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**Monitoring Online Political Advertising: A Toolkit**

The Carter Center

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This second step is critical and should begin as early as possible in the analysis process.

The identification of both contestant and noncontestant (*when relevant*) accounts that may run advertisements should be performed by local staff or volunteers with an understanding of the electoral context and political issues at stake.

Data collection methods will vary depending on data accessibility:

This third step should be conducted during the electoral process as advertising data is collected, or at the end of the process once all data is collected (*see Checklist for monitors*). However, where large volumes of ad data are collected, ads should be monitored on an ongoing basis to avoid information overload.

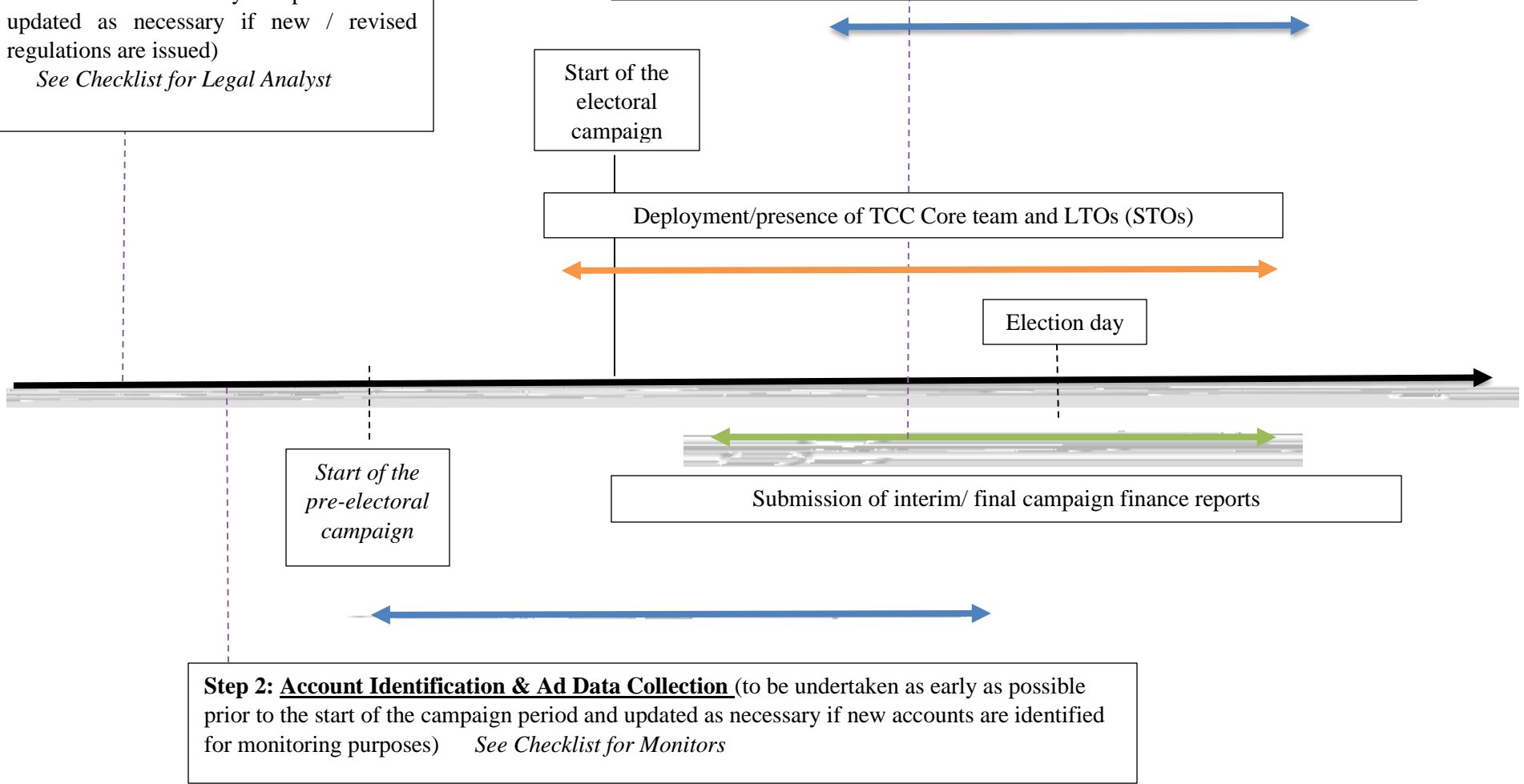
Monitoring should be performed by local staff or volunteers with an understanding of the electoral context.

