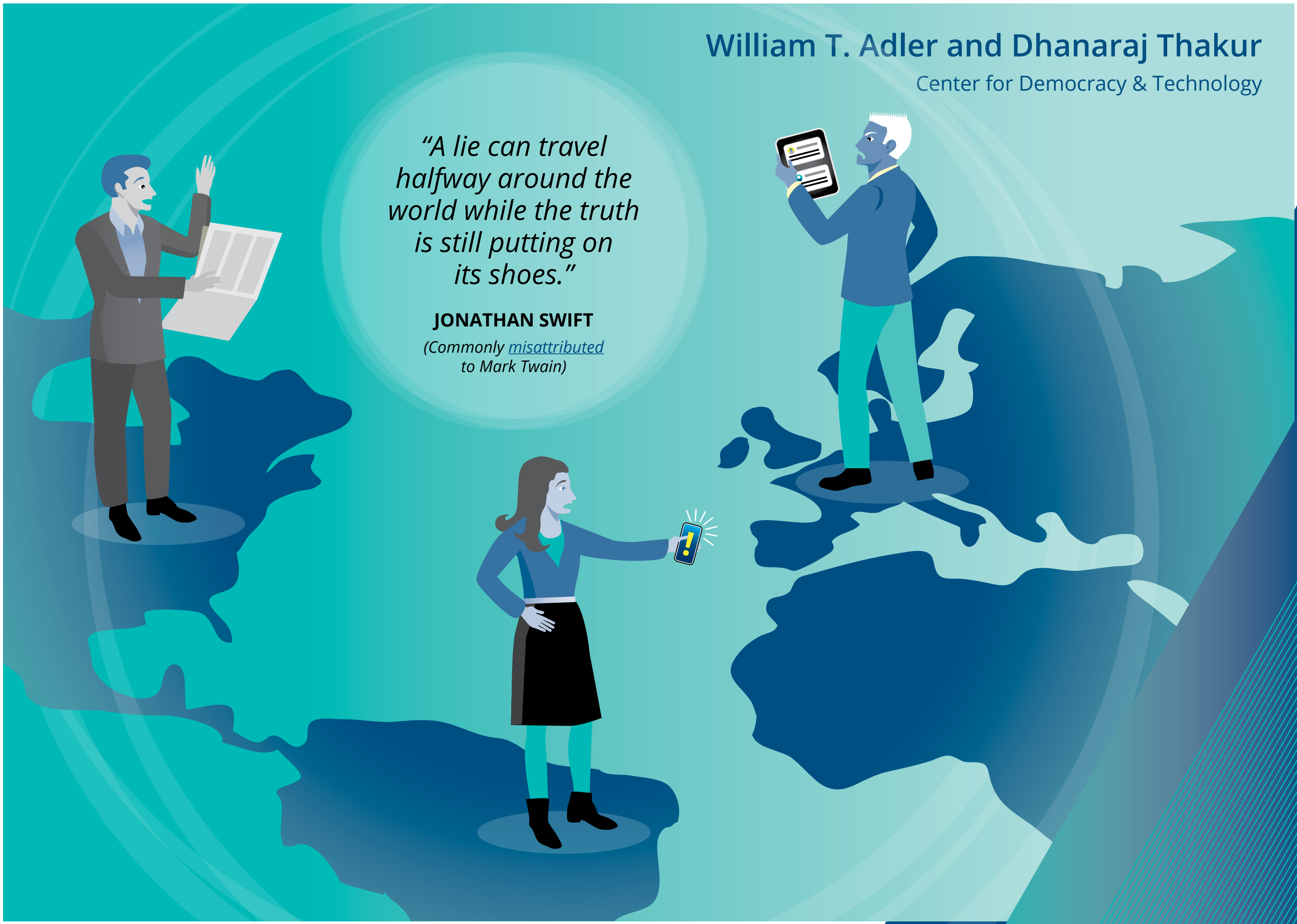
KONRAD
ADENAUER
STIFTUNG

A Lie Can Travel:

Election Disinformation in the United States, Brazil, and France



William T. Adler and Dhanaraj Thakur
Center for Democracy & Technology

"A lie can travel halfway around the world while the truth is still putting on its shoes."

JONATHAN SWIFT
(Commonly misattributed to Mark Twain)

CENTER FOR
DEMOCRACY
& TECHNOLOGY

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CENTER FOR DEMOCRACY & TECHNOLOGY

The Center for Democracy & Technology is a 501(c)(3) working to promote democratic values by shaping technology policy and architecture, with a focus on the rights of the individual. Based in Washington, D.C., and with a presence in Brussels, CDT works inclusively across sectors to find tangible solutions to today's most pressing technology policy challenges. Our team of experts includes lawyers, technologists, academics, and analysts, bringing diverse perspectives to all of our efforts. Learn more: **cdt.org**.

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Executive summary

In 2016, Russian hackers released hacked emails from Democratic officials, rocking the U.S. presidential election. In 2017, a similar hack-and-leak operation released thousands of documents on Emmanuel Macron, just hours before the start of the French election period media blackout. In 2018, while Brazilians were voting for president, Jair Bolsonaro's son circulated a misleading video that falsely implied that voting machines were converting votes from Bolsonaro to his rival. The day after the 2020 U.S. presidential election, driven by false claims about felt-tip markers ("Sharpies") used to mark ballots, protesters descended on an election office in Arizona waving markers—and guns.

Around the world, election disinformation—false or misleading information about electoral processes, election outcomes, political parties, political candidates, and the perceived legitimacy of election officials—appears to be taking hold.

In many countries people are dissatisfied with how democracy is working. Less than half of people in the U.S., Brazil, and France report having confidence in their national government. And less than half believe that votes in their countries are counted fairly "very often." (In Brazil, that number has dropped from 21% in 2014 to just 14% in 2018.)

Low levels of trust in democracy and in government can create a vicious cycle when combined with election disinformation. For example, low trust may increase receptiveness to election disinformation, which in turn may further reduce trust in democracy. Research to understand this problem, particularly in an international context, is still nascent. This report examines case studies of election disinformation—and interventions aimed at combating disinformation—in the U.S., Brazil, and France.

Election disinformation spreads through a multitude of channels: through online or traditional media; from members of the public or from powerful leaders. However, recent events in the U.S., Brazil, and France suggest that the role of government officials and candidates can have an outsized impact. For example, election disinformation has been widespread in the U.S. and Brazil, but has remained relatively peripheral and unimpactful in France. This research suggests that this is likely due to American and Brazilian politicians (President Trump, President Bolsonaro, and their allies) using social media and other platforms to sow distrust about their respective countries' electoral systems. Further, our research indicates that Presidents Trump and Bolsonaro have each conflated potential vulnerabilities in electoral systems with actual evidence of fraud, fomenting distrust and anger. No court found evidence of widespread fraud in the 2020 U.S. election—however, some Republican politicians continue to promote the falsehood that the election was rigged against Trump.

Another factor to consider is the degree of centralization in the administration of elections. Elections in Brazil and France are executed by relatively strong central authorities with relatively uniform roles. In the U.S., authority to set rules and execute elections is divided among Congress, the states, and the localities. The decentralized nature of the U.S. election system means that there is no simple way to describe how elections are administered across the country, creating knowledge gaps and uncertainty that disinformation-peddlers can leverage.

The unique vulnerabilities present in institutions within a country's electoral system and the ways that they are exploited may also help explain the spread of election disinformation. In 2016 and 2017, respectively, the U.S. and France elections were interfered with via hack-and-leak operations. In the U.S., Russia targeted Hillary Clinton and the Democratic party. In 2017, the target was Emmanuel Macron's presidential campaign. While the 2016 U.S. interference operation had a major impact, the 2017 French operation is generally thought to have had a minimal impact.

We have seen some similarities in attempts to mitigate disinformation in each country:

- Governments took steps to combat disinformation by fact-checking narratives as they emerged. For example, in the wake of the 2020 U.S. presidential election, the Cybersecurity and Infrastructure Security Agency created the Rumor Control page to debunk disinformation as it happened. In Brazil, the Superior Electoral Court (TSE) fact-checked disinformation leading up to and on recent election days. Before each presidential election, France establishes the National Commission for the Control of the Electoral Campaign for the Presidential Election (CNCCEP) to monitor and intervene against disinformation.
- Governmental efforts to debunk or "pre-bunk" disinformation are not always effective, in part because government agencies do not always have strong communications capabilities or a habit of communicating effectively with the public. But they often provide an important authoritative source for journalists to use in their own stories responding to disinformation. This may be tempered by the fact that trust in the media and government is low in all three countries.
- While governments can play an important role, they can also overstep. Legislatures in all three countries have proposed interventions that in some cases are extremely overbroad, to the extent that they may be incompatible with upholding international standards of free expression. These proposals have created pushback from advocacy groups and other members of civil society. In general, we found that no comprehensive legislative effort to regulate disinformation has been passed, upheld, applied regularly, and been consistent with international standards of free expression.

- In recent years, social media platforms have all initiated efforts to limit the spread of disinformation, through some combination of fact-checking and labeling content, taking down content, or limiting the virality of forwarded messages. More research and transparency is needed to determine the effectiveness of these measures.
- Some of the most promising methods for fighting disinformation involve collaborations between governments, academics, social media platforms, journalists, election officials, and civil society, to monitor and mitigate election disinformation.

Our review points to several lessons about addressing the problem of election disinformation:

- Governments ought to fulfill their obligations to respect human rights when considering legislation aimed at addressing disinformation.
- The contrast between the impact of disinformation in the United States and Brazil versus France suggests that the role of government officials is significant. Government officials ought to commit to not traffic in disinformation and to take seriously their role in countering objectively false information about voting processes.
- Social media companies should be more transparent about their efforts to combat election disinformation, and about the effectiveness of those efforts. They should also be more transparent about how platform ranking and amplification algorithms affect the spread of election disinformation.
- Social media platforms should increase researcher access to data, in order to support independent research by academics, journalists, government, and civil society.
- More research should be done on how to build effective whole-of-society approaches that coordinate governments, civil society, traditional media, social media, and end users.

Introduction

On the first day of voting in the 2018 Brazilian presidential elections, a video circulated online that ostensibly showed an electronic voting machine "auto-completing" a vote intended for Jair Bolsonaro, turning it instead into a vote for Fernando Haddad, the other top candidate. The video, which **wrongly** implied that the voting system was rigged in Haddad's favor, was amplified by Flávio Bolsonaro, senator and son of Jair Bolsonaro.

This is hardly an isolated example. Election disinformation is spreading around the world, undermining trust in democracy. Mis- and disinformation about elections is especially concerning given their central role in the health of any democracy. Across the world, various strategies have been proposed or implemented by governments, social media platforms, and civil society in an attempt to mitigate the impact of mis- and disinformation. What can we learn from these experiences and how can we better address the problem?

