

ONLINE POLITICAL ADS: A study of inequality in transparency standards

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METHODOLOGY

PI commissioned two in-depth case studies of two developing countries: Brazil and Indonesia, with partners InternetLab and ELSAM. PI then carried out a comparative analysis of the electoral regulatory framework, as well as online platform policy development, in these two countries. The choice of countries was intended to reveal the treatment of elections by online platforms in two of the world's largest democracies.

To inform our analysis we have relied on publicly available transparency tools that the platforms make available in the UK, publicly available company policies, and publicly available reporting. We have also asked Facebook, Google, and Twitter for clarification and have included wherever relevant their responses.

This research is a part of PI's work on Defending Democracy and Dissent, which aims to investigate the role technology plays in facilitating and/or hindering everyone's participation in civic society.

KEY FINDINGS

- While platforms have gone some way towards increasing the list of countries subject to higher transparency standards for political advertising, more progress needs to be made to ensure all online users are provided with the same degree of transparency.
- Across platforms, there is little clarity as to what factors are taken into account in determining which country is deserving of higher transparency standards.
- There is no transparency as to what prompts a platform to regulate social issue ads in one country and not another, as well as to the decision-making process involved in categorising a topic as a social issue, and how a social issue is defined.
- "Optional" transparency tools made available to political advertisers are seldom used, and achieve little by way of political ads transparency.
- In countries which do not benefit from heightened transparency standards, harmful political content can go unscrutinised and undocumented.
- Failure to apply heightened transparency standards to political ads can seemingly cause difficulties in complying with statutory "silence periods".
- Other social media, such as Instagram and WhatsApp, are becoming increasingly relevant political advertising platforms.
- Electoral regulations demanding higher transparency standards are a good starting point, but are often insufficient to achieve ads transparency.

What does political ads transparency mean?

PI recognises that the meaning of political ads transparency may change from one platform to another. Therefore, our working definition of this term is the offer of political ads on equal terms for all countries, applying the highest transparency controls available across the board and not just to a privileged few.

These controls include (i) mandatory authorisation requirements for political advertisers and (ii) detailed information about each political ad posted on the platform whether in the form of real-time, user-facing disclosures and/or ad libraries.

I. PLATFORM CHANGES SINCE 2019

Since 2019, platforms have made significant changes in relation to ads transparency, not least in relation to the US elections in 2020. But the degree of responsiveness and engagement shown in the US context has not extended across the globe.

A. FACEBOOK

Ads transparency for Facebook is…

Introducing mandatory checks for political advertisers prior to them being able to post political ads, and including all political ads in an online repository known as the Facebook Ad Library.

Facebook has not limited the targeting of political adverts like Google, or banned them altogether like Twitter. Instead, Facebook are "choosing to expand transparency and give more controls to people when it comes to political ads".[1] Below are the changes to transparency and control made since September 2019.

Countries with heightened transparency requirements (September 2019)	Countries where heightened transparency requirements were added since September 2019
Argentina, Canada, EU Member States including the UK, India, Israel, Ukraine, Singapore and the US	Australia, Belize, Bolivia, Brazil, Burkina Faso, Chile, Colombia, Cote D'Ivoire, Dominican Republic, Ecuador, Georgia, Ghana, Guyana, Iceland, Indonesia, Japan, Kyrgyzstan, Malaysia, Mali, Mexico, Moldova, Mongolia, Montenegro, Myanmar, New Zealand, Palau, Philippines, Republic of North Macedonia, Saint Vincent and the Grenadines, Serbia, Seychelles, Sri Lanka, Suriname, Taiwan, Tanzania, Turkey

1 Rob Leathern, "Expanded Transparency and More Controls for Political Ads", Facebook, 9 January 2020. Available at: https://about.fb.com/news/2020/01/political-ads/

Figure 1 Table based on data obtained from Facebook's Business Help Centre.[2]

Global changes

Among the changes applied globally, Facebook added ranges for "potential reach" to the Ad Library, which is the estimated size of the audience eligible to see each social issue, election or political ad".[3] Facebook similarly added the ability to "search for ads with exact phrases, better grouping of similar ads, and adding several new filters to better analyse results — e.g. audience size, dates and regions reached".[4]

Introduction of mandatory verification policies for political ads

In March 2020, Facebook announced that they would make their authorisation process to run political ads (confirming ID, displaying "Paid For By" disclaimer on the ad, including in ad library for 7 years) a requirement in 32 additional countries.[5] This rollout was delayed due to Covid-19. Sri Lanka was introduced in May, New Zealand in July.

In October 2020, Facebook announced they had expanded the political ads transparency tool to cover countries in Sub-Saharan Africa.[6] This involves a verification process to confirm identity and residency in the country being targeted, a "paid for by" disclaimer on the ad, and inclusion in the Ad Library. The countries benefitting from these heightened transparency standards were Burkina Faso, Cote d'Ivoire, Ghana, Mali and Tanzania.

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2 Facebook, Business Help Centre, *Availability for Ads About Social Issues, Elections or Politics*. Available at: https://www.facebook.com/business/help/2150157295276323

3 Facebook, Business Help Centre, *About Potential Reach*. Available at: https://www.facebook.com/business/help/1665333080167380?id=176276233019487

4 Rob Leathern, "Expanded Transparency and More Controls for Political Ads", Facebook, 9 January 2020. Available at: https://about.fb.com/news/2020/01/political-ads/

5 Facebook for Business, *Requiring Authorization for Ads about Elections and Politics in 32 Additional Countries*, 5 March 2020. Available at: https://www.facebook.com/business/news/requiring-authorization-for-ads-about-elections-and-politics-in-32-countries

6 Akua Gyekye, "Supporting Elections Across Africa", Facebook, 22 October 2020. Available at: https://about.fb.com/news/2020/10/supporting-elections-across-africa/

Country-specific changes

In an effort to combat "a number of cases where advertisers have attempted to put misleading "Paid for by" disclaimers on their ads" in the US, from September 2019, "advertisers will need to provide more information about their organization before we review and approve their disclaimer."[7]

There were also changes made in the run up to the 2020 US election, which applied only to US advertisers and covered Facebook and Instagram.

The changes began in October 2019, when Facebook set out how they planned to "protect" the US 2020 election.[8] In this, Facebook banned "paid advertising that suggests voting is useless or meaningless, or advises people not to vote".[9] This was done pursuant to a commitment made in the June 2019 civil rights audit report.[10] In addition, Facebook added a US Presidential Candidate Spend Tracker to its Ad Library.[11]

In December 2019, Facebook introduced a policy that "prohibits ads that portray participation in the United States census as useless or meaningless or advise people not to participate in the census".[12] In addition, ads about the United

7 Facebook, *Updates to Ads About Social Issues, Elections or Politics in the US*, 28 August 2019. Available at: https://about.fb.com/news/2019/08/updates-to-ads-about-social-issues-elections-or-politics-in-the-us/

8 Guy Rosen, "Helping to Protect the 2020 US Elections", Facebook, 21 October 2019. Available at: https://about.fb.com/news/2019/10/update-on-election-integrity-efforts/

9 Ibid.

10 Facebook, "A Second Update on Our Civil Rights Audit", 30 June 2019. Available at: https://about.fb.com/news/2019/06/second-update-civil-rights-audit/

11 Guy Rosen, "Helping to Protect the 2020 US Elections", Facebook, 21 October 2019. Available at: https://about.fb.com/news/2019/10/update-on-election-integrity-efforts/

12 Kevin Martin, "Helping to Protect the 2020 US Census", Facebook, 19 December 2019. Available at: https://about.fb.com/news/2019/12/helping-protect-the-us-census/

States census will be subject to the increased transparency requirements for issue ads. This means any advertiser who wants to run an ad about the United States census will have to complete Facebook's authorization process for ads about social issues, elections or politics and include a disclaimer on such ads so people know who paid for them. This policy was extended to adverts related to the US 2020 election.[13]

An update to October 2019's policy on the US election, issued on January 27, 2020, read: "In order to continue running issue, electoral or political ads in the US, advertisers must assign a Page Owner. To help ensure all advertisers have time to complete this, we are extending our deadline to become compliant to February 8, 2020".[14]

In a statement on January 2020, Facebook said that they would increase user control over political ads by allowing users to see fewer political ads, starting with the US. [15] In June, this control was activated for US users ahead of the US election.[16] While Facebook's original announcement stated the expanded transparency features would "apply in all countries where we facilitate "Paid for by" disclaimers on ads", it is PI's understanding that the tool has so far only been made available in Brazil ahead of the November 2020 municipal elections.[17]