The analysis of the findings of social media political ad data monitoring should be integrated into a final report, together with an analysis of domestic regulations and platform policies as well as recommendations for reform aimed at different types of actors/ stakeholders.

**Monitoring and Assessment timeline**

**Step 1: Analysis of Domestic Political Advertising Regulations & Social Media Advertising Policies** (one to two weeks; to be undertaken as early as possible and updated as necessary if new / revised regulations are issued)  
*See Checklist for Legal Analyst*

**Step 3: Monitoring and Analysis of Ad Data** (ongoing through Election Day; to be implemented as soon as ad data is collected)  
*See Checklist for Legal Analyst*  
*Media Policy*  
*See Checklist for Monitors*



**Step 2: Account Identification & Ad Data Collection** (to be undertaken as early as possible prior to the start of the campaign period and updated as necessary if new accounts are identified for monitoring purposes) *See Checklist for Monitors*

### 3 PART 1: AD REGULATION & POLICY ANALYSIS

#### 3.1 Legal analysis of political advertising regulations

As a first step, teams should conduct a legal analysis of domestic political advertising regulations relevant and applicable to social media political advertising during an election process. Teams should use the legal analyst checklist in to this methodology toolkit (*see Annex 7.3*) as they do this.

The checklist guides analysis of key questions, including:

- How political advertising is defined.
- When political advertising is permitted.
- Which entities are permitted to run political advertisements.
- Limits on advertising expenditure (or campaign expenditure writ large).







## **4 PART 2: ACCOUNT IDENTIFICATION & AD DATA COLLECTION**

Once the analysis of the applicable legal framework and social media platform policies is done, the dedicated core team member or monitor must identify the accounts used by electoral actors in order to collect advertisement data.

### **4.1 Identification of accounts that may run advertisements**

Before the monitor can collect social media advertising data, s/he needs to identify accounts that may run advertisements. At a minimum, s/he should identify the URLs of the following social media accounts:

Accounts (i.e. social media pages) of electoral contestants (political parties and candidates) legally registered to compete in elections.

Accounts of noncontestants who are

**ATTENTION:** The process of compiling a

While it is not possible to know which **political parties or candidates** will contest an election until the candidate nomination process is finalized, compiling a list of likely contestants, taking into account different elements (candidates/parties listed in opinion polls, electoral contestants who have run in previous elections, pre-campaign activities), is advised so the monitor can start collecting advertising data as soon as possible. (This is important because some would-be contestants may run advertisements well ahead of the campaign period.)

Identifying accounts of **noncontestants** may prove challenging. It may be reasonably assumed that some prominent political figures and issue-based organizations (which, for instance, participated actively in previous campaigns) may be “likely” advertisers and run ads on behalf of a political contestant or to advance a political agenda.

The most rudimentary way to identify likely advertisers is to identify accounts that are actively running advertisements. If possible, efforts should be made to **crowdsource active political advertisements** so that these accounts can be added to the monitoring list.

There may also be a number of accounts created to support political parties or candidates ( ) as well as accounts that are created to discredit one or more parties or candidates ( ). While many of these accounts may not run political advertisements, some may run ads to advance a political agenda.

A creative way to identify accounts that may run advertisements is to conduct a social network analysis (SNA). An SNA can help to identify networks of accounts that form communities engaged in information sharing, either in a tight-knit or loose-knit manner. Some accounts that spread information generated by contestants are “pro” accounts that may run advertisements to support a candidate. An SNA should be conducted ahead of an election mission deployment in order to identify potential clusters of accounts and coordination patterns between different contestant and non-contestant accounts, as this may reveal attempts to circumvent campaign finance regulations and rules on independent expenditures.