In this report, we focus on false or misleading narratives about electoral processes, election outcomes, political parties, political candidates, and the perceived legitimacy of election officials. Generally speaking, **misinformation** refers to false content. **Disinformation** generally includes an element of intent to cause harm or mislead. Finally, malinformation refers to information that might be technically true but has malintent. We sometimes use "election disinformation" as a generic and broad term to refer to these categories.

This report examines election disinformation and the interventions proposed to combat the problem in three countries: the United States, Brazil, and France. There is much to be learned by taking an **international perspective** on how election disinformation spreads and can be mitigated. We use these three countries as case studies.

The three countries examined here represent quite different electoral and political systems, but have all faced the problem of disinformation in national and local elections. We employ a comparative framework to examine election disinformation using three main elements: (1) the context of the electoral system and the media environment, (2) recent examples of election disinformation, and (3) key interventions proposed or employed to address the problem. Finally, we analyze the similarities and differences across these elements and identify key lessons and recommendations.

United States

Electoral system

Of the large democracies of the world (including the two other countries included in this report) the United States electoral system is unique in one important respect: it is extremely decentralized. Rather than a single, unified electoral system, the U.S. Constitution creates a role for both Congress (the national legislature) and the individual legislatures of the 50 states to determine how elections are administered. Although Congress has the power to specify the "Times, Places and Manner" of how elections are held, in practice it leaves a great deal of discretion to the states in how to administer elections.

With Congress and state legislatures setting the rules, the responsibility to administer the election then falls to counties and municipalities, such as cities and towns. Accordingly, across the country, there are about 8,000 jurisdictions responsible for elections. Responsibilities can include the purchasing and operating of hardware, software, equipment and, to a large extent, maintaining the security of those assets. The population of these jurisdictions can range from just a few hundred registered voters to nearly 5 million (in the largest election jurisdiction, Los Angeles County, California).

The decentralized nature of the system may create a fertile environment for electoral disinformation. First, the diversity of laws and practices poses challenges for voter education. There is no simple way to describe how elections are administered across the country, which creates knowledge gaps and uncertainty that disinformation-peddlers can leverage. Matthew Masterson, a former election official at the state and federal level, noted that this uncertainty can allow narratives to spread across jurisdictions that run elections very differently. Referring to the Sharpiegate disinformation campaign (which we will describe later), Masterson said: "One of the things we saw in 2020, and after, is the use of the uncertainty about how a certain state or jurisdiction runs an election to spread mis- and disinformation broadly in other places. You saw jurisdictions being accused of rigging the election with Sharpies when they don't even use Sharpies or that same voting system."[1] While the heterogeneity of voting procedures in the U.S. may be partly responsible for the spread of election disinformation, it is likely that the COVID-19 pandemic worsened matters even further by leading to rapid and, in some cases, drastic changes to how 2020 elections were conducted.

[1] Interview with Matthew Masterson, October 7, 2021.

Second, many of the election offices of these 8,000 jurisdictions operate with a very small staff. Few of these officials are communications experts, and most of them are already spread thin by their responsibilities to administer and secure elections, leaving them ill-equipped to respond quickly and effectively to election disinformation.

Third, there is no comprehensive federal strategy to combat election disinformation, as no federal agency "has a focus on, or authority regarding, election misinformation originating from domestic sources within the United States."

This means that it takes a village to identify and mitigate election disinformation in the U.S.: various government actors, members of civil society, the traditional news media, and online services all play an important role.

Media environment

Election disinformation is not new in the U.S., nor is the media's role in both disseminating it and countering it. As early as 1909, Black voters contended with newspaper articles asserting that laws with plainly racially discriminatory intent, such as poll taxes, literacy tests, and "grandfather clauses," were not intended to disenfranchise Black voters. And as early as 1909, other newspapers, such as the Baltimore Afro-American, took it upon themselves to correct such disinformation.

What is new, however, is how people get information about elections. Since the rise of social media in the 2000s, Americans have increasingly gotten their news from these platforms. The media ecosystem has become fractured, with 52% of Americans preferring to get their news from digital platforms, 35% preferring to get it from television, and 5% preferring to get it from print publications. An understanding of how election disinformation spreads today must start with an understanding of where people go to get their news.

Traditional news media

Despite the rise of social media, in 2020, 81% of Americans reported primarily getting their political news through sources other than social media, such as news websites, TV, radio, and print. With the majority of Americans receiving their news from curated media sources, it is important to think about what Americans believe about the people and companies who produce the news.

A 2020 study by Gallup and the Knight Foundation detailed American views of the media, finding that Americans believe that the media is important and that it should be fair. The majority of Americans (81%) view the news media as "critical" or "very important" to democracy. Large majorities believe that it is "critical" or "very important" for the news media to provide accurate and fair news reports.

While traditional media may have a role in spreading disinformation (whether as active promoters, as in the case of partisan media sources, or by merely platforming false claims), it also plays a key role in fact-checking disinformation. But even though misinformation is seen as a problem by Americans, it is not clear that the news media itself is always seen as a trusted voice, whether correcting misinformation or presenting the news. According to a recent **Pew Survey**, only 58% of Americans in 2021 have at least "some" trust in the information provided by national media outlets. This is down substantially from 76% in 2016. The decline in trust has mostly been driven by Republican respondents, of whom only 35% have at least some trust, down from 70% in 2016—in our view, likely a result of President Trump's disparagement of the news media, as evidenced in this "The Hill" **article**.

Social media

The percentage of Americans who reported getting or seeing at least some of their news on social media has increased from 49% **in 2012**, to 62% in 2016, to 71% in **2020**. **In 2020**, 18% of Americans reported that social media is their most common way to get political and election news—this group is likely to be younger and less likely to be white than the rest of the population. This trend, however, is deeply concerning because those who rely on social media news are **less likely to be well-informed** and **more likely to be exposed to conspiracy theories** and unfounded claims.

Americans report being very concerned about misinformation on social media, specifically on Facebook. According to the **2020 Reuters Institute Digital News Report**, 35% of Americans find Facebook to be the most concerning online platform regarding false and misleading information (pg.19). Americans are also more concerned about misinformation originating online from domestic politicians than from journalists and news organizations.

Facebook, YouTube, and Twitter—relatively public social networks—are not the only places where election disinformation can spread online. Messaging apps like WhatsApp (which is owned by Facebook and has **more than 2 billion users** worldwide) can also be a vector for disinformation. WhatsApp allows up to 256 people to join a **group thread**; Telegram, another popular messaging app, allows **up to 200,00 members**. Clearly, disinformation has the potential to spread widely even on the less public and interconnected platforms. Most research on disinformation campaigns online (such as the ones we detail below) is conducted on Facebook and Twitter because those platforms are easier to monitor. It is exceedingly difficult to monitor the private messaging apps for election disinformation, and researchers may therefore be unaware of some major disinformation campaigns. This issue, as well as other gaps in our understanding of online disinformation, was detailed by CDT in a **2021 report**.

Examples of election disinformation

In 2016, the Russian government used a variety of tools and tactics to interfere with the U.S. presidential election. Computerized election infrastructure was attacked, with Russian hackers gaining access to voter registration databases in at least four instances. As with the Macron Leaks Operation one year later (see section on France below), political figures were hit with hack-and-leak operations, in which their personal emails were obtained and selectively leaked for maximum damage. And Russian intelligence agencies used social media platforms to spread disinformation—through individual accounts, political botnets, and recruited U.S. citizens. Much of this disinformation was aimed at fomenting anger, increasing political polarization, boosting one candidate at the expense of the other, and suppressing the vote—particularly the Black vote. The U.S. Department of Justice and the U.S. Senate Select Committee on Intelligence conducted comprehensive investigations of Russia's use of social media to interfere in the election.

The 2016 election, and the resulting fallout, drew worldwide attention to the impact of foreign disinformation campaigns on elections. But while 2016 demonstrated the danger of foreign attack, the 2020 election demonstrated that domestic disinformation can be just as damaging—and potentially even harder to mitigate. According to the Election Integrity Partnership, some of the most damaging disinformation came from domestic, authentic right-leaning "blue-check" influencers who "transformed one-off stories, sometimes based on honest voter concerns or genuine misunderstandings, into cohesive narratives of systemic election fraud."

Anonymous robocalls and text messages

Although the percentage of voters voting by mail rose substantially in 2020, a slight majority of voters still voted in person. Before Election Day, voters across the country (in 90% of area codes) received anonymous robocalls urging them to "stay safe and stay home"—an effort to seemingly persuade voters to avoid potentially getting Covid if they go vote in person. At least 800,000 voters were targeted with such calls, and the FBI opened an investigation into the source of the calls.

Other forms of mass automated calls and texts were used to spread disinformation during the 2020 elections as well. In Oklahoma, false automated texts were sent to voters saying that their polling site had been changed days before the election. The Oklahoma State Election Board took to Twitter to warn voters about these false changes. Michigan voters were targeted with additional attempts at voter suppression, receiving, for instance, calls and texts falsely telling them that they could vote the day after the election in order to avoid long Election Day lines, or giving false information about how to vote absentee.

In an event hosted by CDT in 2021, Michigan Secretary of State Jocelyn Benson described these campaigns as "egregious examples of misinformation geared to thwart voter turnout and confuse people about their options to vote." She also noted her belief that voter education campaigns blunted the impact of these robocalls on voter behavior. "In particular in [predominantly Black] communities like Flint and Detroit, where residents already had a historical nervousness around voting absentee...we had a lot of work to do to educate citizens about their rights" and about how to vote absentee. She said that, "by the time the robocalls landed in September and October, citizens were already fully aware for the most part of their rights and their options to vote and so [the disinformation campaign] wasn't effective... underscoring how advance education and empowerment of individuals is one of the best—if not the best—antidotes to misinformation."

