linked to pre-election periods. These definitions should be based on broader principles to track all forms of online advertising with political implications including clear definition of issue-based advertising to delineate such advertising as a subcategory of political advertising. Also, they should take into consideration new developing technologies and reflect the changing landscape of our information environment.

This includes:

- raising money for a political objective (cause, candidate, party etc)
- promotion of election participation
- attacks on other political movement, actor, party or group
- sponsored political editorials
- so-called issues ads promoting political views without clear affiliation to political actor
- advertising outside of an election period
- advertising around referenda.

These definitions, on a national level, are often outdated, therefore, the Alliance recommends the development of the EU-level rules for example through the European cooperation network on election for political advertising¹ to cover all of the above and address all the issues below.

PAYMENT FOR POLITICAL ADS

Payment for political advertising within a member state should be strictly limited to citizens, individuals and bodies from the given member state to eliminate the possibility of foreign interference (which has been occurring regularly²) to minimum. The Alliance recognises the need for all sponsors to be disclosed in a clear and transparent manner, as a basic prerequisite for transparency of political advertising.

Clear lines need to be drawn between foreign interference campaigns from outside the EU on the one hand and legitimate political advertising campaigns across the EU on the other.

DISINFORMATION IN POLITICAL ADS

Similarly to commercial ads, also online political ads should fall under review by advertisement councils and should not, as a principle, be based upon verifiably false claims. Since political ads have a much bigger potential impact on people's perceptions and preferences, any ads containing claims which are objectively false should be prohibited. The Alliance members have, in the past, identified numerous instances of sharing disinformation during political campaigning.³

TRANSPARENCY

Labelling

To ensure greater transparency of advertisements labelling, the Alliance emphasises the need for all advertising to be clearly labelled and include exact and complete information on the targeting criteria of a user, as well as a clear amount spent on a specific ad. Political and issue-based advertising should be specifically labelled as such.

Issue-based ads

Issue-based advertising, which is politically motivated and has a potential to influence political and social developments in the country should be regulated and overseen as political advertising. Strong oversight is necessary, as the issue-based advertising is a common method of influencing and shaping public opinion often without any attribution to a political actor, as well as outside of pre-election periods. Given the urgent need for such oversight, clear definition of issue-based advertising on European level is required.

Ad libraries

To allow national authorities monitor spending limits, which currently cannot be really verified and to increase the effectiveness of competent authorities' oversight over political advertisement online, publishers of political ads should retain basic information from actors placing political advertisements in either common online database or as retained on the advertiser's website. The information should stay there for at least a decade for research purposes. This should include:

¹ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/european-cooperation-network-elections_en

² https://euvsdisinfo.eu/uploads/2019/10/PdfPackage_EUvsDISINFO_2019_EN_V2.pdf

³ <https://www.globsec.org/wp-content/uploads/2019/04/Presidential-Election-Monitoring-report.pdf>

- the ad itself
- entity placing the ad (and on whose behalf if relevant)
- the exact amount paid
- time period of the campaign
- the use of targeting and amplification techniques
- information about ads which were deleted based on breaching terms and conditions

TARGETING AND AMPLIFICATION

Targeting and inauthentic amplification methods should be strictly regulated by common EU rules.

Inauthentic interactions

Inauthentic behaviour such as purchasing likes, bots, trolls, etc. can be currently easily purchased online, as research by NATO StratCom Centre of Excellence⁴ demonstrates. As inauthenticity manipulates public opinion through completely non-transparent methods, it should be banned and sanctioned.

Microtargeting

Micro-targeting based on individual profiling should be prohibited as well. Provided relevant data protection and transparency rules are complied with, acceptable targeting methods should be limited to certain criteria such as geographic location, gender or age groups, as this reflects basic long-term practices used in the offline world as well.

Opt-in/Opt-out

All targeting and amplification methods should be subject to a user opt-in, meaning that every user is automatically considered as opted-out unless they select otherwise.

REPORTING

Digital platforms and digital ad agencies acting as service providers facilitating the ads should comply with binding obligations on detailed ad reporting of all kinds of advertising in as much details as possible, and for long-term public retention of such data, regardless of whether or not the ads are classified as 'political' or issue-based ads. Platforms reporting obligations must be more granular and aggregated for each EU member state. Each advertising entity should be clearly identified, and exact sums dedicated to advertising of any kind should be deposited in the platforms Ad Libraries, which should be cross-platform comparable. This would allow national authorities to monitor spending limits, which currently, cannot be fully verified. Political actors or bodies that violate or are systematically noncompliant with agreed rules should face meaningful and dissuasive sanctions, including advertising bans.

Alliance for Healthy Infosphere, April 15, 2021

⁴ <https://www.stratcomcoe.org/black-market-social-media-manipulation>