

IDEAS AND APPROACHES ON INVESTIGATING ONLINE CAMPAIGN VIOLATIONS

A forward-looking toolkit



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This toolkit introduces the Centre for Monitoring and Research's (CeMI) forward looking ideas and approaches on investigating electoral campaign violations through social media.

This toolkit has been developed as a continuation of CeMI's pilot investigation in 2021 in the lead up to the Montenegrin 2020 Parliamentary Elections. As part of this pilot initiative, CeMI developed the original methodology and leveraged this approach to identify potential Abuses of State Resources, Coordinated Inauthentic Behavior, and Campaign Violations during the electoral period.

It provides an overview to futures thinking and examines some of the important aspects of political campaigning on social media that monitors may consider when introducing it into the investigation process. Toolkit also includes useful tips on how to document and report research findings, as well as tools and other tips that may facilitate investigation efforts.



IN THIS TOOLKIT YOU WILL FIND:

- » Approach to investigate campaign violations on social media
- » Useful tips
- » New ideas and approaches
- » Practical tools that monitors may use

INTRODUCTION

In order to obey internationally recognized standards and principles, domestic electoral legislation, laws and codes, contain basic principles for holding elections, as well as other details such as the timing of the elections, eligibility of voters and candidates, acceptable campaign practices and rules, and so forth. In some countries, electoral laws and codes may itself contain criminal or administrative offences, while in other countries these offences are part of the separate law. However, election-related offences include acts of interference with a citizen's right to vote, integrity of the voting process, election candidates, etc.



DEFINITION

Campaign violations, in this sense, imply infringement of established rules by domestic legislation strictly correlated to the campaign and candidacy.

These violations will vary by country, but illustrative examples include¹: Undertaking and holding political conventions, meetings, and campaigning prior to the campaign period fixed by domestic legislation;

- » Political program/campaign containing war propaganda, including aggressive rhetoric, hate speech, incitement to violence;
- » Placing/posting campaign materials contrary to the national law;
- » Misleading voters by providing false or inaccurate information on voting procedures during campaigning;
- » Conducting political propaganda on the day of elections.

Oversight and monitoring of compliance with campaign rules are important mechanisms for enhancing the transparency and effective implementation of regulations. Countries often provide for an independent oversight authority that monitors the implementation of campaign regulations, issue directions and guidance on electoral procedures, investigate alleged breaches of the rules, and either impose or seek sanctions for violations.

As social media becomes an increasingly important tool during election campaigning, it is crucial to find ways to monitor campaign violations that may occur in this space². Given that regulations on the use of social media

¹ While international law and standards provide for the wider legal framework and principles to be respected during elections, domestic legislations exhaustively enlist specific violations and offences related to the elections. Thus, violations can vary from country to country.

² Ohman, M. (Ed.), *Training in Detection and Enforcement (TIDE): Political Finance Oversight Handbook*, International Foundation for Electoral Systems (IFES), 2013

in campaign periods are nascent in most countries and that monitoring and oversight of political advertising on social media are limited as well, the opportunities for parties and candidates to abuse these channels of communication may increase as a larger share of campaigning happens online³. Bearing in mind that during political campaigning on social media, in the countries where social media campaign strategies are less prominent, political parties and candidates are unlikely to exceed spending limits through their use of Facebook and similar services, but other violations might occur⁴.

Some examples of campaign violations that pertain on social media are:

- » Political advertising on social media that takes place outside of the designated campaign period;
- » Lack of proper disclosure of digital or social media political ads;
- » Lack of disclosure of a paid relationship between a political actor and third party posting content or advertisements on behalf of that party or candidate;
- » Creation or re-sharing of content that has been flagged as problematic by third-party fact-checkers;
- » Use of hate speech or incitement to violence in violation of the law or a code of conduct;
- » Extraterritorial operation of social media accounts that violate national law;
- » Political ads being placed by foreign accounts/actors on behalf of or in support of a candidate or party;
- » Posting or advertising on social media in contravention of an electoral silence period.