Spanish-language disinformation

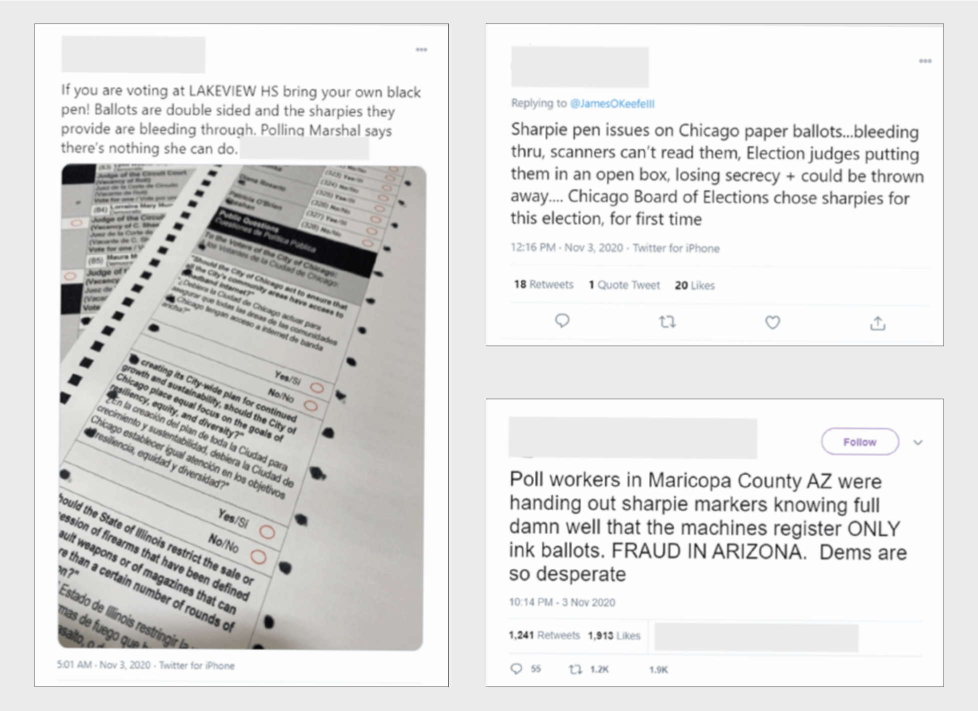
Spanish speakers in the U.S. may be particularly vulnerable to online election disinformation. Latinx voters are a very important voting population in the U.S. and are therefore the target of various efforts to sway their vote, including advertising campaigns and disinformation campaigns.

There are two reasons that Spanish-speaking communities may be particularly vulnerable to disinformation. The first is that minority language speakers are more likely to use "search terms for which the available relevant data is limited, non-existent, or deeply problematic"—or, as researchers at Data & Society have dubbed them, "**data voids.**" Spanish-speakers often lack trusted sources of information about elections, and may have **difficulty accessing translated voting materials**, finding their polling place, or finding reliable information on candidates. Researchers Claudia Flores-Saviaga and Saiph Savage **documented** how data voids were exploited by political trolls in the 2018 midterm elections, who spread disinformation about the midterm elections to Latinx audiences on Reddit. In this context, a recent **CDT Research Report** noted that disinformation campaigns in 2020 aimed to suppress Latinx participation in the election.

The second reason that Spanish-speakers may be more vulnerable to election disinformation is the difficulty of tracking narratives or moderating content on private messaging apps. Private messaging apps are very popular for people with family members and close friends living outside the United States. In 2020, Spanish-language disinformation spread quickly on WhatsApp, for instance, with users reporting being targeted with messages to sway their vote or keep them from **voting**. Much of the strategy for addressing social media online depends on being able to monitor, fact-check, and/or filter particularly problematic disinformation, reducing the number of users that it reaches. But with private messaging apps, this kind of monitoring is impossible, leaving researchers and moderators in the dark. In 2020, WhatsApp attempted to limit the virality of all messages by **reducing the number of times** that a message could be forwarded to multiple people—one way to limit potentially problematic content without being able to view the content itself.

Sharpiegate

One of the most illustrative examples of the participatory way election disinformation developed and spread online in 2020 is the so-called "Sharpiegate" narrative. The narrative began on Election Day with a tweet from a radio broadcaster noting that felt-tip Sharpie pens were bleeding through ballots. Over the course of the day, social media posts began popping up around the country, with posters noting the use of Sharpies in polling places, that marks were bleeding through the paper, and that as a result, scanners could not read the ballots. As these reports increased in frequency, the narrative began to emerge that conservative voters had been given Sharpies in order to render their votes unscannable, thereby suppressing the conservative vote.



[redacted]

If you are voting at LAKEVIEW HS bring your own black pen! Ballots are double sided and the sharpies they provide are bleeding through. Polling Marshal says there's nothing she can do. [redacted]

5:01 AM · Nov 3, 2020 · Twitter for iPhone

[redacted]

Replying to @JamesOKeefeIII

Sharpie pen issues on Chicago paper ballots...bleeding thru, scanners can't read them, Election judges putting them in an open box, losing secrecy + could be thrown away.... Chicago Board of Elections chose sharpies for this election, for first time

12:16 PM · Nov 3, 2020 · Twitter for iPhone

18 Retweets 1 Quote Tweet 20 Likes

[redacted]

Poll workers in Maricopa County AZ were handing out sharpie markers knowing full damn well that the machines register ONLY ink ballots. FRAUD IN ARIZONA. Dems are so desperate

10:14 PM - 3 Nov 2020

1,241 Retweets 1,913 Likes [redacted]

55 1.2K 1.9K

Fig. 1. Sharpiegate tweets from Election Day. Concerns about Sharpie pens on ballots emerged in Chicago (left and top right) but ultimately spread to Arizona (bottom right).

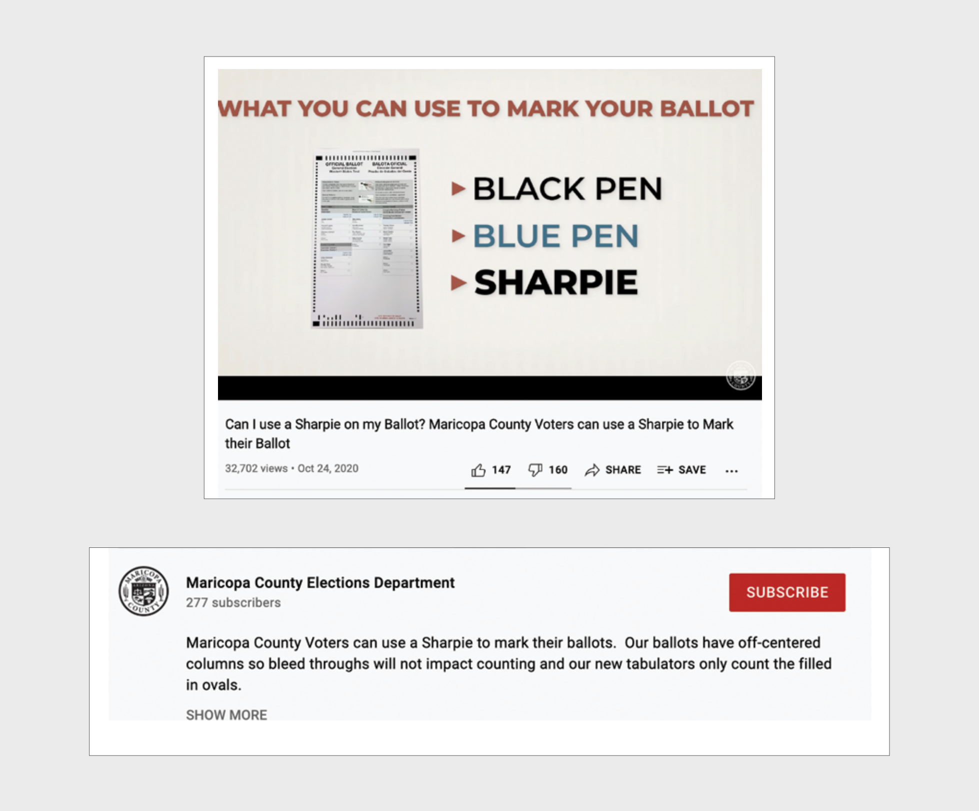
SOURCE: Election Integrity Partnership, a collaboration between the Stanford Internet Observatory, The University of Washington's Center for an Informed Public, Graphika, and The Atlantic Council's Digital Forensic Research Lab.

Late in the night, particularly as it became clear that the vote in Arizona was close, the Sharpiegate narrative picked up steam in Arizona. According to the Election Integrity Partnership, conservative influencers with massive followings began supporting the narrative that conservative voters had been disenfranchised.

There was never any evidence for the notion that ballots marked by Sharpie were unscannable. It was repeatedly debunked by local, state, and federal officials. Maricopa County, AZ election officials repeatedly confirmed that its scanners would have no problem with a Sharpie-marked ballot—in fact, they had already posted a video weeks prior to the election stating that voters could mark their ballots with Sharpie. The federal

Fig. 2. Maricopa County, AZ, video noting that Sharpies were a valid way to mark a ballot.

SOURCE: YouTube.



WHAT YOU CAN USE TO MARK YOUR BALLOT

- BLACK PEN
- BLUE PEN
- SHARPIE

Can I use a Sharpie on my Ballot? Maricopa County Voters can use a Sharpie to Mark their Ballot

32,702 views • Oct 24, 2020

Maricopa County Elections Department

277 subscribers

Maricopa County Voters can use a Sharpie to mark their ballots. Our ballots have off-centered columns so bleed throughs will not impact counting and our new tabulators only count the filled in ovals.

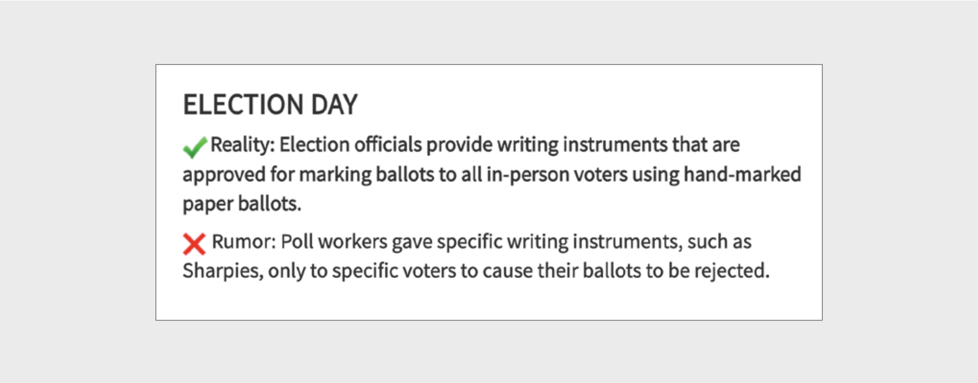
Cybersecurity and Infrastructure Agency also debunked it on their Rumor Control website, which it continues to use to respond to election mis- and disinformation.

Despite repeated debunking, the narrative ultimately led to real world protests. The night after Election Day, Trump supporters gathered outside the Maricopa County Elections Office, waving Sharpies, signs, and guns.

At an event hosted by CDT in 2021, Stanford Internet Observatory disinformation researcher Carly Miller noted that Sharpiegate offers a good example of the participatory nature of some viral disinformation campaigns. A false narrative can emerge from "voters taking to social media and sharing instances where they genuinely believe they were disenfranchised," followed by "large accounts with very loyal followings taking these narratives" and developing them into massively viral disinformation campaigns.

Sowing distrust in mail-in voting

Perhaps the most extensive disinformation campaign of 2020 was the effort to build distrust in mail-in (i.e., absentee) voting. Then-President Trump frequently described mail-in voting as a way for Democrats to fraudulently steal the election.



ELECTION DAY

✓ Reality: Election officials provide writing instruments that are approved for marking ballots to all in-person voters using hand-marked paper ballots.