In February 2020, Facebook updated guidelines for "political branded content on Facebook and Instagram" in the US.[18] Branded content is content that is not a "paid for" ad where the financial relationship is between Facebook and the political candidate/organisation/campaign, but where a political campaign or

13 Facebook, Business Help Center, *Information on Ads about Social Issues, Elections or Politics in the United States During 2020 Election*. Available at: https://www.facebook.com/business/help/253606115684173

14 Guy Rosen, "Helping to Protect the 2020 US Elections", Facebook, 21 October 2019. Available at: https://about.fb.com/news/2019/10/update-on-election-integrity-efforts/

15 Rob Leathern, "Expanded Transparency and More Controls for Political Ads", Facebook, 9 January 2020. Available at: https://about.fb.com/news/2020/01/political-ads/

16 Naomi Gleit, "Launching The Largest Voting Information Effort in US History", Facebook, 16 June 2020. Available at: https://about.fb.com/news/2020/06/voting-information-center/

17 Facebook, *Mais controle e transparência para anuncios sobre política no Brasil*, 4 August 2020. Available at: https://about.fb.com/br/news/2020/08/mais-controle-e-transparencia-para-anuncios-sobre-politica-no-brasil/

18 Facebook, *Branded Content*. Available at: https://www.facebook.com/policies/brandedcontent/

organisation has a paid partnership with an influencer or content creator. In essence, the new guidelines require political candidates, organisations and campaigns to be authorised to run US political ads if they wish to be tagged by a Page on Facebook or accounts on Instagram.

In an email to PI, Facebook said:

> "Branded content is different from advertising since we do not take money for it and there is no targeting, but in either case we believe it's important people know when they're seeing paid content on our platforms. That's why we require creators to disclose any paid partnerships through our branded content tools."

Despite Facebook's recognition that important transparency concerns arise in relation to branded content, it is PI's understanding that expanded branded content guidelines have not been applied outside the US. Facebook further stated:

> "We also added a new column to our 2020 US Presidential Election CrowdTangle Live Display so people can see political branded content on Facebook and Instagram. We are looking to expand this into other markets."

After the polls closed in the US, Facebook paused "all ads about social issues, elections or politics in the US" for an indeterminate length of time.[19]

19 Facebook, Business Help Center, *Information on Ads about Social Issues, Elections or Politics in the United States During 2020 Election*. Available at: https://www.facebook.com/business/help/253606115684173

B. GOOGLE

Ads transparency for Google is…

Introducing mandatory checks for political advertisers prior to them being able to post political ads, and including all political ads in an online repository known as the Google Transparency Report. The latter details who paid for the ads, how much was spent, how many people saw them, and how they were targeted.

Google defines political content as including "ads for political organizations, political parties, political issue advocacy or fundraising, and individual candidates and politicians."[20] Google does not regulate political content as such. Rather, it regulates "election ads" in a select number of countries, and defines election ads differently for each country. This is done either by making election ads subject to an authorisation/verification requirement or by forbidding election ads completely. At the time of writing, the countries where Google requires authorisation requirements are EU member states, the UK, India, Israel, New Zealand, Australia, Taiwan, and the United States.[21] At the time of writing, Google has provided "Transparency Reports" only in respect of a subset of these countries.[22] Google further places restrictions of varying degrees on the use of election ads in Singapore, South Korea and Canada.

20 Google, Advertising Policies Help, *Political Content*. Available at: https://support.google.com/adspolicy/answer/6014595?hl=en

21 Google, Advertising Policies Help, *Update to Political Content policy* (October 2020) https://support.google.com/adspolicy/answer/10138882?hl=en&ref_topic=29265

22 At the time of writing, EU member states, UK, India, Israel, New Zealand, Israel and the United States.

For all other countries, Google allows for political advertising to be featured on its platform without such restrictions.

In November 2019, Google made changes to their global election ads policy.[23] Google limited targeting options for advertisers, and heightened ad verification requirements for political advertisers.

Global changes

In 2019, Google only regulated political ads in EU member states, the UK, India and the US.[24] In 2020, this list was expanded to include Israel, New Zealand, Australia and Taiwan. Beyond this change, Google limited election ads audience categories to "age, gender, and general location (postal code level)". This is applied globally to all election ads.[25] PI notes that though the new limits to targeting categories are welcome, in some countries, postcodes can be extremely effective in narrowing down audiences compared to others, e.g. the UK.

Political advertisers can continue to do contextual targeting, a method of targeting which uses the keywords or topics advertisers have chosen to match ads to relevant sites.[26] Contextual targeting is based on the content of the page, as opposed to audience targeting which is based on information about the user. Similarly, content targeting remains available for advertisers. This method allows advertisers to choose words to target users making searches using those same terms.[27]

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23 Scott Spencer, "An update on our political ads policy", The Keyword, 20 November 2019. Available at: https://blog.google/technology/ads/update-our-political-ads-policy

24 Privacy International, *Social media companies are failing to provide adequate advertising transparency to users globally*, https://privacyinternational.org/sites/default/files/2019-10/cop-2019_0.pdf

25 Scott Spencer, "An update on our political ads policy", The Keyword, 20 November 2019. Available at: https://blog.google/technology/ads/update-our-political-ads-policy

26 Ibid.

27 Google Ads Help, *Targeting your ads*. Available at: https://support.google.com/google-ads/answer/1704368?hl=en

Country-specific changes

In April 2020, Google extended their identity verification policy for political advertisers to include all advertisers,[28] displaying the advertiser behind specific ads in the 'Why this Ad' menu. This measure is currently only applied to advertisers registered in Canada, India, Russia, Ukraine and the US.[29] Google states the intention is to roll out the feature internationally in the next few years.[30]

Google announced country-specific changes a few months before the US 2020 election. According to press reports in September 2020,[31] Google stated in an email to advertisers that they would implement a "sensitive event policy" and suspend political advertising in the US after the polls closed.[32] Although Google's original email did not include an end date to the policy, it was later announced that it would be lifted in early December.[33]

In January 2021, after the storming of the US Capitol, Google announced that it would block all political ads in the US "following the unprecedented events of the past week and ahead of the upcoming presidential inauguration" as part of its "sensitive event" policy. The ban, which also included any ads referencing

28 John Canfield, "Increasing transparency through advertiser identity verification", The Keyword, 23 April 2020. Available at: https://blog.google/products/ads/advertiser-identity-verification-for-transparency

29 Google, Advertising Policies Help, *About verification*. Available at: https://support.google.com/adspolicy/answer/9703665?hl=en

30 John Canfield, "Increasing transparency through advertiser identity verification", The Keyword, 23 April 2020. Available at: https://blog.google/products/ads/advertiser-identity-verification-for-transparency

31 Carrie Mihalcik, "Google will block election ads after polls close on Nov. 3", cnet, 25 September 2020. Available at: https://www.cnet.com/news/google-will-block-election-ads-after-polls-close-on-nov-3/

32 Google, Advertising Policies Help, *Inappropriate content*. Available at: https://support.google.com/adspolicy/answer/6015406?hl=en&ref_topic=1626336#

33 Sara Fischer, "Scoop: Google to lift post-election ad ban on Dec. 10", Axios, 9 December 2020. Available at: https://www.axios.com/google-election-ad-ban-lifted-georgia-a22c86e0-eefa-4eb6-a9a8-d63450512d07.html

violence at the US Capitol, was announced to last until after the inauguration of the incoming US president.[34]

C. TWITTER

Twitter defines political content as "content that references a candidate, political party, elected or appointed government official, election, referendum, ballot measure, legislation, regulation, directive, or judicial outcome".[35]

Global changes

In November 2019, Twitter announced they would ban political content advertising on the platform globally, replacing previous global and country specific policies.[36] Further, Twitter does not allow ads of any type by candidates, political parties, or elected or appointed government officials. The ban extends to ads relating to legislation and regulations, stating that "ads cannot reference past, current, or proposed referenda, ballot measures, bills, legislation, regulation, directives, judicial outcomes, or any country-specific equivalents".[37]

There is an exception to the Twitter ban of political ads for news publishers. Subject to meeting defined criteria, news publishers may publish political

34 Sara Fischer, "Scoop: Google pausing all political ads following Capitol siege", Axios, 13 January 2020. Available at:

35 Twitter, Business, *Political Content*. Available at: https://business.twitter.com/en/help/ads-policies/ads-content-policies/political-content.html

36 Ibid.

37 Twitter, Business, *Political content FAQ*. Available at: https://business.twitter.com/en/help/ads-policies/ads-content-policies/political-content/faqs.html

content, but may not include advocacy for or against the topic covered by Twitter's definition of political content.[38]

Country-specific changes

Twitter has not carried out country-specific changes since 2019.