Monitoring campaign violations online is important as it makes more visible different kinds of violations that occur during the electoral period. It is not only meant to catalog existing violations but also provide evidence to subsequently advocate for the updating of regulations as well.

³ Vickery, C., Canterbury, A. (Eds.), *Preserving Electoral Integrity During an Infodemic*, International Foundation for Electoral Systems (IFES), 2020

⁴ Marantz A., *Why Facebook Can't Fix Itself*, The New Yorker, October 2020



1. APPROACH TO INVESTIGATE ONLINE CAMPAIGN VIOLATIONS

Ideas and approaches presented in this toolkit builds on methodology previously developed and implemented by the Centre for Monitoring and Research (CeMI), in collaboration with the International Foundation for Electoral Systems (IFES).

The main tool that is used for the campaign violation monitoring is a CrowdTangle platform useful to access public data available on Facebook. For the purposes of monitoring campaign violations during elections, additional features such as Ad Library and Ad Library Report may be used.

The investigation of online campaign violations focuses on monitoring activity of political entities on social media during campaigning, identifying incidents that violate the established principles of election campaigning in domestic legislation and regulatory framework, and political paid advertisement on social media during campaigning. With regards to that, in continuation are presented few approaches that should be considered when introducing online campaign violation into the investigation process.

1.1 ELECTORAL SILENCE

Domestic legislation in some countries recognizes the notion of electoral silence while others do not. Also, the duration of electoral silence can vary from country to country, lasting only on the day of election, to 48 hours or more during the electoral period. Some jurisdictions stand with the fact that the election silence is in violation of law regarding freedom of speech, therefore no provisions are introduced. In some countries, a more limited form of electoral silence during the E-day is introduced prescribing that the media are prevented from publishing political advertisements, from commenting on campaign activities, and to publish an opinion polls on this day, while other forms of campaigning are allowed.

In the countries where there is a legal background on electoral silence as a ban on political campaigning, it is important to monitor political entities' activity on social media. Monitors should assess when certain actions occurred, e.g. outside of the campaigning period or during electoral silence, which in some cases will constitute the essence of violation. For example, Facebook Live broadcasting of political debates during the E-day, as it can represent the violation of electoral silence. However, the issue of the lack of regulation of online media and social networks, in particular lack of regulation of usage of online tools during political campaigning, makes monitoring difficult as the line between violation and non-violation of electoral silence is blurred due to the lack of legal grounds for it to be proved.

In order to assure continuous monitoring of identified and selected actors and their behavior on social media, monitors should use Tool 1 (Chapter 6) to create lists of entities in CrowdTangle platform.

1.2 ONLINE PAID ADS

It is important that, among others, election participants account for their advertising on social networks and transparently disclose online campaign expenses. This means that their campaign finance reports should be sufficiently detailed to reflect spending on online campaigning.

With this regard, monitors should assess whether the figures included in the political parties' financial documentation match the approximate number, frequency, and geographic reach of campaign advertisements as recorded during the monitoring period and as reported in social networks Ad Libraries and Transparency Reports. To support its overall assessment, monitors may use aggregation tools provided by the CrowdTangle platform, such as Intelligence and Ad Library, while tools to use the data from the Ad Library API to create aggregate numbers might be handy.

Finally, monitors should also assess whether online ads costs are transparently reflected in the political entity campaign finance reports, and establish how detailed and timely these reports are. Monitors should carefully assess if it is possible to clearly estimate online campaign expenses from the financial documentation and data provided by the election participants. In the best case scenario, disclosed information should enable monitors to identify exact number of paid ads and the amount spent, and compare them with the data provided in Ad Library. However, as it is often not mandated that they are detailed enough to capture realities of online advertising, collecting data and advocating for the regulatory reform may be useful and interesting approach for the monitors.