✗ Rumor: Poll workers gave specific writing instruments, such as Sharpies, only to specific voters to cause their ballots to be rejected.

FIg. 3: The federal Cybersecurity and Infrastructure Agency debunked Sharpiegate as part of their Rumor Control operation.

SOURCE: Cybersecurity and Infrastructure Security Agency.

In response to the COVID-19 pandemic, many states dramatically increased the number of voters who were able to vote by mail. This created a demand for information on voting procedures, as many voters looked online to find how they could safely vote from their home, and, in turn, created an opportunity for disinformation to spread about election procedures.

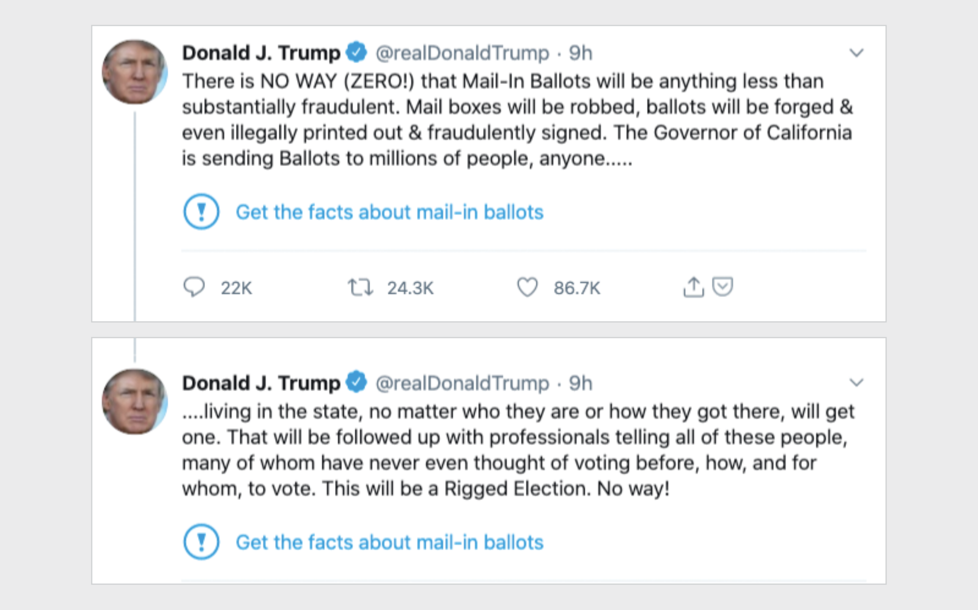
Masterson described the COVID-related changes in election administration as a “huge factor” in the spread of disinformation, noting that “even the smallest of changes was leveraged to try to claim malfeasance or rigging. So bigger changes—states like Nevada and New Jersey going to all vote-by-mail—were used not just in those states but across [states] to try to allege those same things. It introduced confusion, doubt, distrust, and it was leveraged” to spread disinformation.[2]

On April 8, 2020, when it became clear that many states would be expanding mail-in eligibility, President Trump tweeted: “Republicans should fight very hard when it comes to state wide mail-in voting. Democrats are clamoring for it. Tremendous potential for voter fraud, and for whatever reason, doesn’t work out well for Republicans.” A Harvard study indicates that this tweet was the first major event in a months-long, multi-pronged effort to discredit mail-in voting carried out by networks of Trump supporters and disinformation-spreaders.

In May, Trump tweeted again to say that mail-in voting would lead to fraud and forged and illegal ballots, ultimately rigging the election. These suggestions were immediately rejected as false by experts and journalists. This marked the first time that Twitter labeled Trump’s tweets in a way that suggested his tweets were false or misleading, including a link to “Get the facts about mail-in ballots” that directed users to news articles addressing Trump’s false claims.

The labels provoked the president’s ire, leading him to tweet that “Republicans feel that Social Media Platforms totally silence conservatives voices. We will strongly regulate, or close them down, before we can ever allow this to happen.” U.S. law, specifically

[2] Interview with Matthew Masterson, October 7, 2021.



Donald J. Trump @realDonaldTrump · 9h

There is NO WAY (ZERO!) that Mail-In Ballots will be anything less than substantially fraudulent. Mail boxes will be robbed, ballots will be forged & even illegally printed out & fraudulently signed. The Governor of California is sending Ballots to millions of people, anyone.....

Get the facts about mail-in ballots

22K 24.3K 86.7K

Donald J. Trump @realDonaldTrump · 9h

....living in the state, no matter who they are or how they got there, will get one. That will be followed up with professionals telling all of these people, many of whom have never even thought of voting before, how, and for whom, to vote. This will be a Rigged Election. No way!

Get the facts about mail-in ballots

Fig. 4. *On May 26, 2020, Twitter for the first time labeled President Trump's tweets with links that fact-checked the president's claims.*

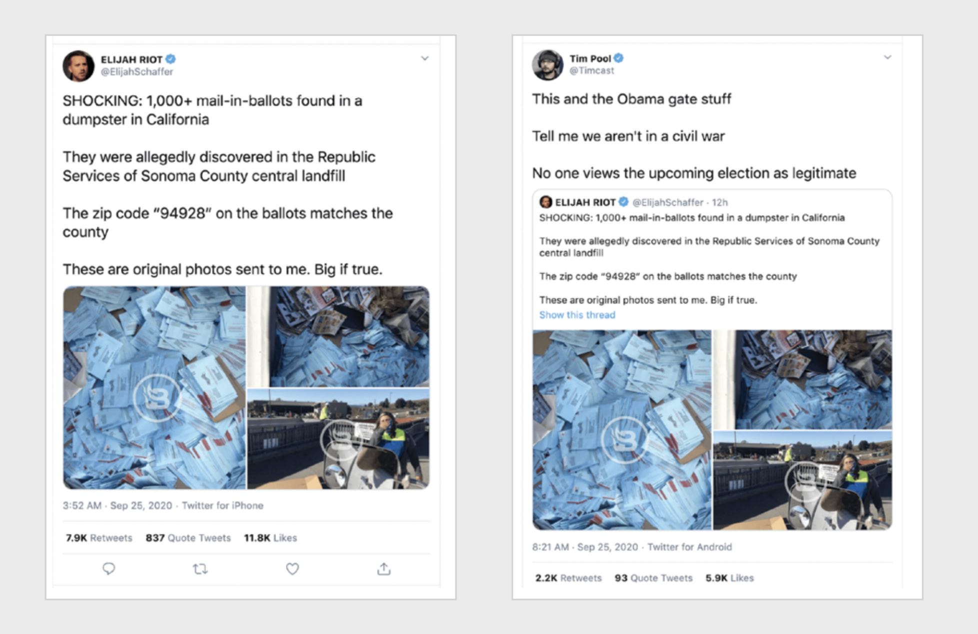
SOURCE: Twitter.

a statute known as Section 230, protects online intermediaries such as Twitter when they moderate speech on their platform, such as by labeling false information.[3] Two days after Twitter labeled his tweets, the president signed an executive order directing the government to regulate speech online, by writing guidance that would limit this protection. The executive order was ultimately rescinded by President Biden about a year later, in May 2021.

The assault on mail-in voting continued as the election got underway. As with Sharpiegate, social media posts from average users were picked up by conservative influencers and spun into the overall campaign to discredit mail-in voting. For instance, in several cases, users tweeted out what appeared to be pictures of bags of discarded mail—though there was no evidence that they included ballots. Conservative influencers shared these images, implying that mail-in voting would be unreliable.

In September, pictures of what appeared to be discarded ballots were shared widely and used by conservative influencers, including President Trump's son Donald Trump, Jr., to insinuate that ballots were being intentionally discarded. The shared images in fact depicted empty ballot envelopes—from 2018.

[3] 47 U.S.C. § 230



ELIJAH RIOT
@ElijahSchaffer

SHOCKING: 1,000+ mail-in-ballots found in a dumpster in California

They were allegedly discovered in the Republic Services of Sonoma County central landfill

The zip code "94928" on the ballots matches the county

These are original photos sent to me. Big if true.

3:52 AM · Sep 25, 2020 · Twitter for iPhone

7.9K Retweets 837 Quote Tweets 11.8K Likes

Tim Pool
@Timcast

This and the Obama gate stuff

Tell me we aren't in a civil war

No one views the upcoming election as legitimate

ELIJAH RIOT @ElijahSchaffer · 12h
SHOCKING: 1,000+ mail-in-ballots found in a dumpster in California

They were allegedly discovered in the Republic Services of Sonoma County central landfill

The zip code "94928" on the ballots matches the county

These are original photos sent to me. Big if true.
Show this thread

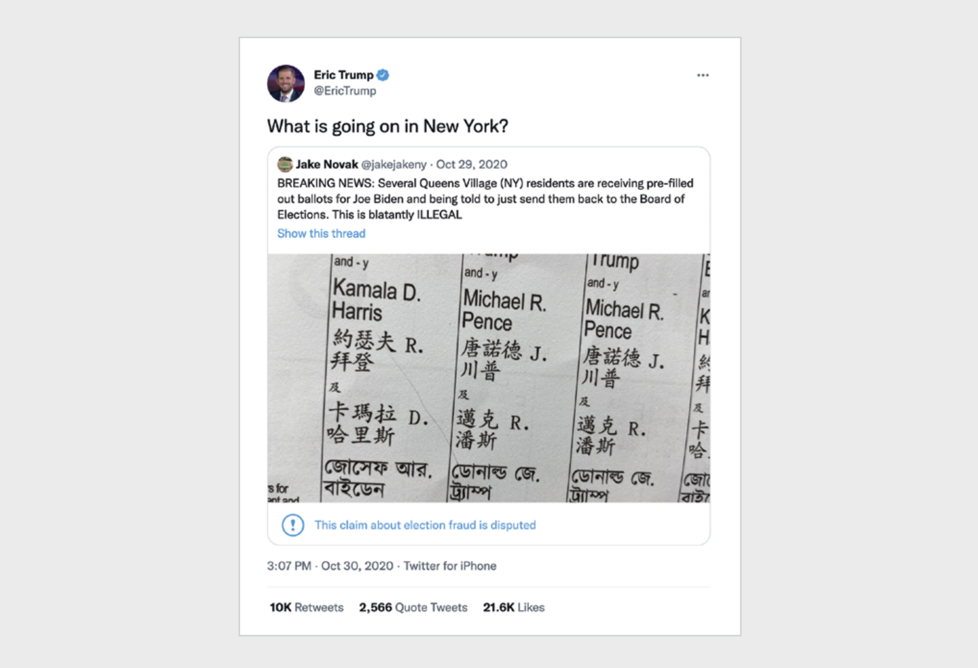
8:21 AM · Sep 25, 2020 · Twitter for Android

2.2K Retweets 93 Quote Tweets 5.9K Likes

Fig. 5: *Viral tweets promoting the false story that mail-in ballots were being intentionally discarded.*

SOURCE: Election Integrity Partnership.