II. MEANINGFUL DIFFERENCES IN GLOBAL ADS TRANSPARENCY

A. FACEBOOK

Political ads

In broad terms, any country where Facebook operates is classified in one of two categories: it is either one in which mandatory transparency requirements apply to political advertising, or one where these requirements, though available, remain optional. Despite Facebook's efforts in 2020 to substantially increase the number of countries where mandatory checks were available for political advertising, these countries still remain a minority.

However, it would appear from examples observed by PI that "optional" transparency requirements are not sufficient. In Peru, a country which does not benefit from mandatory transparency requirements, almost no candidates in the 2020 Peruvian congressional election availed themselves of Facebook's optional

38 Twitter, Business, *How to get exempted as a News Publisher from the Political Content Policy*. Available at: https://business.twitter.com/en/help/ads-policies/ads-content-policies/political-content/news-exemption.html

transparency tools.39 As reported by Hiperderecho, out of 2,325 candidates who ran for Congress, only four used Facebook's optional tools to provide transparency information about their ads.

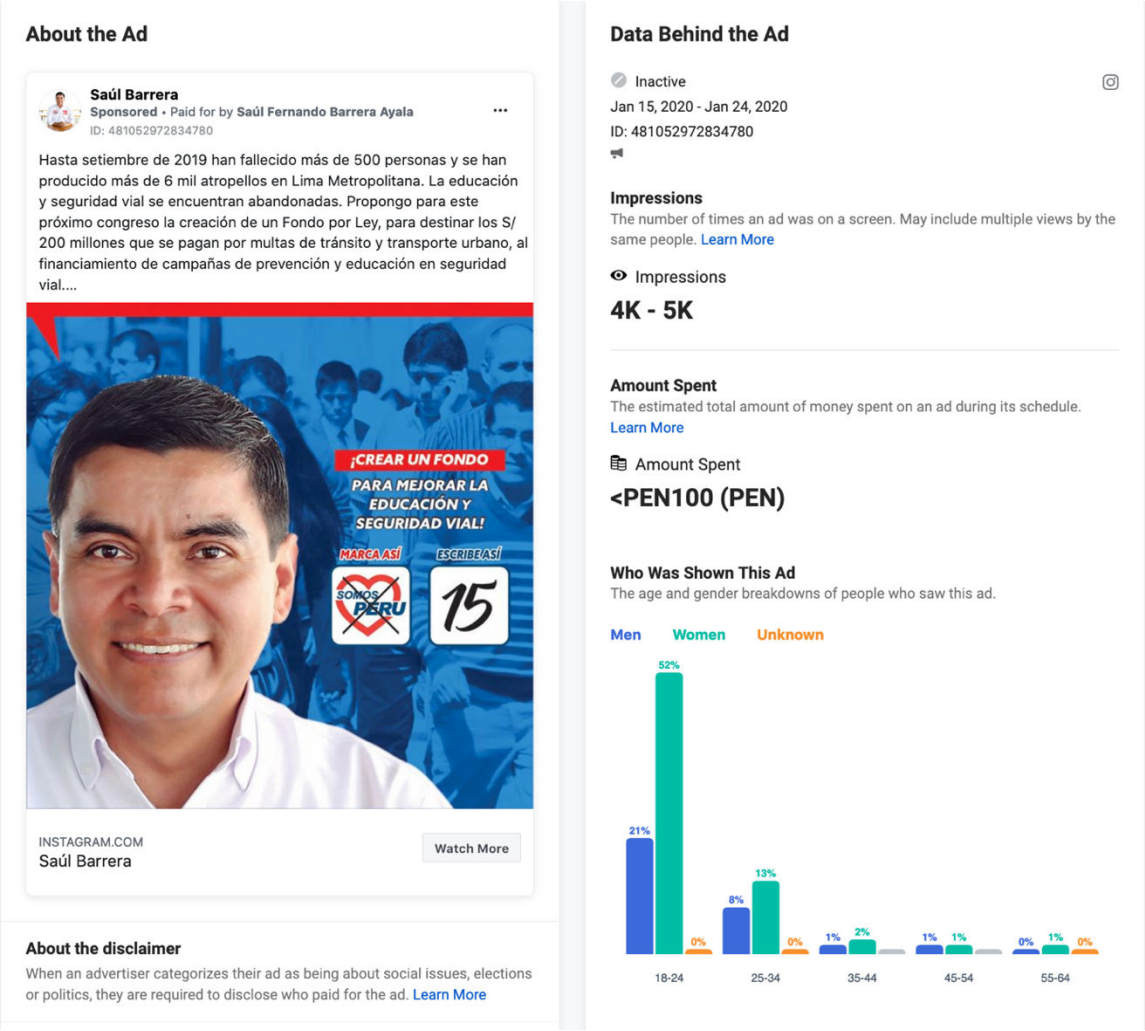


Figure 2 An example of voluntary disclosure in the 2020 Peruvian congressional elections.

Colombia – where Facebook does not operate mandatory transparency requirements – is another insightful example. In the Colombian 2019 regional elections, only four of the thirty-two successful regional governorate candidates availed themselves of Facebook's optional transparency tools for political ads. Out of the twenty-eight candidates who did not avail themselves of Facebook's

39 Privacy International, Electoral advertising, big data and privacy in Peru, 7 February 2020. Available at: https://privacyinternational.org/node/3365

optional transparency tools, twenty-two of them had a named Facebook account listed as a "public figure" or "politician" well before the 2019 elections.