Due to non-regulation of social media, monitoring money flow in digital space is a global challenge. Besides, many national anti-corruption authorities do not have capacities and methodologies to monitor campaign finance violations on social media, leaving in this way the gap and space for potential violations during elections.

1.3 THIRD-PARTY ENGAGEMENT

To obtain a comprehensive overview of the online campaign, it is important to consider monitoring a wider spectrum of election stakeholders. This does not need to entail a fixed, predetermined set of actors, and monitors should maintain a certain degree of flexibility. Actors may include civil society organizations, activists and 'influencers', as well as any other third-parties engaged in the campaign, such as meme pages or thematic groups.

Monitors should also seek to identify any cases of hidden third-party or 'political issue' campaigning, which are often linked to negative campaigning and manipulative content or more general attempts to delegitimize the process. This refers to the situations when third-party sponsored content is not being disclosed in a way to clearly label sponsor and may therefore evade campaign finance regulations. Monitors should consider different forms of violations may take and assess whether the authorities are taking steps to address such cases.

Overall, monitors should strive to determine the context and motives for the involvement of third-parties in campaigning, and if possible, to establish if their activities are or should be subject to campaign regulations. In this context, monitoring may include media outlets, journalists, academics, religious bodies, different organizations or their high-ranking representatives.

It is important to mention that electoral participants are unlikely to engage in violating or deceptive behaviors and campaigning, in particular through their official pages, thus it is important to monitor third-parties engaged in disinformation, misinformation, smear campaigning. Monitors should focus on finding connections between third-parties and political actors and contestants. Checking third-parties paid ads and funding entity can be useful. However, this is an approach that should be further investigated and more details will be provided in the future.

1.4 CONTENT-RELATED VIOLATIONS

Monitors may pay a particular attention to the narrative and rhetoric used towards opponents and different groups. For instance, gendered disinformation and online violence against women is increasingly present during campaign periods. It can be manifested through hate speech, harassment, bullying, posting of explicit visual material, threats, and use of sexual or insulting comments and derogatory/ altered images or videos, including alterations using artificial intelligence (deep-fakes). Due to the possibility of user's anonymity and social networks decentralized nature, these acts of violence can easily cross national borders and have effects that are difficult to tackle or redress.

Monitors may take note and report on some positive measures and initiatives taken by public authorities and electoral contests, civil society or social networks that aim to address and tackle online violence against women. Incidents related to the campaign violations, 'hate speech', negative rhetoric or other manipulative content should be separately analyzed, on a case-by-case basis, and supported with more detailed descriptions, e.g. proof in form of screenshots or by using tools that allow monitors to preserve more metadata.

GENDERED DISINFORMATION AND ONLINE VIOLENCE AGAINST WOMEN IN POLITICS

In monitoring of the online electoral campaign, monitors should focus on identifying gendered disinformation and cases of online violence against women in politics. Disinformation, malinformation, influence campaigns, trolling, doxing, dissing, bullying and harassment, all represent different forms of discrimination and violence against women that are present online, in particular during elections.

Aim of online violence against women is to discredit women politicians and present them as unworthy and insufficiently skilled and capable for leadership positions. In these kinds of posts, her traditional role as housewife and a mother is highlighted, who is not supposed to bring political decisions. Long-term goal is to discourage younger generations of women and girls to take an active role in decision making and state management.

Besides women, other socially vulnerable groups, such as LGBT+ population, ethnic minorities, migrants, can be targeted. Monitors should focus on assessing whether rights and freedoms of these groups were violated in any way during political campaigns.





2. NEW IDEAS AND POSSIBLE APPROACHES TO INVESTIGATE

Although Ad Library and Ad Library Report offer data that were not accessible before, thus, providing researchers, analysts, and monitors with new set of information for analyzing and interpreting, limitations that prevent further investigation were noted. Estimates concerning paid ads details, e.g. outreach and sum spent, limit further research and conclusion that monitors could gather if they had exact statistics provided in Ad Library.