Another viral claim was that voters in New York City were receiving ballots pre-filled for Democratic candidates and being asked to return the ballots. This claim was widely circulated and subsequently gained more traction after President Trump's son, Eric Trump, tweeted about it.



Eric Trump
@EricTrump

What is going on in New York?

Jake Novak @jakejakeny · Oct 29, 2020
BREAKING NEWS: Several Queens Village (NY) residents are receiving pre-filled out ballots for Joe Biden and being told to just send them back to the Board of Elections. This is blatantly ILLEGAL
Show this thread

This claim about election fraud is disputed

3:07 PM · Oct 30, 2020 · Twitter for iPhone

10K Retweets 2,566 Quote Tweets 21.6K Likes

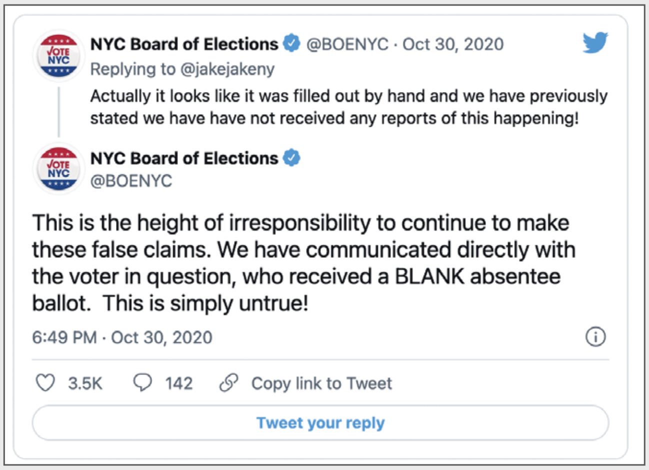
Fig. 6: *Eric Trump amplifies a story of a voter who supposedly received a pre-filled ballot in the mail.*

SOURCE: Twitter.

This claim was immediately debunked by the New York City Board of Elections who were able to identify the innocuous explanation for the receipt of the pre-filled ballot: a voter filled out their ballot but returned it using the wrong envelope, sending it back to their previous home address.

FIg. 7: The NYC Board of Elections addresses the pre-filled ballot disinformation.

SOURCE: Twitter.



NYC Board of Elections @BOENYC · Oct 30, 2020

Replying to @jakejakeny

Actually it looks like it was filled out by hand and we have previously stated we have have not received any reports of this happening!

NYC Board of Elections @BOENYC

This is the height of irresponsibility to continue to make these false claims. We have communicated directly with the voter in question, who received a BLANK absentee ballot. This is simply untrue!

6:49 PM · Oct 30, 2020

By August, the views of the American public on mail-in voting became polarized along party lines. While about 65% of Democrats reported confidence that votes cast by mail would be counted accurately, only 23% of Republicans did so. Accordingly, the number of Democrats voting by mail in 2020 more than doubled, from 26% to 59% of Democratic voters—while the number of Republicans voting by mail in 2020 increased only from 21% to 30%. Our research suggests that the effectiveness of this overall campaign was likely due to the uncertainty around mail-in voting—which was newly available to millions of voters in states that expanded mail-in eligibility—as well as the sprawling nature of the campaign, and the fact that it was, according to the aforementioned Harvard study, spearheaded by the president.

After the election, there was a prolonged counting period in states that were prohibited from counting mailed-in ballots until election day. As predicted, the unofficial vote tallies in these states shifted from favoring Trump to favoring Biden, as the Democratic-leaning mailed-in votes were counted. This created a 3-day period in which the nation's attention was consumed by the uncalled presidential race gradually shifting in Biden's favor. As a consequence, disinformation and conspiracy theories spread about election tampering. Partly as a result, 70% of Republicans (as of September 2021) falsely believe that Joe Biden was not legitimately elected President.

Stop the Steal, the January 6 riot, "sham reviews," and beyond

Disinformation about mail-in voting and other unsubstantiated claims of election "rigging" ultimately coalesced into what became known as the "Stop the Steal" movement. The Election Integrity Partnership summarized the movement thusly: "At its core, #StopTheSteal falsely postulates that Trump actually won the presidential election, that Democrats stole the election, and that it is up to Republican "patriots" to reverse this—i.e., to stop the Democrats' theft." In the two months between the election and the formal certification of state election results by Congress, Republican state legislators across the country flirted with the idea of appointing alternate slates of electors to the Electoral College—the mechanism by which presidents are selected in the U.S. Doing so would have effectively subverted the popular vote in those states.

On January 6, 2021, the date on which Congress was scheduled to formally count the Electoral College vote, a Stop the Steal rally was held near the White House. (As of October 2021, Congress was still investigating the planning behind, and other circumstances surrounding, this rally.) After a series of fiery speeches from the president and his allies, a crowd of thousands marched to the Capitol building to protest the certification of the presidential results, ultimately breaching the inner sanctums of Congress. That day, over one hundred law enforcement officers were injured, and one person was killed by law enforcement. Four officers present that day died by suicide after the insurrection.

Although the attempt to prevent Congress from certifying the results failed, the riot arguably marked a new phase in American election disinformation in several notable ways. First, it demonstrated the power of election disinformation to cause real-world violence. Second, it demonstrated the power of the narrative in Congress—even after the demonstration of real-world violence, six senators still objected to the certification of the Electoral College results. Third, it demonstrated the willingness of state legislators around the country to use their powers to spread democracy-undermining disinformation.

Before January 6, Republican state legislators in several states wrote letters to Congress urging them to reject their state's Electoral College votes. After January 6, their efforts to sow distrust in the results—according to the Washington Post, spurred largely by President Trump—came mainly in the form of politically-motivated post-election audits, referred to by Verified Voting as "sham reviews." While good post-election audits are an important part of ensuring that votes are counted as intended, the sham reviews being proposed by several Trump-allied state legislators are of a different kind. According to experts at Verified Voting, the Brennan Center, the federal U.S. Election Assistance Commission, and CDT, good post-election audits are routine, transparent, test clear hypotheses, and do not compromise chain of custody. Sham reviews, such as the one carried out in Arizona (and those being proposed in several other states), have none of these characteristics. Instead, the chief effect of these reviews appears to be generating disinformation about our electoral systems and undermining trust in democracy—the opposite of what a good election audit should do.

Efforts by some state legislators to support and promote the claim that the 2020 presidential election was stolen—or at least marred by widespread irregularities—are not only to demonstrate alliance with the former president. These efforts also serve as **pretext for enacting laws** that might benefit these legislators politically—including laws that make it harder to vote on net.

Despite being deplatformed by Twitter and Facebook, former President Trump still has many avenues for sowing distrust and disinformation about the 2020 result. Trump is also planning to launch his own social media platform, **TRUTH Social**, where election disinformation could spread unchecked. Although its impact remains to be seen, an October 2021 **poll** showed that more than 60 percent of Republicans plan to use TRUTH Social at least to some extent.

And Trump is still able to recruit the cooperation of traditional media outlets. In October 2021, the Wall Street Journal opinion section published a **letter from Trump**, making a series of **false or misleading claims** about mail-in voting in Pennsylvania. The letter ends with a call for a "full forensic audit in Pennsylvania."

Interventions

The period before and after the 2020 election was marked by myriad attempts to mitigate the effects of election disinformation, by government, platforms, and civil society. We do not intend this section to be an exhaustive compendium of intervention tactics, but rather a brief overview.

While we will describe reactions to the effectiveness of these interventions, we do not attempt to definitively evaluate the extent to which these efforts were effective or establish a set of "best practices." In addition to being out of scope for this report, there are several other reasons we do not attempt to do this. First, there are outstanding research gaps on how to measure disinformation and the effect of interventions, as identified by **CDT**. Second, measuring the causal impact of an intervention is near-impossible because we have no access to the counterfactual (i.e., what would have happened if not for an intervention). Thirdly, even the most basic metrics of a disinformation campaign's impact are flawed. As disinformation researcher **Kate Starbird** put it: "As researchers and policymakers, we have to go beyond trying to measure the impact of individual disinformation campaigns using simple models of inputs (for example, messages posted by bots or trolls) and outputs (such as likes, retweets or even votes). We need models that can encompass how disinformation changes hearts, minds, networks and actions."

Governmental interventions

State and local election officials

As the entities primarily responsible for administering elections, state and local election officials play a key role in mitigating election disinformation. Typically, the chief election official for a state is the Secretary of State.[4] In 2019, the National Association of Secretaries of State (NASS) launched the #TrustedInfo campaign to amplify the voices of election officials and help them promote trustworthy information about elections. Election officials made posts debunking misinformation, they shared contact information, and answered voter questions on social media using the hashtag #TrustedInfo. This campaign was designed to encourage voters to turn to their state and local election officials for information, rather than other sources of potential misinformation on media platforms. The campaign was supported by a large alliance of civil society organizations.

It appears that state election officials in almost all 50 states made serious attempts to address election misinformation. We analyzed state efforts to fight misinformation in four different categories: misinformation task forces or dedicated groups; media literacy campaigns; debunking misinformation on traditional and social media; and proactively providing information about election procedure to voters in events and written and online materials. We found that the majority of states used at least two of these four strategies. For example: Some states such as California and Ohio set up misinformation task forces or other offices that actively provided information to voters to debunk misinformation that was spreading around. In other states, like West Virginia, Washington, and Michigan, Secretaries of State conducted media literacy campaigns, teaching voters how to spot and debunk misinformation. These campaigns included infographics, videos, and community outreach efforts. Other state election officials, such as those in Alabama, Kentucky, and Wisconsin, held town halls and virtual Q&A sessions before the election to answer questions and provide information about the election directly to voters. In order to handle misinformation spreading during the election, almost all states turned to social media platforms or held press conferences to immediately debunk false claims.

In some particularly notable cases, such as in Georgia, Secretary of State Brad Raffensberger became the center of a media maelstrom. In the wake of Georgia narrowly awarding its electoral votes to Joe Biden, President Trump pressured Raffensberger in a phone call to "find" enough votes to overturn his loss. Raffensberger's office, even in the midst of conducting runoff U.S. Senate elections, undertook a media campaign to rebut allegations of fraud and misconduct.
While it is difficult to evaluate the effectiveness of state and local election officials' communications strategies, and while most offices have little or no staff dedicated to communications, it seems likely that these efforts are critical for giving reporters solid information to disseminate and build stories with.

[4] In most states, the Secretary of State is a partisan elected official with allegiance to a party, establishing a conflict of interest with their duties to administer elections in a neutral manner, without regard for party. Regardless of this conflict of interest, Secretaries of State of both parties generally performed admirably in 2020, even when put under immense pressure to undermine results. However, the norm of Secretaries of State behaving relatively impartially may be at risk of eroding.