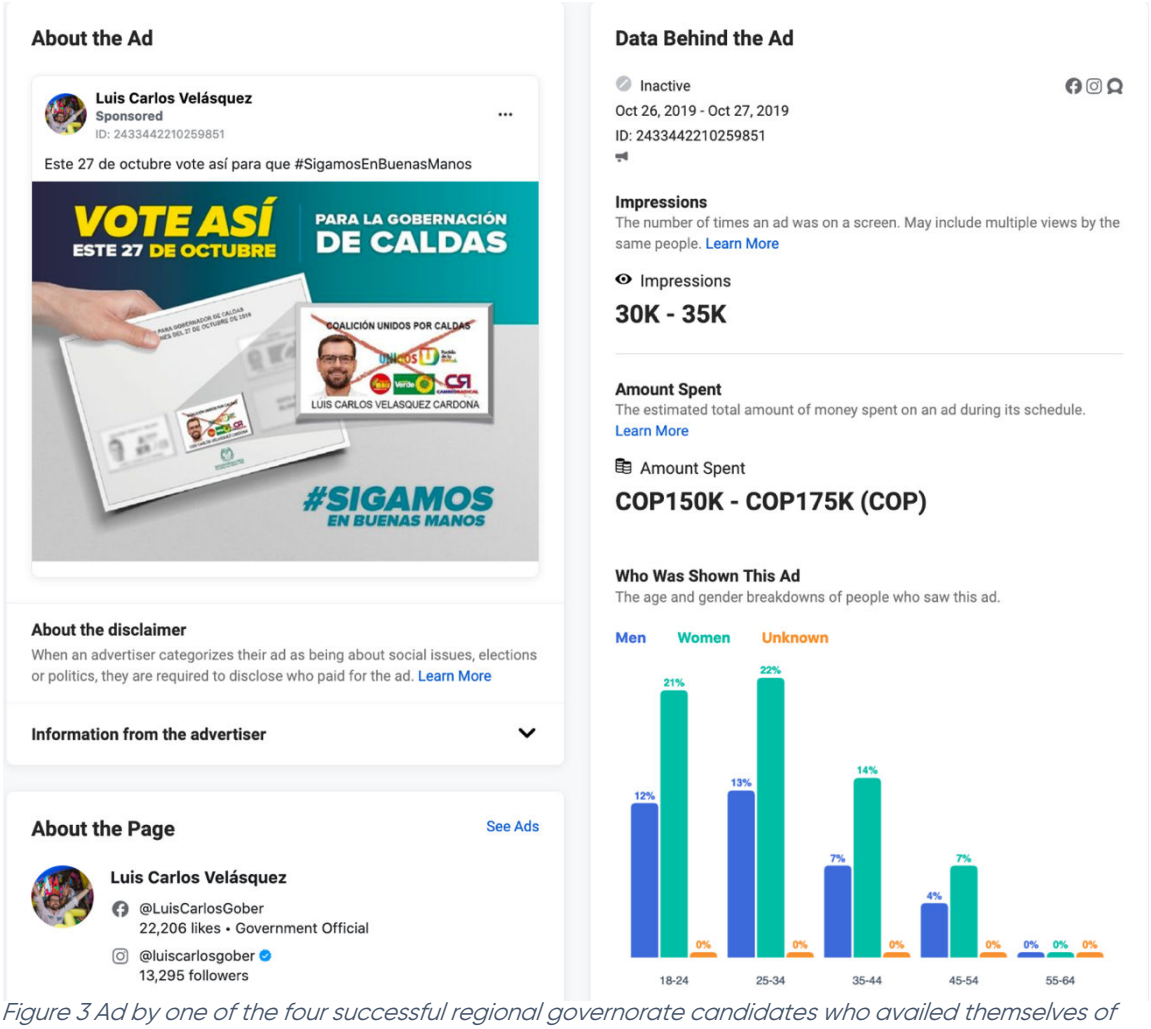


Figure 3 Ad by one of the four successful regional governorate candidates who availed themselves of Facebook's optional tools in the 2019 Colombian regional elections.

The Peruvian and Colombian examples show that optional transparency tools, unless enforced, are not meaningfully used.

Social issue ads

Growing distinction between political and issue-based advertising authorisation requirements

Traditionally, the fact that Facebook applies mandatory authorisation or verification requirements for political ads in one country does not necessarily entail the same for issue-based ads in that country. At the time of PI's 2019 assessment, out of 34 countries with mandatory authorisation requirements for political ads, Facebook only regulated issue-based advertising in 29 countries (EU 27 and the UK, Canada, and the United States). In 2020, the list of countries with mandatory authorisation requirements for political ads grew to 69. In parallel, the list of countries where similar checks were applied in relation to issue-based ads grew only to 33 to include Myanmar, New Zealand, Singapore and Taiwan.

What constitutes a social issue varies from country to country. Even in the same country, social issues can evolve over time at Facebook's discretion.

Country with issue-based ads requirements	Matters identified as social issues in 2019	Matters identified as social issues in 2020
Canada	Civil and social rights Economy Environmental politics Health Immigration Political values and governance Security and foreign policy	No change.
European Union	Immigration Political values Civil and social rights	+ Crime + Health

	Security and foreign policy Economy Environmental politics	
Myanmar	None	+ Civil and social rights + Crime + Economy + Education + Environmental politics + Immigration + Health + Political values and governance + Security and foreign policy
New Zealand	None	+ Civil and social rights + Crime + Economy + Environmental politics + Immigration + Guns

		+ Health + Political values and governance + Security and foreign policy
Singapore	None	+ Civil and social rights + Crime + Economy + Health + Immigration + Political values and governance
Taiwan	None	+ Civil and social rights + Crime + Economy + Environmental politics + Health + Political values and governance + Security and foreign policy
UK	Immigration	+ Crime

	Political values Civil and social rights Security and foreign policy Economy Environmental politics	+ Health
US	Abortion Budget Civil rights Economy Education Energy Environment Foreign policy Government reform Guns Health Immigration Infrastructure Military Poverty Social security Taxes Terrorism Values	- Abortion - Budget - Energy - Environment + Environmental politics - Infrastructure - Military - Poverty - Social security - Taxes - Terrorism + Security and foreign policy - Values + Political values and governance

Figure 4 Table based on data obtained from Facebook's Business Help Centre as of December 2020.

Facebook told PI in an email, "Social issues are sensitive topics that are heavily debated, may influence the outcome of an election or result in/relate to existing or proposed legislation. We have continued to develop the application of this policy over the last year. For example, in the EU, we expanded to include health and crime as well as launched enforcement of social issues for ads in the UK. These all require authorization and disclaimers in order to run."

In countries where social issue ads are regulated, this means that they must run with a "Paid for by" disclaimer and are included in Facebook's Ad Library. This in turn enables civil society to monitor relevant individuals, groups or companies promoting ads relating to specified social issues. For example, because abortion was deemed to be a social issue in the US in 2019, this meant that ads regarding abortion would have been recorded in the Ad Library. One such example taken from the Ad Library is reproduced below.



Figure 5 Ad included in the Ad Library at a time when abortion was considered a social issue.

Facebook no longer lists Abortion as a social issue in the US, although it includes it as a relevant topic within the Civil Rights social issue. This change points to the fluctuating nature of social issues, and the ease with which previously existing categories can shift or, in some cases, be removed.

Further clarity is needed as to how a topic comes to be included as a social issue worth regulating, and what considerations are taken into account when a social issue is defined. Facebook presents different definitions for the same issues it aims to regulate depending on the countries.

Canada	European Union	Myanmar	New Zealand
Ads about civil and social rights, with ad content that includes discussion, debate and/or advocacy for or against topics including but not limited to freedom of religion, LGBTQ rights, women's rights, abortion services and pro-choice/pro-life advocacy, and indigenous rights are subject to review and enforcement.	Ads about civil and social rights, with ad content that includes discussion, debate, and/or advocacy for or against topics including but not limited to freedom of religion, LGBTQ rights and women's rights are subject to review and enforcement.	Ads about civil and social rights, with ad content that includes discussion, debate and/or advocacy for or against topics including, but not limited to, ethnic rights, freedom of religion, linguistic rights, workers' rights and gender equality are subject to review and enforcement.	Ads about civil and social rights, with ad content that includes discussion, debate and/or advocacy for or against topics including but not limited to freedom of religion, LGBTQ rights and euthanasia, are subject to review and enforcement.
Singapore	**Taiwan**	**United Kingdom**	**United States**
Ads about civil and social rights, with ad content that includes discussion, debate and/or advocacy for or against topics including but not limited to freedom of religion and equal rights are subject to review and enforcement.	Ads about civil and social rights, with ad content that includes discussion, debate and/or advocacy for or against topics including but not limited to freedom of religion, LGBTQ rights and women's rights, are subject to review and enforcement.	Ads about civil and social rights, with ad content that includes discussion, debate and/or advocacy for or against topics including but not limited to freedom of religion, LGBTQ rights and women's rights are subject to review and enforcement.	Ads about civil and social rights, with ad content that includes discussion, debate, and/or advocacy for or against topics including but not limited to freedom of religion, LGBTQ rights, women's rights, abortion services and pro-choice/pro-life advocacy and racial discrimination are subject to review and enforcement.

Figure 6 Table with an example of differences on Facebook's definition of social issues. Definition of "Civil and social rights".

In an email to PI, Facebook stated "In the countries where we proactively detect and reactively review ads about social issues, the topics Facebook identified were informed by discussion with regional policy stakeholders, trusted third party advisors, and in some cases, election regulators or other relevant local government bodies".

B. GOOGLE

Currently, Google only regulates political advertising (or election ads, in Google's own terminology) in EU member states, the UK, India, Israel, New Zealand, the United States, Taiwan and Australia. That is a total of 32 out of 195 countries worldwide. For election ads published in these countries, Google provides an in-

ad disclosure identifying who paid for the ad, and includes the ad in a publicly available Political Advertising transparency report with data on the funding sources for election ads, the amounts spent on the ad, how long the ad ran for, the number of impressions, as well as the demographic (age range and gender) and geographical areas targeted.

In other countries where election ads aren't regulated – the vast majority of countries – Google does not require political advertisers to fulfil any authorisation or verification requirements; neither does it operate a political transparency report. In other words, any political ads circulated are not monitored or in any way regulated. This means that Google's newly-introduced restrictions on targeting categories for election ads – limited to age, gender and general location at the postcode level – do not apply to countries where Google does not regulate political ads. However, Google remains an important advertising platform used in elections worldwide.

C. TWITTER

Twitter does not currently allow political advertising on its platform, subject to some exceptions made for news publishers as described above.

III. HOW IS DIFFERENTIAL TREATMENT JUSTIFIED?

A. FACEBOOK

The criteria followed by Facebook to roll out ads transparency tools in any given country are not public. PI asked for these criteria and was told in an email that Facebook considers "a number of factors including the risk of foreign interference, election schedules, existing or proposed legislation, and public discourse around social issues -- on and off Facebook -- that seeks to influence public opinion."