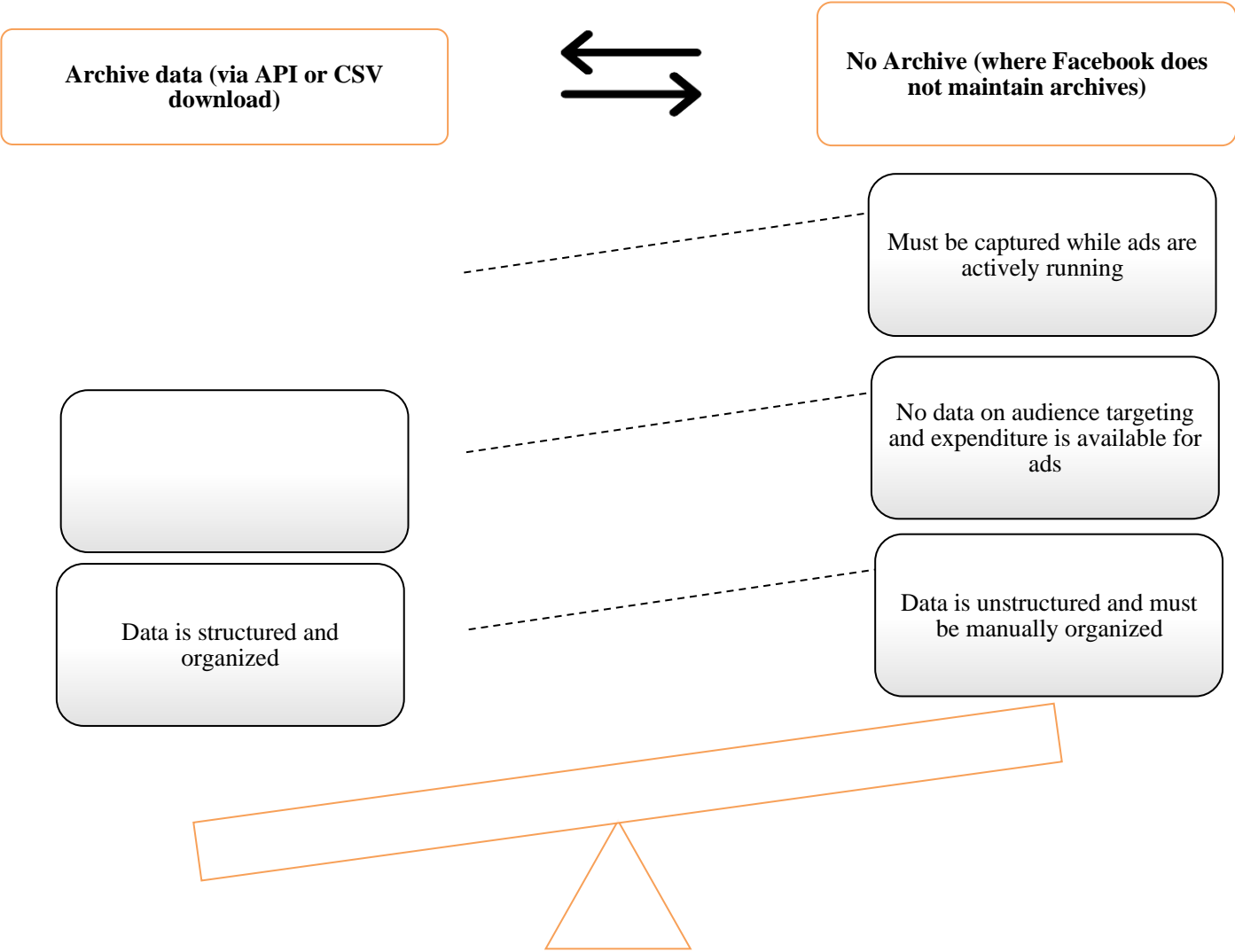
## 4.2 Collecting advertising data for monitoring

### 4.2.1 *Access to social media platform data*

Social media companies have adopted varying ad data access policies.

In countries **where advertisers register and social media platforms maintain ad archives**, advertising data can be accessed via application programming interface (API).<sup>7</sup> To access data via API, the mission will need to hire a developer who has experience working with APIs. In the case of Facebook, the developer

Differences between social media ad data access policies



#### 4.2.2 Access to (interim) campaign finance reports

Depending on the applicable legal framework, electoral contestants (and sometimes noncontestants) have to submit interim reports containing all income collected and all spending incurred for electoral purposes. Some campaign-finance regulations require electoral contestants to separately account for and report their social media political advertising costs. In this instance, the mission has the opportunity to compare whether the data collected and scraped from the different ad libraries roughly corresponds to the reported costs of social media political advertising in the electoral contestants' interim reports (and *a fortiori* the final campaign finance reports).