In an interview, Matthew Masterson described a communications strategy that could raise trust in American elections despite the decentralization and heterogeneity across election jurisdictions.[5] The strategy is to emphasize "characteristics that all election jurisdictions across the U.S." share, such as "transparency, bipartisanship, and professionalization."[6] Doing so would allow election officials to speak from a single playbook, so that when election officials get questions about specifics in a jurisdiction, officials can say, "Look, I don't know exactly how they run elections [there], but here's what I can tell you. They've got transparency, bipartisanship, and professionalism, [and elaborate on those], instead of the sort of typical election answer, which is: It depends. Which is fully unsatisfying and unacceptable to people that have questions."

Federal agencies

Despite the limited role of the federal government in administering elections, there are several agencies that play a role in addressing election disinformation.

The U.S. Election Assistance Commission

Since 2002, the U.S. Election Assistance Commission (EAC), a very small independent federal agency, has been tasked with serving as a clearinghouse of information for election officials across the country, certifying voting systems, and other responsibilities. In 2020, the EAC was a partner in NASS's #TrustedInfo campaign, working to enhance election officials' ability to debunk misinformation. In an **event** hosted by CDT, EAC Commissioner Thomas Hicks talked about this work: "What we asked people to do was go to their trusted election officials. So we worked with Twitter and other folks to try to get as many election officials verified so that when you needed information you go to those trusted sources—you go right to the source."

It is worth noting, however, that the EAC has had a **troubled history**; election officials do not always see it as a very effective agency. Matthew Masterson, a former EAC Commissioner and top CISA employee, has **suggested** that Congress move some of the EAC's responsibilities to CISA.

The Cybersecurity and Infrastructure Security Agency

In January 2017, following the Russian attacks on the 2016 U.S. presidential election, the Department of Homeland Security (DHS) **designated** election infrastructure as "critical infrastructure," a designation with **international and domestic consequences**. Notably, the designation sets the Cybersecurity and Infrastructure Agency (CISA), an agency within DHS, as the federal entity responsible for coordinating efforts to protect election infrastructure. CISA played an important role in securing election systems and fighting election misinformation in 2020.

One CISA initiative was **Rumor Control**, a website where CISA debunked election misinformation in real-time. The website served as a trustworthy federal-level source that frequently acted as a counterweight to President Trump; a Time journalist

[5] Interview with Matthew Masterson, October 7, 2021.

[6] Masterson noted that other pillars might also be useful.

described Rumor Control as essentially "one massive fact-check of the false claims peddled by" Trump. One week after the election, Trump fired the head of CISA. The new head of CISA plans to keep the site around as a way to address election misinformation, saying: "If you don't have the facts, if you don't have the best information, you can't make the best decisions. So we are going to continue with rumor control." She also said, "we are also going to continue with some innovative things, graphic novels, which is kind of cool," referring to CISA's Resilience Series graphic novels, which aim to increase literacy about misinformation in a unique way.

Federal and state legislatures

Legislatures have taken or considered multiple approaches in the U.S. to limit election disinformation. One approach in the states has been to prevent deceptive election practices, such as giving false information about the time, place, or manner of an election. Some states have laws banning these sorts of practices—though in some cases these laws might not be as effective as they could be. There are fairly limited federal protections against knowingly deceiving others about elections. In 2021, federal lawmakers introduced the Deceptive Practices and Voter Intimidation Prevention Act, which would create criminal penalties for individuals engaging in deceptive practices or voter intimidation. It appears unlikely to become law in the near future.

Another route for protecting public discourse around elections is to target online political advertising. As part of their campaign to interfere with the 2016 election, the Russian government paid for ads on Facebook that reached millions of users, appearing to originate from American sources. These ads were designed to sow discord, swing the election, and discourage Black Americans from voting. The Honest Ads Act, first introduced in Congress in 2017, would increase transparency around the funding source behind online political advertisements, but could also raise concerns about the ability of Americans to engage in anonymous political speech.

Platform interventions

The 2016 elections marked a turning point in how social media platforms approached the problem of disinformation mitigation. Many platforms developed election integrity guidelines and took more of an active role in intervening in the spread of disinformation.

Facebook

Following the 2016 U.S. Presidential election, particularly after revelations over how Russia used Facebook as a weapon for election interference, Facebook came under scrutiny for not having done enough to mitigate disinformation and misleading claims on the platform. In response, it made changes to its platform policies for combating global election interference. In 2018, the company launched its Election Operations Center, a team that does real-time monitoring before and during elections to mitigate abuse and disinformation. Since its launch, the center has monitored global elections, including the U.S., Brazil, India, and Europe. The company has also partnered with several independent fact-checking organizations to fact check and label false content. During the 2020 election, the platform also expanded its election policies, actively tagging posts that may contain mis- or disinformation, redirecting users to known factual sources on election information, working directly with local and statewide election officials to debunk misleading information, and removing accounts and posts that show evidence of foreign interference. Facebook also **expanded its rules** on political advertising, including a restriction on any new political advertisements one week before the election.

However, while Facebook made several changes to its policies to combat election interference,[7] some researchers have argued that the platform has still not done enough. A March 2021 **report** by Avaaz, a U.S.-based non-profit advocacy organization, argues that Facebook failed to take action against hundreds of pages and groups responsible for millions of interactions with content that led to the January 6 insurrection.

More recently, the leaked internal "Facebook Papers" revealed that some Facebook staffers were furious about what they perceived as Facebook's responsibility for the insurrection. The documents reportedly show that Facebook may have dialed back its election disinformation-suppression measures too soon after the election, leading to the spread of Stop the Steal content. According to the **Washington Post**, "The rushed effort to restore [measures to suppress election disinformation] on Jan. 6 was not enough to stop the surge of hateful, violent posts, documents show. A company after-action report concluded that in the weeks after the election, Facebook did not act forcefully enough against the Stop the Steal movement that was pushed by Trump's political allies, even as its presence exploded across the platform. The documents also provide ample evidence that the company's internal research over several years had identified ways to diminish the spread of political polarization, conspiracy theories and incitements to violence but that in many instances, executives had declined to implement those steps."

Twitter

Twitter also came under scrutiny following the 2016 elections, for not mitigating the spread of disinformation and abuse on the platform. Prior to the 2020 election, Twitter released several new initiatives to combat election disinformation. It **expanded its civic integrity policy**, attempting to label potentially misleading posts and to add context when needed. Other measures included barring users from liking, replying, or retweeting tweets labeled as misleading.

Twitter also introduced "friction" measures to encourage users to be more deliberate in their posts and retweets before the election. When retweeting a post, users were directed to the "quote tweet" option and asked to add their opinion or comment on what they were choosing to retweet. A Twitter blog post after the 2020 election stated that friction measures **did not prompt much change in user behavior**.

[7] Though some researchers have argued that it is difficult to understand Facebook's policies, which are not always publicly known or well-organized.

A study conducted by researchers at NYU's Center for Social Media and Politics found that Twitter's misinformation-labelling interventions had mixed success. "Soft interventions," such as labeling but not removing misinformative tweets or blocking their spread generally did little to stop the spread of the tweets on the platform. "Hard interventions," like labeling a tweet and blocking retweets, replies, or likes, had more of an impact. One study revealed a potential side effect of labeling misinformative articles, which is that the use of labels on some misinformative content increases the perceived accuracy of other unlabeled, misinformative content—what the researchers call an "implied truth" effect. Twitter continues to iterate on the design and use of its misinformation labels.

While Twitter has done some public self-evaluation of the effectiveness of its policies and there has been some independent research, CDT has argued that Twitter and other platforms should increase researcher access to social media data in order to better understand how misinformation spreads, and the effectiveness of automated content moderation.

YouTube

While tweets and Facebook posts may be fleeting, only viewed by users for a few seconds interspersed with content from other producers, users might spend minutes or hours with a single YouTube video—and perhaps hours more watching recommended videos. This means that YouTube videos offer a unique platform for disinformation-spreaders to weave a compelling narrative of, say, election theft.

YouTube described its efforts to reduce disinformation in 2020 as having four pillars: removing content that violates policies, increasing the search rankings of quality information, reducing recommendations of borderline content, and rewarding trusted content creators. It also has a policy of removing "misleading or deceptive content with serious risk of egregious harm" such as "content interfering with democratic processes." According to a report published by YouTube analyzing the effectiveness of its election-related initiatives, over 8000 channels were removed for election policy violations.

Misinformation researchers do not necessarily agree that YouTube did a good job limiting the spread of viral misinformation on its platform. According to Kate Starbird, YouTube was "kind of a place for misinformation to hide and be remobilized later. From our view, it was a core piece of the repeat spreading phenomenon, and a huge piece of the cross-platform disinformation spread," referring to how content on YouTube would be referenced and hyperlinked by disinformation on other platforms. Carly Miller, who tracked platforms' policies for limiting the spread of information that delegitimizes elections, noted that YouTube took longer to implement its policies than the other platforms.

TikTok

Ahead of the 2020 election, TikTok, in partnership with election officials and some civil society organizations, released an in-app **election guide** informing potential voters about how to vote and which candidates would appear on their ballot. The guide also served as a media literacy effort, promoting educational videos about election processes and misinformation. **TikTok's Elections Safety Center**, also created in 2020, specifically focuses on enforcing its election-related policies. TikTok's policies included **removing misinformative content**, among others.

The Election Integrity Partnership analyzed the **conprehensiveness** of each platform's election-related policies for handling four categories of harmful election-related content: procedural interference (e.g., misleading information about how to vote), participation interference (e.g., information intended to deter voters), fraud (e.g., information that encourages people to vote illegally) and delegitimization of election results. It found that TikTok's policies were "comprehensive" in only one of the four categories. By contrast, Facebook, Twitter, and YouTube scored as "comprehensive" in four, three, and two categories, respectively.

Civil society interventions

Supporting election officials

Some civil society organizations such as the nonprofit Center for Tech and Civic Life (CTCL) took on a number of projects to support election officials. In one case, CDT partnered with CTCL to develop a course, "**Combating Election Misinformation**." The goals of the course were to impart terminology and concepts related to information operations, help participants identify different forms of misinformation, and help them respond with a defensive communications strategy. Dozens of election officials attended the course across the country. CTCL also distributed **$350 million** in grant money from Priscilla Chan and Mark Zuckerberg to election officials, who in many cases would not otherwise have had sufficient funding to run their elections in the pandemic. (In response to suspicion and misinformation about bias in how the funding was distributed, at least eight states have banned outside donations to election offices—without making up for it by increasing state funding.)

Sharing information about threats and misinformation

The nonprofit Center for Information Security administers the Election Infrastructure Information Sharing and Analysis Center (**EI-ISAC**), which allows state and local election officials, **CISA**, and members of the private sector to coordinate and share information in response to election security threats. The EI-ISAC, which started in 2018, includes most Secretaries of State and thousands of local election offices. Secretary Benson **said** that 2020 was "**a new day** compared to 2016… We were all on the same page in partnering at the state, federal, and local level to ensure citizens had access to accurate information; to ensure that, where there were potential breaches or potential challenges, that we knew of them; if something happened in Arizona or… Ohio in terms of misinformation, that information was also quickly shared with us in other states."