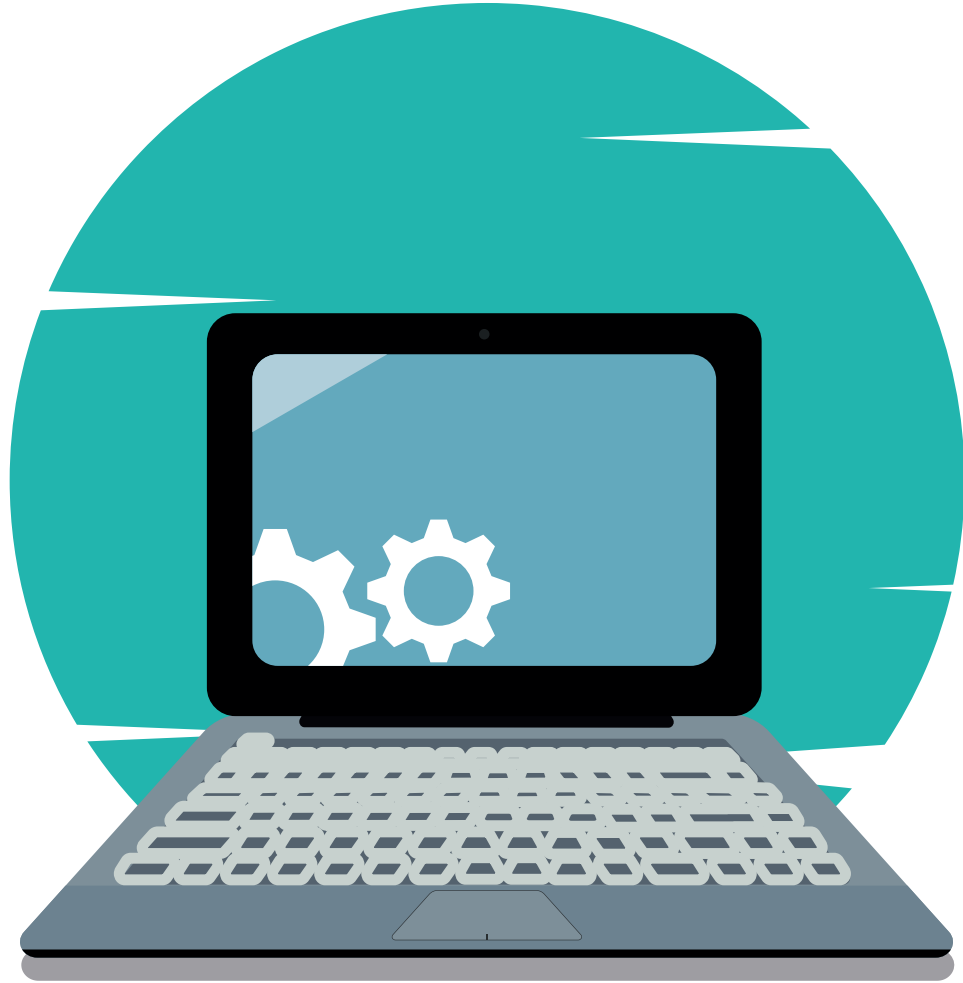
Electoral participants are using more and more deceptive behaviors and manipulative tools, e.g. AI and coordinated networks of entities for campaigning. During elections, the third-parties run politics-related advertisements without disclaimer, which make it difficult for the monitors to track and follow money flow on social media during electoral campaigns. The downside of third-party campaigns in the online context is that actors can use less transparent methods to support candidacies or enhance the messages of specific contestants. When not sufficiently regulated, third-party or 'political issue' ads may allow campaigners to evade spending limits.

That's why working on achieving higher level of transparency, not only in terms of disclosure of campaign finances by election participants, but also on social media, is of the crucial importance. Some of these limitations could be solved with the technical capacity to use the Ad Library API, so future work should be directed towards obtaining necessary skills to use this tool.

