Money in Politics in the Era of Globalization and Digitalisation

DISINFORMATION, ARTIFICIAL INTELLIGENCE AND ELECTORAL CAMPAIGNS

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1. What are the common points and the differences between disinformation and AI?

Common characteristics : virality, anonymity, interference in privacy, cross borders practices, advertising, low cost investment and failure of self regulations and legal regulations until now.

• **An international dimension:** all regulations on electoral law and political finance have been conceived at a national level, inside the borders of a country. Electoral law is part of sovereignity of the states.

• **A national ceiling of electoral expenditure** will not be dissuasive, if at the same time, spendings on digital platforms or AI campaigns conducted from abroad are not recorded by candidates or political parties.

• **Differences between disinformation and AI** : From a technical point of view, AI makes content generation and propagation faster, more automatic and easier.

2. What is the impact of disinformation on elections and how is it possible to fight disinformation ?

- Voters are not able to differentiate between authentic and fabricated information.It instills doubt in the authenticity of genuine information.

- The **cases of disinformation**

- The **failure of containment of the disinformation:**

- the speed of disinformation,

- the unability of the operators to carry out a fact checking policy,

- the location of the service providers outside the jurisdiction of the country where the electoral campaign takes place.

- **The legal and operational responses**
- **The legal ones**

-The **German** Network Enforcement Act 2017.
-The **French Act on the fight against the manipulation of information 2018:** interlocutory proceedings to stop within the timeframe of 48 hours the spread of some false information likely to harm the fairness of elections.
The criteria: The misleading information must be artificial or computerized,deliberate and spread by mass distribution.
 -The **French foreign interference Act** adopted last June requires people lobbying for foreign interests to sign up to a registry with sanctions for those who did not.
- The **UK Online Safety Act** places requirements on social media platforms to swiftly remove illegal misinformation and disinformation - including artificial intelligence-generated deepfakes .Provisions on « Democratic importance ». Guidance on social media.

EU: The Digital Services Act (February 2024): transparency requirements of big social platforms

The Regulation on the transparency and targeting of political advertising (March 2024)

- Reinforcement of the integrity of election campaigns, fight of disinformation and foreign interference.

- **Political advertising** : allowing people to see why they were targeted, who sponsored the ad,how much they paid, which elections it refers to. Impact on campaign costs.

- **Targeting of users** only if they have given consent for their personal data to be collected and some types of personal data cannot be used.

- **Sponsoring ads from outside the EU** in the 3 months period leading up to elections are banned

Operational actions

The Canadian example

- The **Critical Election Incident Public Protocol (2019)** to monitor and alert the public to credible threats to Canada's elections.

- The team is a panel of top public servants tasked with determining whether incidents of interference meet the threshold for warning the public.

- If a public annoucement is deemed necessary, the Panel would inform the Prime minister, the major party leaders and Elections Canada

- **The French example: the Presidential election 2022**
- **Google and Meta**: provided information on social platforms to **candidates,**set up **information campaigns on disinformation** and a **partnership** with the **French News agency** to flush out sources of disinformation
- Creation of a **contact point** between certain operators and the **Broadcast authority**
- **Share on information on disinformation** by a **Task Force** by the Secretary General for defence with the **Broadcast Authority**
- Opinions adressed by the Supervision authority for the presidential electoral campaign **on the use of social media by candidates**

3.What are the bad and the good sides of AI regarding electoral campaigns ?

Negative points

- Manipulation of ideas and messages, creation of selective exposure of voters to politically oriented information

- Fragmentation of the political speech: one thing to a voter and a different one to another one

Positive points

- Closer connection with individuals

- Alignement between political representatives and citizens

- Social media content moderation

- The use of algorythms to identify foreign interference to monitor suspicious activity

4. What actions may be taken against manipulations of AI for electoral purposes ?

- **Disclosure** European AI Act (2023): AI in electoral campaigns considered as a high risk system. Requirements of transparency, information, traçability and oversight.

- **Draft Framework Convention on AI of the CoE (2024):**

- Measures against malicious foreign interference in the electoral process

- Accountablility for the adverse impacts on Democracy

- **Prohibition**

- Legal actions taken to curb the influence of AI generated messaging on elections: California,Texas

BACK

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

46 MEMBER STATES
46 ÉTATS MEMBRES

Map labels:
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