The format for submission and disclosure of financial reports in relation to social media political advertising spending (hardcopy, softcopy, published on website) is not uniform. It varies by jurisdiction and by the type of election. For example, in the United States, candidates for federal office are required to file a report of contributions and expenditures with the Federal Election Commission (FEC) and to make these reports available to the public on the FEC's website. In the United Kingdom, candidates for the House of Commons are required to file a report of contributions and expenditures with the Electoral Commission and to make these reports available to the public on the Electoral Commission's website. In the United States, candidates for state office are required to file a report of contributions and expenditures with the state's campaign finance authority and to make these reports available to the public on the authority's website. In the United Kingdom, candidates for the House of Lords are required to file a report of contributions and expenditures with the Electoral Commission and to make these reports available to the public on the Electoral Commission's website. In the United States, candidates for local office are required to file a report of contributions and expenditures with the local campaign finance authority and to make these reports available to the public on the authority's website. In the United Kingdom, candidates for the House of Lords are required to file a report of contributions and expenditures with the Electoral Commission and to make these reports available to the public on the Electoral Commission's website.

Number of political ads found on the observed social media platforms  
Number of political ads monitored on the observed social media platforms  
Number of political ads run by contestants and noncontestants  
Number of political ads run by permitted advertisers  
Number of political ads run by **prohibited advertisers\***  
Number of political ads run **outside the designated campaign period\***  
Number of political ads run by verified advertisers  
Number of political ads run by **unverified advertisers\***  
If available, amount of political advertising expenditure by advertiser (estimate based on the price ranges provided by the social media platforms)

Quantitative data analysis of the number of ads run that constitute potential violations of domestic political advertising regulations (**marked with an asterisk**) will help the mission







## **6 RECOMMENDATIONS**

There are very few international standards for political finance. Two distinct strands of international standards and instruments affect political finance: There is a series of international treaties and agreements that address democratic participation, e.g. human and political rights, and another that focuses on anti-corruption measures and political finance regulation. The main international instruments relevant for assessing political finance are Para. 19 of the United Nations Human Rights Committee, General Comment No. 25 to Article 25 of the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Convention against Corruption (UNCAC) 2005, Article 7-3, which calls for reasonable limitations on campaign expenditures and the need for transparency in the funding of election



## 7 ANNEXES

### 7.1 Glossary

- Social media platform: Internet site or internet application whose owner or operator, in the course of their commercial activities, sells, directly or indirectly, advertising space on the site or application to persons or groups. In the electoral context, those refer to internet-based platforms used by social media networks (Facebook, Instagram, Messenger, WhatsApp, Google, etc) to promote any profiles or accounts of their users.
- Political advertisements: Advertisements generated by a political/electoral contestant or by a non-contestant to influence opinion in support of, or in opposition to, a political/electoral contestant. Although political advertising generally covers paid-for advertisements, it can sometimes relate to free or subsidized ads paid for by the state.
- Issue-based advertisements: An advertisement may be considered issue-based if it is generated by a noncontestant to influence opinion in support of, or in opposition to, an issue of political debate or if it takes a position on anything that is or may become an issue during an election campaign, from an item in a candidate/political party's platform to an issue at the electoral national or district level.
- Ad library: A place where one can search for ads that are running across a given social media platform's apps and services. Search is possible for ads that are currently active on the platform apps and services as well as for inactive ads that are about issues, elections, or politics. When accessible, the ad library generally shows additional information about these ads, such as who funded the ad, a range of how much they spent, and the reach of the ad across multiple





### 7.3 Checklist for legal analyst

*This checklist is intended to guide analysis of political advertisement regulations that are relevant and applicable to social media platform advertising. This checklist will be used to inform activities aimed at monitoring political advertising on social media to identify:*

- a) regulatory violations (by political parties, candidates, noncontestants, media, etc.);*
- b) social media platform policies that may violate or facilitate violations of regulations;*
- c) shortcomings in platform reporting and disclosure requirements that inhibit analysis; and*
- d) weaknesses in the regulatory framework that need to be strengthened vis-à-vis social media.*

#### I. APPLICABLE LEGAL FRAMEWORK

##### 1. Where are rules pertaining to political advertising set out?

- Constitution
- Electoral Code
- Law on Political Parties
- Broadcast Act
- EMB Code of Conduct / Guidelines / Regulations
- Memorandum of Cooperation