Geopolitical importance

From a meeting PI held with Facebook, it seems that key factors such as upcoming elections can motivate the deployment of certain features such as the Ad Library. This said, there are many countries that held elections in 2020 and have not enjoyed the introduction of mandatory ads transparency controls - Egypt, Comoros, Burundi, Niger, Peru, Bolivia, and Venezuela, to name a few.

It would seem that there is a correlation between the perceived geopolitical significance of countries and/or elections and the roll-out of transparency tools. The first two countries to have heightened transparency standards were the United States (May 2018) and Brazil (October 2018).[40]

In a January 2019 update,[41] Facebook introduced mandatory checks to identity and location of political advertisers, as well as inclusion in the Ad Library, for the US, UK, Brazil, Nigeria, Ukraine, India, and the EU. As of September 2019, these mandatory transparency requirements extended to Argentina, Canada, India, Israel, and Ukraine.

40 Jonas Valente, "Facebook vai dar transparência para anuncios eleitorais no Brasil", Agência Brasil, 24 July 2018. Available at: https://agenciabrasil.ebc.com.br/politica/noticia/2018-07/facebook-vai-dar-transparencia-para-anuncios-eleitorais-no-brasil

41 Facebook for Business, *Bringing More Transparency to Political Ads in 2019*. Available at: https://www.facebook.com/business/news/bringing-more-transparency-to-political-ads-in-2019

However, geopolitical importance is seemingly not the sole influential factor. Despite the fact that Indonesia is the world's third-largest democracy, Facebook did not regulate political ads in the country until 2020. This meant that political ads posted in the context of Indonesia's 2019 general elections went unregulated.

Responses to regulation

There is some evidence to indicate that the introduction of mandatory ads transparency requirements follows the introduction of national regulation.

Taking Brazil as an example, the 2018 general elections were the first elections to benefit from mandatory authorisation requirements on Facebook. The introduction of mandatory authorisation requirements ostensibly followed the 2017 Electoral Reform which allowed "content-boosting" as the only lawful form of paid political advertising online.[42] The reform introduced by the Brazilian Electoral Superior Court regulation required "boosted" content to be appropriately labelled as an electoral advertisement ("Propaganda Eleitoral") and identified with the campaign's unique National Register of Legal Entities (CNPJ) or the Individual Taxpayer Register (CPF) number of the individual responsible for the advertisement.[43] In Indonesia, Facebook implemented mandatory ads transparency requirements in August 2020 ahead of the 2020 Indonesian regional elections after new Electoral Commission regulations came into force, which in turn required advertisers to be registered with the General Election Commission in order to run ads.[44] The verification process introduced by Facebook enables it to confirm whether the relevant account is registered with the General Election Commission to run political ads – if is, it is then allowed to publish political ads.

42 Law nº 13.488, October 6th, 2017 (Electoral Reform). Available at: http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/L13488.htm

43 Ibid.

44 Sri Utami, "Facebook Will Strictly Verify Political Ads", Media Indonesia, 22 September 2020 Available at: https://mediaindonesia.com/read/detail/346879-facebook-akan-verifikasi-ketat-iklan-politik

B. GOOGLE

The criteria followed by Google to roll out ads transparency tools in any given country are not public. This stands in contradiction to the fact that there is growing evidence that Google plays a prominent role in the online advertising landscape in jurisdictions where it does not apply enhanced transparency standards.

In the 2017 Argentinean general elections, 30% of political advertising went to online platforms, with Google, Facebook and Twitter being the main beneficiaries.[45] As early as 2014, Google acknowledged the important role that the internet would play in the Indonesian general elections.[46] In 2019, Google went as far as launching an elections information online platform together with the Association for Elections and Democracy (Perludem).[47] However, Google has stopped short of regulating political ads in Indonesia. In 2018, it was reported that Google had committed to reject all political ads ahead of the 2019 general election. However, it is difficult to understand how Google would have been able to enforce this ban in the absence of specific Indonesian policy regulating political ads.[48]

45 La Política, "Cambiemos resiste la regulación de la publicidad electoral en Facebook y Google", 20 March 2019. Available at: https://www.lapoliticaonline.com/nota/118248-cambiemos-resiste-la-regulacion-de-la-publicidad-electoral-en-facebook-y-google/

46 N.O., "Chasing the first-voter advantage", The Economist, 25 March 2014. Available at: https://www.economist.com/banyan/2014/03/25/chasing-the-first-voter-advantage

47 The Jakarta Post, "Perludem, Google launch new website to inform Indonesian voters", 20 February 2019. Available at: https://www.thejakartapost.com/news/2019/02/20/perludem-google-launch-new-website-to-inform-indonesian-voters.html

48 Stefanno Reinard Sulaiman, "Google promises to reject all political ads ahead of 2019: Minister", The Jakarta Post, 13 September 2018. Available at: https://www.thejakartapost.com/news/2018/09/13/google-promises-to-reject-all-political-ads-ahead-of-2019-minister.html

IV. THE HARMS OF GLOBAL DIFFERENCES IN ADVERTISING TRANSPARENCY

PI looked into two separate case-studies from Brazil and Indonesia to gain a better understanding of the policies applied by online platforms in two of the world's largest democracies, as well as the domestic regulatory frameworks with which they co-exist. Brazil was one of the first countries where Facebook applied mandatory authorisation and verification requirements for political ads, with restrictions being implemented as early as 2018 ahead of the 2018 Brazilian general elections. Indonesia was only added to this list in 2020 in time for its December local elections, but well after its 2019 general elections, during which political ads were not regulated by Facebook.

Google does not regulate political ads in either country. In other words, in Brazil and Indonesia, no additional requirements are imposed by Google on political advertisers beyond those which apply to any ordinary commercial advertiser. Consequently, political advertisers are not subjected to additional checks, and their ads are not collected in a repository.

Pursuant to its global policy banning political advertising, Twitter does not technically allow political ads in either Brazil or Indonesia.

As a preliminary point, both case-studies found no positive correlation between declared expenditure in political advertising online and electoral success. Brazil's case-study found that only 21.5% of the candidates for the 2018 general election declared expenditure involving "content-boosting" – the term used by the electoral regulator to regulate online political advertising – with the most popular platforms being Facebook and Google. [49] Further, the case-study found

49 InternetLab analysed data on the expenses declared by candidates and parties to the electoral justice. These data are made available by the Brazilian Electoral Superior Court at the platform DivulgaCandContas: TSE. *Divulgação de Candidaturas e Contas Eleitorais*. Available at: http://divulgacandcontas.tse.jus.br/divulga/

that the successful Social Liberal Party spent less than a quarter of what was declared by the party who spent the most on content-boosting tools, the Social Democracy Party. Incumbent president Bolsonaro himself did not declare any content-boosting expenditure.[50]

The Indonesian case-study found that in the 2019 general election campaign, the Golkar Party was the party that carried out the most extensive online political campaign. However, these online advertising efforts did not result in a correspondingly high number of votes.[51] From the Indonesian example too, it can be concluded that declared political advertising spend is not the single factor that determines the electability of a candidate.

While declared online political advertising spend may not be indicative of electoral victory, it is relevant insofar as online political ads have significant reach. In 2019, a government survey carried out by the Regional Centre for Studies for the Development of the Information Society revealed that Brazil had 134 million internet users.[52] Based on the APJII (Indonesian Internet Service Providers Association) survey in 2019-2020, the number of Indonesian internet users reaches 196.71 million or the equivalent of 73.7% of the total population of Indonesia.[53]

PI was able to observe a range of deficiencies in the regulation of online political advertising in both countries. We will refer to these shortcomings as ads transparency harms.

50 Gomes, Brito Cruz, Roncolato, *Um balanço da propaganda eleitoral paga na internet em 2018*. Available at: https://www.internetlab.org.br/pt/informacao-e-politica/um-balanco-da-propaganda-eleitoral-paga-na-internet-em-2018/

51 Dodi Ambardi, in FGD Peer Review "Encouraging Transparency of Political Advertising on Social Media), 9 November 2020.