Monitoring and mitigating disinformation online

The **Election Integrity Partnership** was a collaboration formed by four leading research organizations on how election disinformation spreads online. It was set up to share information between election officials, government agencies, journalists, social media platforms, civil society organizations, and academic researchers. They established a novel approach for tracking the development of false or misleading narratives about the 2020 election: a "ticketing" system that allowed partners to flag narratives as they developed, organize fact-checking efforts, determine the extent of the narrative's spread, and determine the course for an intervention if necessary. The effort appears to have been successful; **the post-election report** offers a comprehensive summary of how the partnership responded to developing narratives during the 2020 election. The U.S. government—as well as other governments around the world—should consider ways to support these kinds of information sharing efforts on a more permanent basis.

Since 2016, the Common Cause Education Fund has led the **Stopping Cyber Suppression** program, which has trained thousands of volunteers to monitor and report disinformation that could suppress voters. In 2020, these volunteers contributed **tens of thousands of hours** monitoring their social networks for disinformation. The project documented and reported thousands of posts identified to be likely in violation of the platforms' civic integrity policy.

Brazil

Electoral system

Like the U.S., Brazil is a federal republic that divides power between the central government and sub-national units. However, unlike the U.S., Brazil has a strong central authority that standardizes how elections are carried out across the country: the Electoral Justice.

The Electoral Justice consists of courts and judges at the federal, state, and municipal level. The Superior Electoral Court (TSE) is the highest court of the Electoral Justice. There are also Regional Electoral Courts (TREs) in each state and in the Federal District of Brasília, which are responsible for managing elections in each jurisdiction. With the exception of the presidential election (which is carried out entirely by the TSE), the TREs have historically tallied the votes and released the results. (However, in 2020, the TSE began to centralize tabulation following a security recommendation by the Federal Police.) The TSE is also responsible for regulating the registration of parties and candidates for President and Vice President, and coordinates federal elections. Both TREs and TSEs act as courts in cases of election-related lawsuits. The TREs are responsible for the allocation, custody, and transport of voting machines and other election supplies. The TSE manages equipment acquisition and software development for the machines.

Brazil's president is the head of state and government affairs. Its bicameral National Congress is the legislative body of the government. It is composed of the Chamber of Deputies, which is elected proportionally according to the population of each of Brazil's 26 states; and the Federal Senate, composed of three representatives per state.

Election fraud

Since the 1889 Proclamation of the Brazilian Republic, Brazilian society has periodically alternated between democracy, dictatorship, authoritarianism, and back again. From 1945 to 1964, Brazil had four elections and nine presidents. A 1964 military coup ended this relatively democratic period. During the ensuing military dictatorship, federal, state, and municipal elections were either indirect or non-existent. The military dictatorship ended in 1985, paving the way for the promulgation of its current constitution in 1988. Today, the constitution guarantees free, universal, secret, and direct voting. Throughout

Brazilian history, these rights have been the exception rather than the norm. And even in the democratic periods, the integrity of the vote has not always been secure.

Between 1890 and 1930, voting procedures were highly unregulated, and local officials had near-total control over the process. Checks and balances on the process were so scant that local officials could simply record results that differed from how people voted—these elections were known as "quill elections," because they were effectively determined by officials' quills rather than by ballots. Sometimes, voters would be gathered in what was known as the "electoral stockyard" and observed by politicians' henchmen, and effectively forced or intimidated into casting a vote for a particular candidate.

In the period from 1945 to 1964, justice reforms and the return to democracy through the 1946 constitution alleviated some, but not all, problems with electoral fraud. For instance, in the rural areas, politicians would frequently maintain dominance by registering sympathetic voters in multiple sections and jurisdictions.

In the 1982 election, the vote tallying in Rio de Janeiro was carried out by the company Proconsult, hired by the state TRE. However, a press investigation uncovered an electronic fraud scheme: the programs installed on the company's computers would nullify a certain percentage of votes given to one candidate or count blank votes in favor of the other candidate, who was supported by the military regime.

The immediate post-1985 democratic era had its own share of fraud schemes, including vote buying, ballot stuffing, and manipulated tabulations. However, the institution of paperless direct recording electronic (DRE) voting machines in 1996 is thought to have dramatically reduced electoral fraud in Brazil. The TSE claims that there has been no proof of significant fraud in the current system. However, critics point out the absence of independent systems for recounting or detecting inconsistencies in the electoral process. Critics also decry overcentralization and a persistent lack of transparency at the TSE in multiple stages of the process.[8]

Media environment

Brazil's model for broadcast media follows the framework established by most countries in the Americas. Unlike Europe, the public media is weak; instead, a handful of private media conglomerates dominate. Since the early 20th century, broadcast media and the press have had significant influence on the country's politics.

More recently, commercial radio and TV conglomerates and free-to-air broadcasters, although still very popular and influential, have lost ground to social and digital media. The Reuters Institute Digital News Report of 2020 indicated that 43% of Brazilians

[8] These were the concerns raised most frequently in an online 3-day event organized by ARTICLE 19 Brazil and South America held in June, 2021, with 70 experts on the topic.

would rather get news that share their points of view instead of less partisan sources with more "objective" content.

At the same time, Brazil has the highest rate of concern around what is real and what is fake on the Internet, with **84% of Brazilians** expressing concern. The Reuters report highlights that these concerns are highest in countries like Brazil "where social media use is high and traditional institutions are often weaker." Brazilians are highly concerned with politicians being the source of false information.

As more Brazilians connect to the internet and get their news online, there is a growing concern that disinformation campaigns will gain effectiveness. Some groups have been working to build online networks of disinformation production and circulation.[9] And a lack of understanding of Brazil's complex political processes and rules, coupled with Brazil's volatile and fragile electoral history, has created a fertile environment for election disinformation.

Examples of election disinformation

The "gay kit"

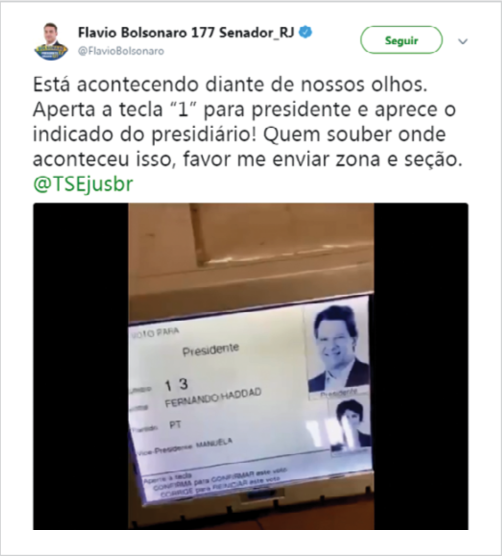
Recent disinformation campaigns have focused mostly on delegitimizing candidates, their ideologies, and their socio-political agendas. A widely reported example was the claim that Fernando Haddad, 2018 presidential candidate of the left-wing Workers' Party, had developed a "**gay kit**" for six-year-olds, and had distributed **baby bottles with penis-shaped rubber nipples** in order to fight homophobia.

The so-called "gay kit" refers to **School Without Homophobia**, an initiative developed by the Ministry of Education when it was led by Haddad in 2011. The goal of the program was to fight homophobia as part of a sex education curriculum for schools. It was never implemented—instead the **program was halted** by President Dilma Rousseff after pressure from religious groups and their allies in Congress. Despite this, Jair Bolsonaro, who has a history of making **homophobic comments**, ultimately made **false claims** about Haddad's attempts to distribute the "gay kit" into a centerpiece of his campaign. Campaigns like this, which are frequently aimed at left-wing candidates, target women and the LGBTQIA+ community in order to gain political traction among the conservative electorate.

[9] In 2019 the Brazilian Supreme Court opened a controversial investigation against groups which produce and circulate disinformation online and has been taking action to decrease the circulation of disinformation, as we will see below.

Disinformation about electronic voting fraud

The electronic voting system adopted in 1996 by the TSE has been the object of disinformation campaigns since at least 2018. Research indicates that the system dramatically diminished Brazilian election fraud. The TSE is responsible for developing methods for auditing the machines regularly, as well as coordinating those who carry out the audits. It claims that its audits "guarantee security and transparency." However, some experts claim that direct-recording electronic machines without a paper trail are inherently insecure and un-auditable; in the U.S., the use of DREs has decreased dramatically since 2006. In Brazil, researchers have documented vulnerabilities[10] in the voting system. The TSE has also been criticized for a lack of transparency. However, as we show below, much of the disinformation about the voting system goes far beyond documented problems, veering into the fantastical and implausible.



Flavio Bolsonaro 177 Senador_RJ
@FlavioBolsonaro
Seguir

Está acontecendo diante de nossos olhos. Aperta a tecla "1" para presidente e aprece o indicado do presidiário! Quem souber onde aconteceu isso, favor me enviar zona e seção. @TSEjusbr

Fig. 8. *Flavio Bolsonaro sharing a discredited video on Twitter: "It's happening before our eyes! Press the '1' key for president and the prisoner's nominee appears. Whoever knows where this happened, please send me the zone and section." (Luiz Inácio Lula da Silva, former President of Brazil, of Haddad's PT party, was imprisoned at the time.)*

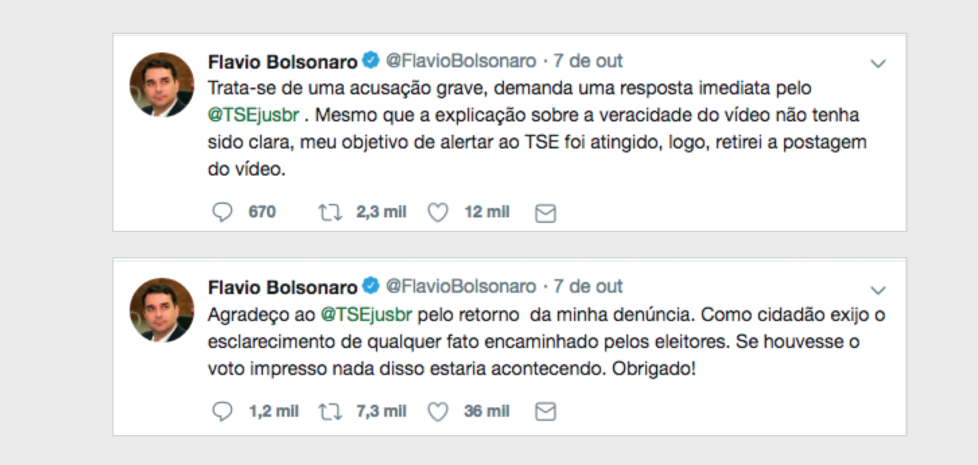
SOURCE: Veja.