*If regulations are contained in different pieces of legislation, please explain if they are consistent with one another or if there are any inconsistencies.*

##### 2. How is political advertising defined?

*In regulatory frameworks that have been updated recently, social media or, more broadly, digital media or online media may specifically be noted as a form of media. In older regulatory frameworks, it may be the case that social media is not referenced whatsoever, which would make it unregulated*

- Paid political advertising is prohibited in public and private media, but candidates and political parties are provided with free or subsidized airtime.
- Political advertising is prohibited in both public and private broadcast and social media but allowed in print outlets.
- Political advertising is prohibited in public and private broadcast and print media and unregulated in social media.
- Political advertising is allowed in public and private broadcast and print media and unregulated in social media.
- Political advertising is allowed in all types of media — broadcast, print and social media.

*If political advertising on social media is allowed, please explain how social media is referenced in the regulations (e.g. social media advertising, digital media advertising, online media advertising, etc.):*

*For*

Medium	Type	Allowed	Subsidized	Prohibited	Unregulated
<b>Broadcast</b>	<i>Public</i>				
	<i>Private</i>				
<b>Print</b>	<i>Public</i>				
	<i>Private</i>				
<b>Social Media</b>	<i>Private</i>				





**7. Are there limits on the amount political parties or candidates can spend in general?**

**12. Are there requirements for private media to provide transparent and equal rates for political advertisements?**



#### **7.4 Checklist for social media policy**

*This checklist is intended to facilitate a comparative analysis between domestic regulations and social media political advertising policies. The goals of this checklist are to (a) evaluate the degree to which social media advertising policies comply or conflict with domestic political advertising regulations and (b) identify where social media advertising policies enable or inhibit evaluation of compliance. This checklist should be completed after the Checklist for legal analyst is completed. Answers to questions may*

Other

*If other, please explain (e.g., expenditure data is provided for some advertisers, but not others).*

**4. If regulations require private media outlets to register to be eligible to run advertisements, do social media platforms register as media outlets to be eligible to run advertisements?**

See “

III.11.

*Answers to this question may be found by interviewing social media platform representatives or relevant domestic authorities charged with management and oversight of political advertising.*

Yes

No

*If no, please explain.*

**5. If regulations require private media outlets to provide equal rates for political advertisements, do social media platforms provide equal rates for advertisements?**

See “

*Answers to this question may be found by reviewing policies published by social media platforms, interviewing social media platform representatives or relevant domestic authorities charged with management and oversight of political advertising.*

Yes

No

*If BT/F3 11.04 Tf1 0 0 1 108.02 475.99 Tm0 (advert)5(i)-4(s)9(em)5(ent)-3(s)9( )] TETQq0.00000912 0 864 351fg2 792*

## 7.5 Checklist for monitors

*This checklist is intended to guide data collection for monitoring and evaluation of individual social media political advertisements. The goal of this checklist is to facilitate documentation of the nature and amount of political advertising as well as violations of domestic regulations and other concerns. The checklist is a generic template that should be adapted to different contexts based on legal analysis of political advertising regulations (see Checklist for legal analyst).*

### 1. On which platform(s) is the advertisement running? (Select all that apply.)

- Facebook
- Instagram
- Messenger
- Audience Network
- WhatsApp







**15.1 If the advertisement contains false or misleading information, please explain:**

[\_\_\_\_\_]

**7.6 International legal framework<sup>16</sup>**

Two distinct strands of international standards and instruments affect political finance: There is a series of international treaties and agreements that address democratic participation, e.g., human and political rights, and another that focuses on anti-corruption measures. Both are important to our understanding of the scope and purpose of regulating social media political advertising. See below for relevant excerpts.<sup>17</sup>

**UNIVERSAL/ GENERAL INSTRUMENTS**

International Covenant on Civil and Political Rights ([ICCPR](#)) Article 25, 1966:

“E

*elected at genuine periodic elections which shall be by*

[General Comment No. 25](#) <sup>18</sup>:

Paragraph 19

*is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party.*

[UNCAC Article 7\(3\)](#)<sup>19</sup>:

*measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political*

<sup>16</sup> Based on the classification made by the European Commission in the [compendium of International Standards for Elections](#), fourth edition.

<sup>17</sup> The [Council of Europe](#)



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**POLITICAL COMMITMENTS**