52 Regional Center for Studies on the Development of the Information Society, *2019 ICT Households: Survey on the Use of Information and Communication Technologies in Brazilian Households*. Available at: https://cetic.br/media/docs/publicacoes/2/20201123121817/tic_dom_2019_livro_eletronico.pdf

53 APJII, *APJII Internet Survey Report 2019-2020 (Q2),* page 19. Available at : https://apjii.or.id/survei

A. LIMITED OPPORTUNITIES FOR CIVIL SOCIETY SCRUTINY

Non-mandatory transparency tools on Facebook

As previously stated, the lack of mandatory ads transparency requirements inevitably results in less visibility of ads in either Facebook's Ad Library or Google's Transparency Reports, ultimately resulting in limited opportunities for civil society monitoring and public scrutiny. This was borne out by PI's case studies.

In the context of Indonesia's 2019 general elections, prior to Facebook introducing mandatory checks on political advertisers in Indonesia, ELSAM identified 42 political ads circulating on social media which had not been entered into the Facebook Ad Library. Accordingly, so far as those ads were concerned, no detailed information about the ad could be accessed. However, there is evidence to suggest that some of the ads circulated in the 2019 elections promoted harmful content in democratic terms.



Figure 7 Ad seen during the 2019 Indonesian general election stating "Curtail the Foreign Labourers"

One ad posted by the Democratic Party account actively advocated for "curtailing foreign labourers" stoking anti-Chinese sentiment, a topical issue in Indonesia. Another sponsored ad promoting the views of an influential Muslim public figure on his preferred candidate showed that the ad had been targeted to individuals interested in Palestine. This is a second example of the use of identity politics in political advertising, which could benefit from further study and research. As these ads were posted against the backdrop of the 2019 general election, they were not caught by ads transparency requirements, and cannot be found in the Ad Library. Instead, these ads were ostensibly treated as non-political ads, hence why the "Why am I seeing this ad" default function available for common ads on Facebook was shown.

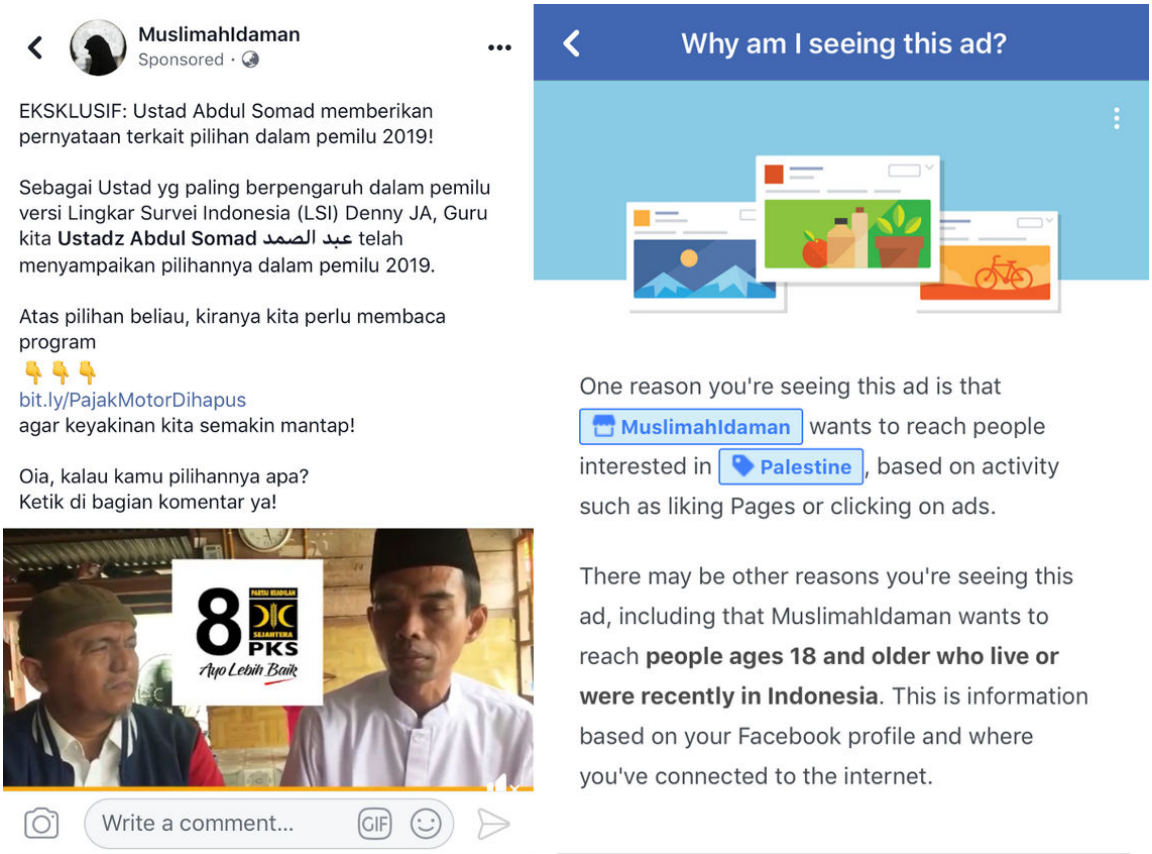


Figure 8 Ad seen during the 2019 Indonesian general election targeted at users interested in Palestine.

In 2020, Facebook introduced political ads mandatory requirements in Indonesia. The changes were clear. As of 10 November 2020, at least 1,200 ads appeared on the Ad Library with key word "Pilkada" (meaning "regional elections"). In contrast, during the general elections in 2019, due to the limited coverage of political ads by the Ad Library, ELSAM was only able to identify 116 political ads during the period between 31 March and 17 April 2019.

Absence of Google Transparency Reports

While Facebook operates mandatory authorisation/verification requirements in Brazil, Google does not do so. The absence of a Google Transparency Report for Brazil means there is no centralised database where these political ads can be monitored. And yet these ads exist.

PI partner InternetLab conducted research on political advertising on Google in the November 2020 Brazilian municipal elections. In Brazil, the Google search platform is the most visited website in the country.[54] However, Google does not regulate political ads in the country.

In the 2020 municipal elections, Brazil had over 500,000 city council candidates and 19,000 mayoral candidates in more than 5,570 Brazilian municipalities.[55] The sheer number of candidates no doubt resulted in a flurry of election ads on Google. However, given that Google does not regulate political ads in Brazil, no "political transparency report" is available. Thus, it is impossible for civil society to monitor, analyse or otherwise view all election ads posted on its platform. Further, while electoral regulation in Brazil requires political parties and candidates to report expenses related to online 'content boosting', it does not make available granular information about election ads to the general public. The absence of regulation by Google, combined with the administrative unworkability for any public entity to monitor each of these ads, results in significant transparency harms for democracy.

54 Datareportal, *Digital 2020: Brazil*, 17 February 2020. Available at: https://datareportal.com/reports/digital-2020-brazil

55 Monica Yanakiew, "Brazil municipal elections to signal where country is headed", Al Jazeera, 15 November 2020. Available at: https://www.aljazeera.com/news/2020/11/15/brazil-municipal-elections-signal-where-country-headed



Figure 9 Example of political ad seen on Google in the 2018 Brazilian general elections.

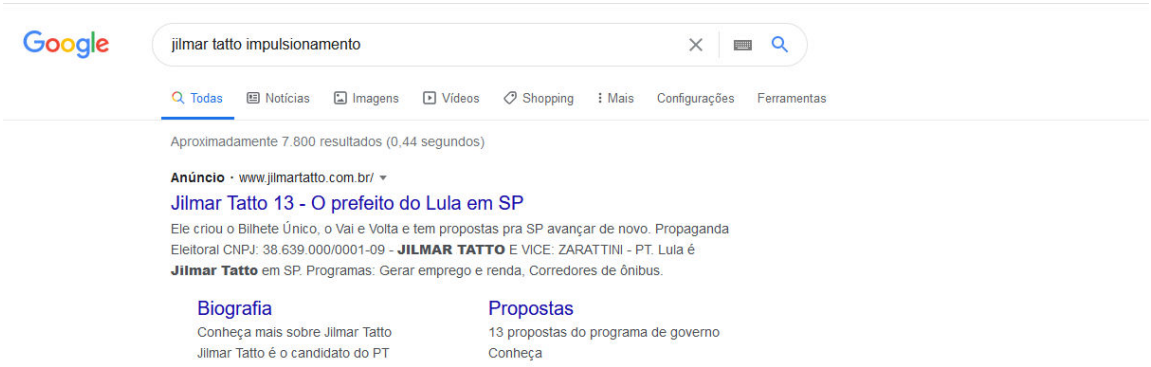


Figure 10 Example of political ad seen on Google in the 2020 Brazilian municipal elections.