It would be useful to establish mechanism to assess whether third-party and 'political issue' campaigning is regulated in a manner analogous to that of registered contestants: whether transparency is provided for in the law and ensured in practice, including with regard to donor and donation disclosure, spending amounts and respect for limits, as well as reporting, oversight and possible sanctions.

While this can be challenging, it is important to determine and report how widespread this kind of behavior is on social media and assess whether the authorities are taking steps to ensure that such cases are addressed appropriately and in accordance with international standards and practice.

In addition to awareness raising campaigns and advocacy for the law amendments to prevent campaign violations, mostly done by civil society and international organizations, some initiatives such as collaboration with private companies and social networks should be imposed. Initiatives can include: enforcing 'Community Standards'; working on introduction of additional privacy and security mechanisms; development of app or technology for reporting content that violates electoral campaign rules and principles.

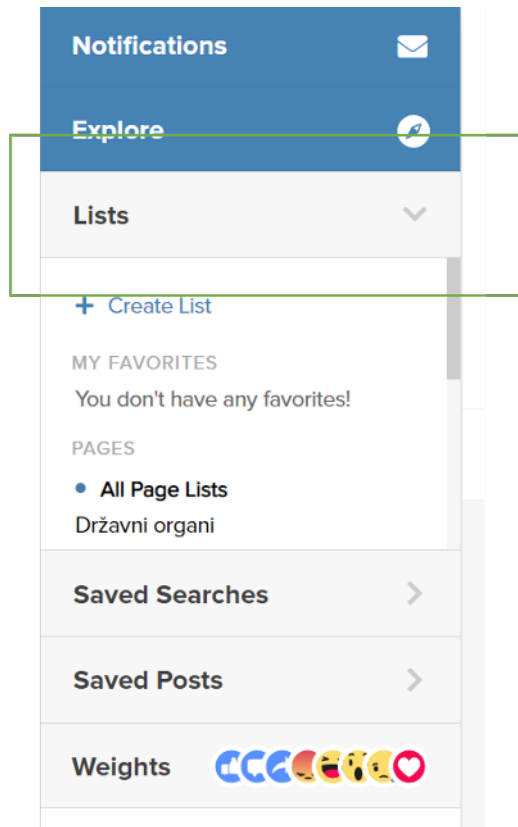


3. TOOLS

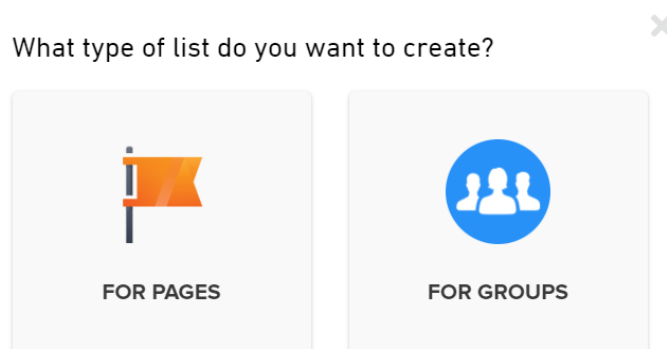
TOOL 1

CREATING LISTS

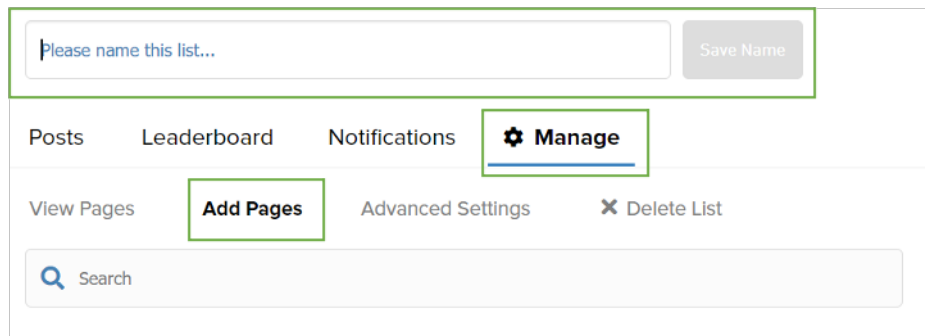
1. Open the dashboard created for the specific election monitoring.
2. From the left-side menu, select "Lists" option and then "+ Create List".