Insufficient enforcement of ad policies on Twitter

Twitter does not allow paid political content, which it defines broadly to include sponsored content referring to legislation, regulation, directives or judicial outcomes. Despite this, our case-studies revealed that ads falling within Twitter's definition of political content were disseminated on Twitter.

One such example is sponsored content posted on Twitter by Indonesia's Covid-19 Handling and National Economic Recovery Committee (KPCPEN), indirectly referring to a regulation which introduced wage subsidies for employees in the

private sector. While the supporting regulation is not explicitly referred to, arguably the ad falls within Twitter's definition of sponsored content.



Figure 11 Sponsored content referring to Covid-19 subsidy.

In Brazil, InternetLab found one ad generally promoting Black candidates who supported black movements. While this does not amount to an electoral ad as defined under Brazilian legislation, it is likely to fall within Twitter's definition of a political ad.



Figure 12 Ad seen on Twitter with arguably political content.

Insufficient information provided on Instagram

Both case-studies showed that beyond Facebook and Google, other platforms are increasingly being used for political advertising, while not being properly regulated.

In the 2019 Indonesian general elections – prior to Facebook's mandatory requirements being put in place – ELSAM identified 73 political ads run on Instagram. As these ads were not voluntarily reported by advertisers, they did not appear in the Facebook Ad Library, and therefore no detailed information on these ads was provided. It is worth noting, however, that in the absence of heightened political ads transparency measures, the usual Facebook ad controls apply to the Facebook platform. This includes the "Why am I seeing this ad" tab, which as shown in Figure 8 can provide users with a greater understanding of why they were targeted. Despite the fact that Instagram is owned by Facebook, the "Why am I seeing this ad" on Instagram does not provide any relevant information to users, beyond a generic explanation of how ads worked on

Instagram. This means that in the absence of mandatory transparency requirements applied by Facebook, Instagram users are left worse off than Facebook users in terms of the degree of transparency offered by the ads.

Two examples from the 2019 Indonesian general elections are provided below.

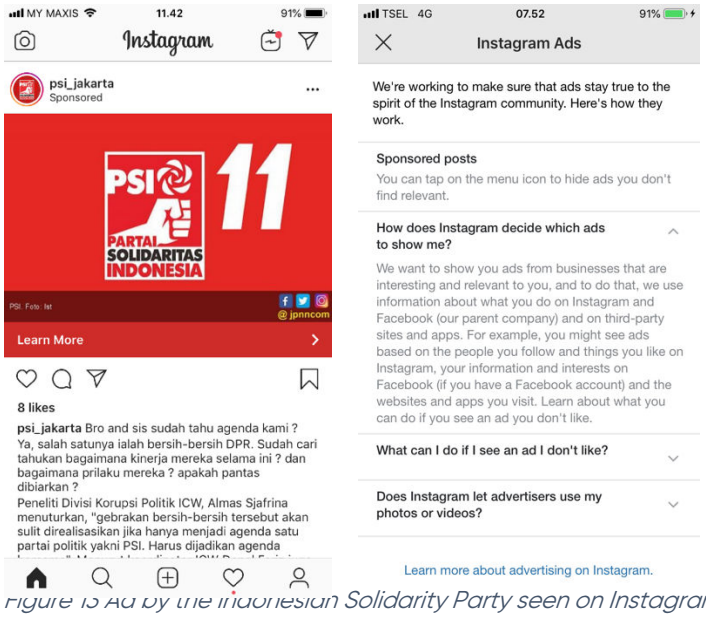


Figure 13 Ad by the Indonesian Solidarity Party seen on Instagram in the 2019 Indonesian election, and information provided in-app in relation to ads.



Figure 14 Ad by legislative candidate to the 2019 Indonesian general elections.

The introduction of mandatory authorisation requirements for political ads – which operates across Facebook and Instagram – resolves this inconsistency, as political ads on Instagram are flagged as such, and are added to the Ad Library.



Figure 15 Political ad shown on Instagram during the 2020 Brazilian municipal elections,

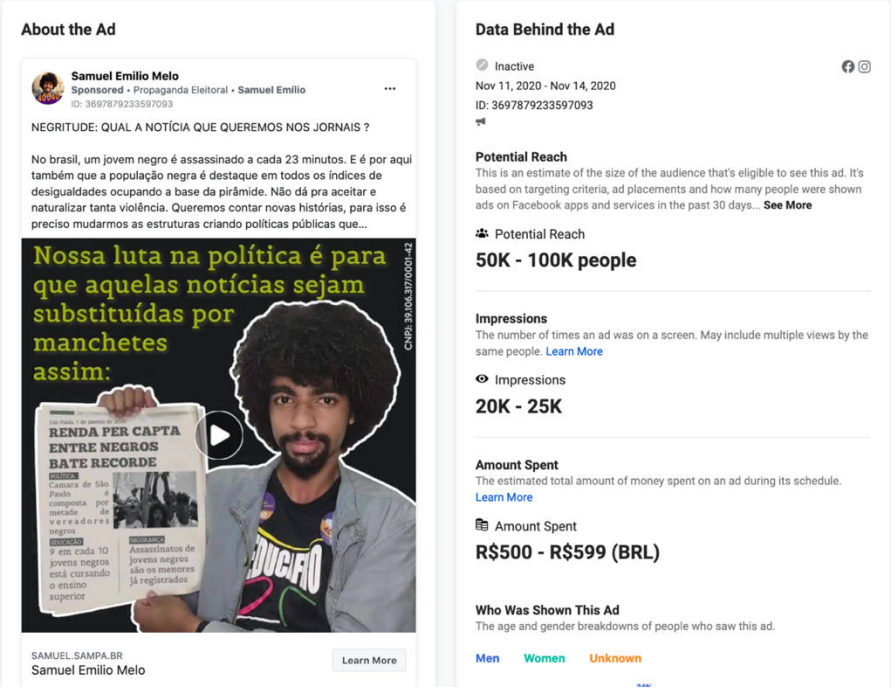


Figure 16 Information on the Instagram-circulated political ad in the Ad Library.

But there is one more reason why political ads on Instagram deserve additional scrutiny. Even where mandatory authorisation requirements apply to political ads, it is not always possible to easily identify whether content on Instagram amounts to political advertising. For instance, in the 2019 Indonesian General Elections, we observed one instance of an influencer with over 12 million subscribers posting a picture with the successful candidate for the Indonesian vice-presidency. The post was made in March, one month before the election. The influencer's content had never previously touched on Indonesian politics.



Figure 17 Post by an influencer featuring successful vice-president candidate posted one month before the 2019 Indonesian general elections.

In the Brazil case, InternetLab's review of expenditure reports by political parties and candidates in relation to "content boosting" revealed that 80.2% had been spent with Facebook and 8.1% with Google. The rest - 11.7% - was paid to online payment services and marketing companies. It is possible that some of this funding was devoted to contracting with influencers.

B. INTERFERENCE WITH STATUTORY "SILENT PERIODS"



Figure 18 Political ad shown on Instagram during the silence period.

It is common for "silent periods" to be enforced in some countries in order to ban political ads in broadcast media, such as TV or radio, ahead of key election dates. This legislation does not usually extend to online platforms. Indonesia operates comprehensive silence laws around the election period.[56] During the Indonesian 2019 general elections – when Facebook mandatory transparency requirements were not yet in place – Indonesia implemented a brief silence period between 14-16 April 2019, the two days before the election.[57] However, research by ELSAM documented political ads that ran during this time in Facebook-owned Instagram.

ELSAM similarly reports that during the silence period, political ads were banned on a "take-down" basis, as opposed to blocked from the outset. It would seem

56 Cabinet Secretariat of the Republic of Indonesia, Govt Controls Political Campaign Ads During Election Silence, 14 April 2019. Available at: https://setkab.go.id/en/govt-controls-political-campaign-ads-during-election-silence/

57 Ahmad Bil Wahid, "Quiet Period, Kominfo Finds 7 Content Allegedly Violating the Election Law on Social Media", detikNews, 15 April 2019. Available at: https://news.detik.com/berita/d-4511258/masa-tenang-kominfo-temukan-7-konten-diduga-langgar-uu-pemilu-di-medsos

that the absence of mandatory ads transparency requirements prevented Facebook from complying with the statutory silence period effectively.

As the 2020 experience shows, it is actually possible for Facebook to prevent ads from appearing on a "blocking" basis. Ahead of the 2020 US election, Facebook engaged in a self-imposed silence period for political ads starting on October 27. The "block" was originally intended to capture new ads published from Oct 27 onwards, but accidentally "caught" ads that were approved to run during that period prior to the changes being introduced.58 Even if this approach was not without failings, at least it was expansive, as opposed to minimal.

V. THE ROLE OF ELECTORAL REGULATION

In some instances, electoral regulation of political advertising can spur online platforms to introduce heightened transparency rules. However, it can also have the opposite effect. In Canada, Google banned political advertising ahead of the Canadian federal election in 2019 after legislation was passed which required online platforms to keep a registry of all political and partisan ads they directly or indirectly published. [59] The Canadian example is a powerful lesson that electoral regulation does not guarantee corresponding transparency action by online platforms.

58 Megan Graham, "Facebook political advertisers say their ads are being blocked even though they follow the rules", CNBC, 27 October 2020. Available at: https://www.cnbc.com/2020/10/27/facebook-political-advertisers-report-problems-after-new-ad-deadline.html

59 Tom Cardoso, "Google to ban political ads ahead of federal election, citing new transparency rules", The Globe and Mail, 4 March 2019. Available at: https://www.theglobeandmail.com/politics/article-google-to-ban-political-ads-ahead-of-federal-election-citing-new/

In any event, it is not enough for platforms to limit themselves to the requirements of electoral regulation, as often these requirements can be deficient.



Figure 19 Ad advertised by news outlet Poros Kalimantan promoting candidates Denny Indrayana and Difriadi Darjat in the 2020 Indonesian regional elections.

Indonesia is an apposite example. Ahead of the 2020 local elections, Facebook introduced mandatory verification requirements for political advertisers, including requiring political advertisers to provide the relevant candidate or political party's registration number issued by the General Electoral Commission.[60] Because only political parties/candidates are required by law to register with the Electoral Commission, this means that Facebook does not apply heightened verification requirements to advertisers who seek to publish political ads but are neither candidates nor obviously affiliated to political parties. In other words, it is possible for third parties to post political ads without verification. As a result, these ads are not included in the Ad Library. Our case-study revealed a political ad promoting a candidate in the 2020 regional elections published by an account belonging to a mainstream media channel on Instagram, which had not undergone mandatory authorisation to post political ads. We were able to find this ad in the Ad Library as an ad that ran without a disclaimer, e.g. had not labelled itself as political. Though this ad was eventually taken down, it reached over 1M people.

60 Facebook, Business Help Center, *Get Authorized to Run Ads About Social Issues, Elections or Politics*. Available at: https://www.facebook.com/business/help/208949576550051?id=288762101909005&country_select=ID

In Brazil, electoral law prevents individuals from hiring content boosting in social media favoring candidates, parties, or multi-party coalitions. This leaves no "grey area" for political ads to fall through the cracks based on who the advertiser is. However, there is another lesson to be learned from the Brazilian example. Electoral regulation defines electoral ads narrowly. By contrast, Facebook defines political ads expansively and does not require an ad to promote a specific candidate or party to be considered political.

This means that some ads – which fall outside the 'electoral ad' regulation – are regulated by Facebook as political ads i.e. without the compulsion of electoral law.

The Brazilian Electoral Superior Court makes it a requirement for electoral ads to be labelled "Propaganda Eleitoral" (political advertisement). However, Facebook puts the onus on advertisers to ensure compliance with local rules.[61] This means that practically, it is up to the advertiser to label its ad as required by the law. Advertisers in Brazil wishing to create an ad relating to political or electoral issues must select the option "I'm creating a campaign for ads in a Special Ad Category". After selecting that option, have the choice to label their ads as "Propaganda eleitoral" (political advertisement), "sponsored", and "paid by".[62] This makes it possible for an advertiser to choose an option other than the legally mandated "Propaganda Eleitoral", and publish a political ad without properly labelling it. If improperly labelled, it is possible for the platform moderators to miss that it is a political ad, and for this ad not to be included in the ad library. For instance, in 2020, ads were spotted on Facebook encouraging online users to take part in protests supporting Bolsonaro's veto to a law which would increase funding to Congress. Reporting of the incident noted that the

61 Facebook Business. *Requirements for ads about elections or politics in Brazil*. Available at: https://www.facebook.com/business/m/one-sheeters/ads-with-political-content-brazil

62 InternetLab research.

proliferation of these ads was not forbidden by either online platform standards or the electoral law.[63] The original story includes screenshots of ads posted by a prominent Brazilian entrepreneur taken from the Ad Library. PI attempted to retrieve these ads by searching for the name of the entrepreneur Ad Library. However, though the search bar showed the entrepreneur's official Facebook page as an option in its drop-down menu, the search yielded 0 results. It would appear that the official Facebook page from which these ads had been posted was taken down, which in turn resulted in these ads being erased from the Ad Library despite their clear political effects.

Further, if online platforms to strictly adhere to the minimum standards set by electoral law, transparency could be undermined by certain regulatory changes. For example, electoral law in Brazil is reviewed every two years two adapt itself to whatever new challenges exist.[64] The fact that electoral law is reviewed to ensure its continuing adaptation to new technologies is undoubtedly a positive thing. However, the relative instability of electoral regulation could make it possible for politicians to push for amendments that would benefit them and not the general public.

VI. RECOMMENDATIONS

Online platforms must ensure that they provide heightened, compulsory transparency standards globally. While both Facebook and Google have extended the number of countries to which mandatory authorisation/verification requirements apply, they are still far from achieving global coverage. As our report shows, it is not enough for transparency tools to be made available: if

63 Aiuri Rebello, "Bolsonaristas pagam por postagens pró-ato com ataques a Congresso e STF", UOL Noticias, 11 March 2020. Available at: https://noticias.uol.com.br/politica/ultimas-noticias/2020/03/11/bolsonaristas-pagam-anuncios-de-atos-pro-governo-no-facebook-e-no-instagram.htm

64 InternetLab, *Working through Information and Politics: achievements and prospects*. Available at: https://www.internetlab.org.br/en/information-politics/working-through-information-politics-achievements-and-prospects/

they are not compulsory, they are unlikely to be used and therefore do little to further transparency.

Social media companies must ensure that they provide similar transparency standards across all platforms which are used to publish political content. Instagram is a platform growing in popularity for political advertisers. However, where mandatory authorisation/verification requirements do not apply in a given country, even less information is visible to users about a political ad appearing on Instagram than there would be if the ad was appearing on Facebook.

Online platforms must adapt their transparency policies to capture all types of political advertising, and take steps to ensure that these policies are enforced. The growth of influencer-led political advertising warrants additional scrutiny, as political branded content is not always apparent.

Online platforms must make public the criteria they use to deploy heightened transparency requirements. While there is some correlation between additional electoral regulation and the deployment of heightened transparency measures by platforms, this is not always the case. Platforms must set out the reasons why a country is subject to transparency, as well as the decision-making processes involved.

Online platforms must commit to higher standards than the basic requirements laid down by electoral law. Electoral regulation is a good starting point, but can often fall short. As such, it should be considered by platforms to be a baseline, not a ceiling.

Online platforms must ensure that they engage in open dialogue with electoral and data protection regulators. Cooperation between online platforms and regulators is key to ensure that the extent of online political advertising and related expenditure by political actors is known and scrutinised.

VII. CONCLUSION

Growing internet penetration and the rising popularity of social media have made social media platforms a key battlefield for political actors in the fight for votes, where political ads have proved themselves to be a popular weapon. However, important questions arise about the legitimacy of political ads served on users in the absence of heightened transparency and information guarantees that enable ad recipients to put the ad in context and understand how they came to be targeted by it.

Seemingly understanding of this imperative, social media platforms have moved to introduce checks on political advertisers and greater information for political ads. However, the benefits of social media self-regulation in favour of ads transparency have not been enjoyed equally by all. Developed countries were among the first to benefit from heightened transparency tools, and social media platforms have lagged in their efforts to expand the list of countries offering users the most favourable terms. The persisting gap between countries sends a clear, unconscionable message: some users deserve better terms than others.

In international trade agreements, clauses requiring a country to receive the same advantages and privileges as other trading partners are common. The fact that the application of the same principle has not extended to social media platforms' treatment of political advertising in circumstances where the exercise of civil and political rights is at stake, is as regrettable as it is shocking.

Social media platforms must take responsibility for the adverse impacts to democracy resulting from the slow implementation of equal ads transparency standards worldwide, and commit to take concrete steps to make the benefits of ads transparency available to all of their users without distinction.

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