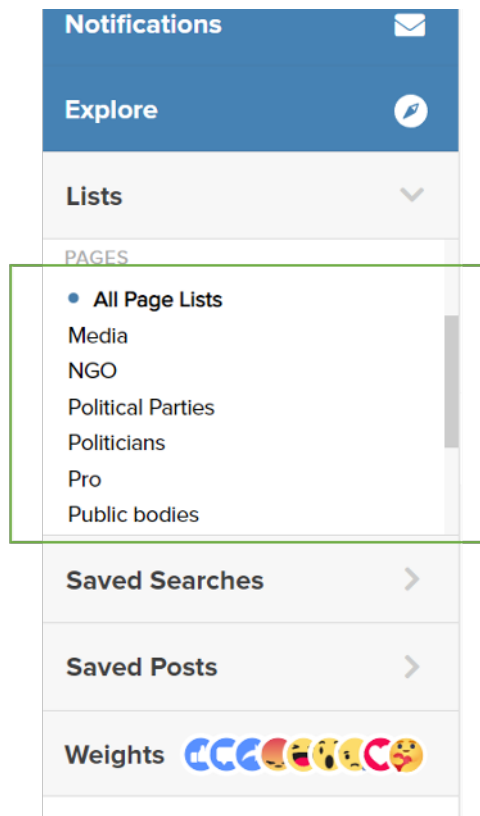
3. Choose the type of list you want to create.



- Name the list and Save Name.
- Add accounts. Entities can be added by typing the name or copy/past Facebook account URL.



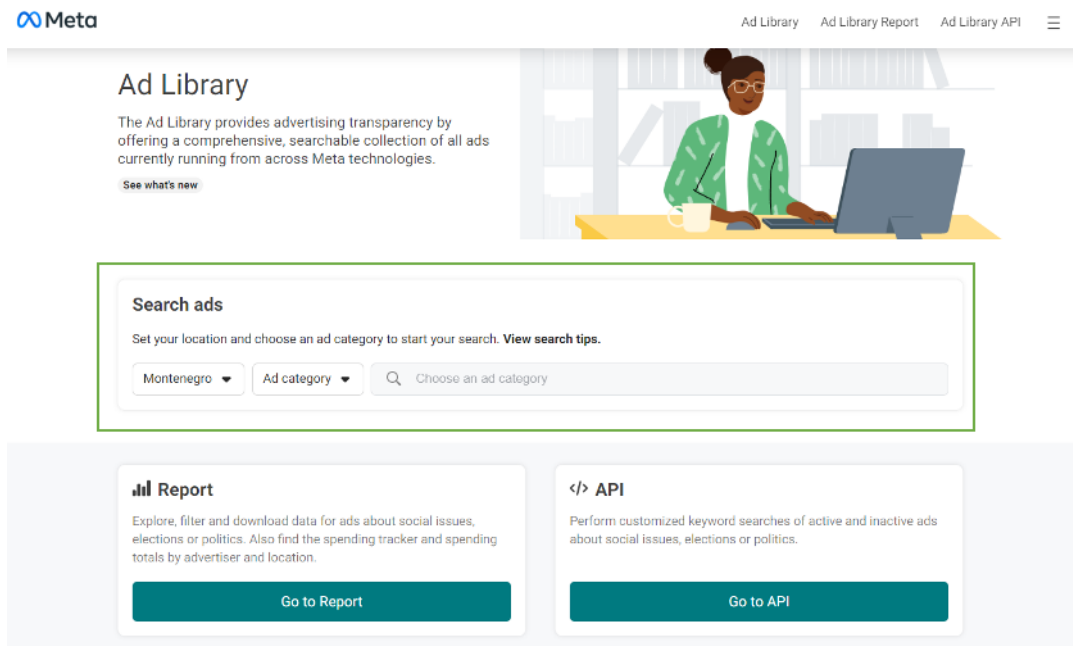
- All created list will show up in the left-side menu.



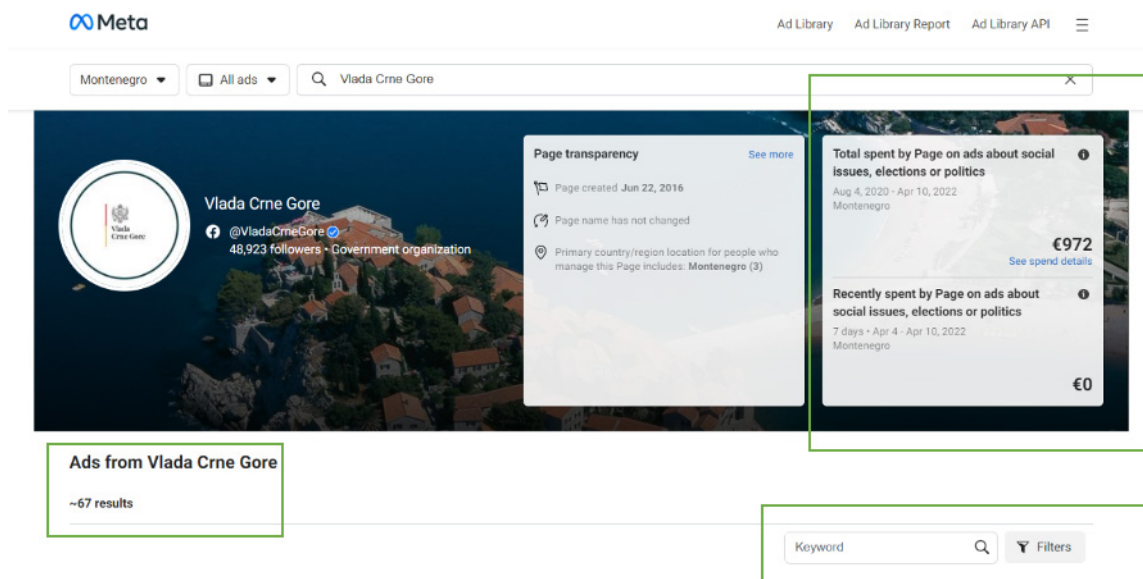
TOOL 2

AD LIBRARY

1. To look for paid ads run by specific advertiser and have an overview of all of its ads, monitors may use "Search ads" option by typing a keyword



2. After running the search, monitors will be directed to the new window where they will get access to all ads run by the specific advertiser, sum spent, and filter to look for a specific ad by inserting a keyword.



3. If monitors are looking for advertising data in specific country, they may access it through Ad Library Report. This option offers access to the list of all advertisers in the specific country, number of ads running, sum spent, location, etc. All data can be downloaded in Excel format.

The screenshot shows the Meta Ad Library website. At the top left is the Meta logo. To the right are navigation links for "Ad Library", "Ad Library Report", and "Ad Library API". The main heading is "Ad Library" with a subtext: "The Ad Library provides advertising transparency by offering a comprehensive, searchable collection of all ads currently running from across Meta technologies." Below this is a "See what's new" link and an illustration of a person working at a computer. A "Search ads" section contains a search bar with "Montenegro" selected in the location dropdown, "Ad category" in the category dropdown, and a search input field with the placeholder "Choose an ad category". Below the search bar are two highlighted options: "Report" and "API". The "Report" option is highlighted with a green border and includes a "Go to Report" button. The "API" option includes a "Go to API" button.

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