In October 2018, on the day of the first round of the presidential election, a video began circulating online implying that the voting machines were being used to rig the election in Haddad's favor. The video, published by Flávio Bolsonaro, senator and son of current president Jair Bolsonaro, ostensibly depicted a voter typing in the number "1" to cast a vote for Bolsonaro, and the machine appending the number "3" to cast a vote instead for Haddad.

That day, the TSE and the media debunked the video, noting that the video did not show the keyboard at all times—meaning that the person who took the video could

[10] Though the lead author, Diego Aranha, has told the contributing authors of this section that some of these vulnerabilities have been addressed by recent improvements to the machines.

have just pressed the "3" button and claimed that the machine had done it instead. The senator deleted the original post with the video, but the damage had been done, and a disinformation campaign had been launched.



Flavio Bolsonaro @FlavioBolsonaro · 7 de out

Trata-se de uma acusação grave, demanda uma resposta imediata pelo @TSEjusbr . Mesmo que a explicação sobre a veracidade do vídeo não tenha sido clara, meu objetivo de alertar ao TSE foi atingido, logo, retirei a postagem do vídeo.

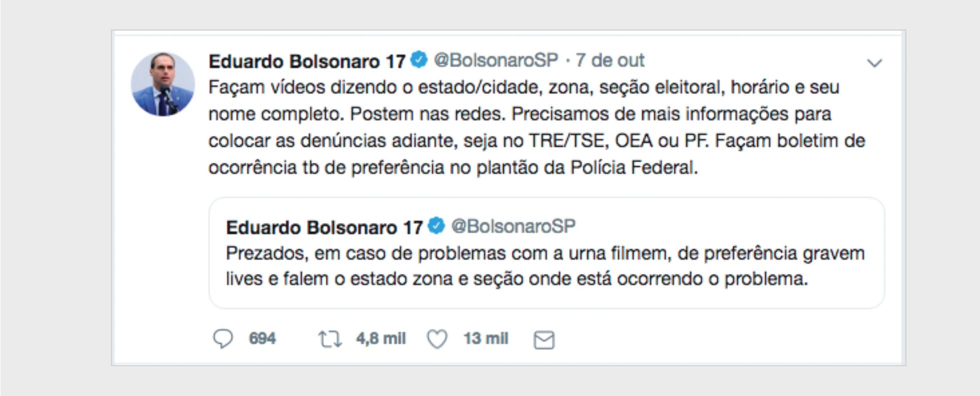
Flavio Bolsonaro @FlavioBolsonaro · 7 de out

Agradeço ao @TSEjusbr pelo retorno da minha denúncia. Como cidadão exijo o esclarecimento de qualquer fato encaminhado pelos eleitores. Se houvesse o voto impresso nada disso estaria acontecendo. Obrigado!

***Fig. 9.** After it was debunked, Flavio Bolsonaro took down his tweet sharing the misleading video and issued these tweets, saying "Even though the [TSE's] explanation about the veracity of the video was not clear enough, my goal of alerting TSE was achieved… As a citizen, I demand clarification of any fact submitted by voters. If there was a printed ballot, none of this would be happening."*

SOURCE: Twitter.

That same day, another son of the president, Congressman Eduardo Bolsonaro asked voters to film and share their votes to denounce the supposed problem with the voting machines. (Taking photos or video in a voting booth is illegal in Brazil, as a measure against voter coercion.)



Eduardo Bolsonaro 17 @BolsonaroSP · 7 de out

Façam vídeos dizendo o estado/cidade, zona, seção eleitoral, horário e seu nome completo. Postem nas redes. Precisamos de mais informações para colocar as denúncias adiante, seja no TRE/TSE, OEA ou PF. Façam boletim de ocorrência tb de preferência no plantão da Polícia Federal.

> **Eduardo Bolsonaro 17** @BolsonaroSP
>
> Prezados, em caso de problemas com a urna filmem, de preferência gravem lives e falem o estado zona e seção onde está ocorrendo o problema.

***Fig. 10.** After publicizing of the misleading video, Eduardo Bolsonaro urged people to document "problems with the electronic voting machines," saying, "make videos… post on social media networks. We do need more information to take the complaints forward… Make a police report too."*

SOURCE: Twitter.

Narratives about rigged voting machines constituted one of the most salient disinformation campaigns of 2018. In the state of Pará, a voter filmed an incident in which he alleged that the voting machine had nullified his vote for Bolsonaro. The video was quickly debunked by the TRE of Pará; the voter's video showed him voting for governor of Pará, a race in which neither Bolsonaro, nor any candidate from Bolsonaro's party, was running.

Before the 2018 election, Bolsonaro said that any result other than his victory would be fraudulent and that he would not accept it. In 2018, Bolsonaro won 46% of the vote in the first round of voting, short of the majority needed to clinch the presidency. He insinuated that the results of the polls were fraudulent. He claimed without evidence that he had indeed won more than 50% of the votes and that, if not for alleged fraud, a runoff would not be necessary. Throughout the 2018 campaign, Bolsonaro had repeatedly made false claims that the machines were rigged in favor of his opponents and that TSE's public servants were not trustworthy. Bolsonaro continues to claim that he should have won in the first round in 2018, as part of a broader campaign to undermine the system in advance of his 2022 re-election campaign.

In the months before the 2020 municipal elections, thousands of articles were circulated on Twitter and WhatsApp, questioning the reliability of the electronic voting machines. The most popular piece of content was the claim that the 2018 election was rigged against Bolsonaro. Another misleading story that emerged in 2020 implied that Brazilian voting machines were so unreliable that they had been rejected internationally. The story reproduced the headline of a 2013 news story ("Paraguay prohibits the use of Brazilian electronic voting machines"), taking the story out of context and omitting the date. The machines referred to in that headline were manufactured in 1996 and had not been used in Brazil since 2002.

The TSE took longer than normal to report the election results in 2020. During the counting period, the TSE was targeted with an attempted cyberattack on its systems on polling day and had information on TSE civil servants hacked and leaked. The court released a note two days after the election, clarifying that the slow pace was due to an "artificial intelligence" feature in its systems. The chaotic post-election period generated more disinformation that mixed partial truth with misleading information and conspiracy theories. One false narrative claimed that the TSE's computer systems tallied ballots with a foreign cloud service that was vulnerable to external manipulation. This episode further amplified the ongoing claims of fraud by Bolsonaro and his allies, intensifying an ongoing legislative debate about whether to mandate a paper trail for the voting machines.

The legislative debate over the voter-verified paper audit trail

Distrust of the Brazilian electoral system, partially driven by disinformation, has fueled the legislative debate over adding a voter-verified paper audit trail (VVPAT) to the system. VVPATs are generally thought to improve the security and auditability of DRE voting systems. However, in Brazil, the legislative debate has largely been spearheaded by politicians who have repeated false claims of fraud, precluding an honest debate over the merits of a paper trail.

The National Congress has approved three laws (in 2002, 2009, and 2015) attempting to implement a VVPAT. However, these laws have been reversed either by subsequent laws or by the Federal Supreme Court, which in 2018 decided that paper ballot trails posed an unconstitutional risk to ballot secrecy. (In delivering the decision, one justice characterized proponents of VVPAT as conspiracy theorists.)

In response, Congresswoman Bia Kicis, an ally of Bolsonaro, proposed a constitutional amendment to require the provision of VVPAT in all elections. The Congress ultimately rejected the amendment in August 2021, but the amendment has served as a driver of election disinformation. In 2021, Kicis insisted that she would continue to decry the election system as illegitimate and fraudulent unless there was a complete shift to printed ballots—a shift that would likely be impossible to implement that quickly.

During the period in which Congress was considering the amendment, Bolsonaro continued to insinuate that the election system was untrustworthy, saying that he would only "hand over the presidential sash to whoever wins the election cleanly. Not with fraud." Before the Chamber of Deputies voted to reject Kicis's constitutional amendment, Arthur Lira, the president of the chamber, obtained a commitment from President Bolsonaro to respect the decision made by the chamber. It ultimately rejected the amendment, with 229 votes in favor and 218 against. (308 votes, or 60% of the full 513-member chamber, must vote in favor for a constitutional amendment to advance.) However, Bolsonaro violated his promise the next day, claiming that the vote showed that half of the population does not believe the system is trustworthy.

The Pegabot project, developed by the Institute for Technology and Society of Rio, in April 2021 published an analysis of tweets using hashtags associated with Kicis's amendment, including #VotoAuditavelJa (#AuditableVoteNow). The project found that 7% of the accounts posting tweets using these hashtags were likely to be bots. Together, these profiles were responsible for sharing 21.7% of the tweets under these hashtags. Another study found that similar hashtags, like #BrasilPeloVotoAuditavel (#BrazilForAuditableVote) and #UrnasForamInvadidas

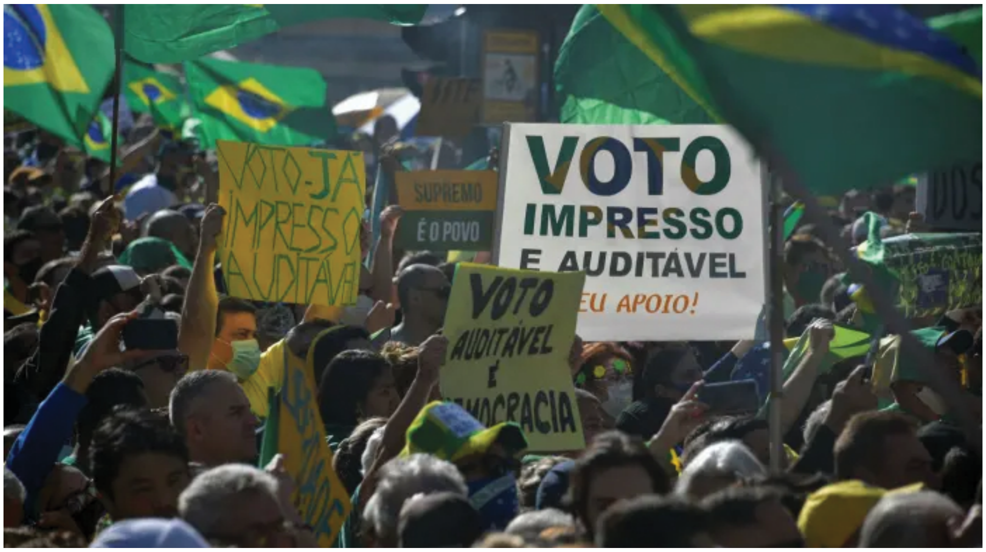

VOTO-JÁ IMPRESSO AUDITÁVEL
SUPREMO É O POVO
VOTO IMPRESSO E AUDITÁVEL EU APOIO!
VOTO AUDITÁVEL É DEMOCRACIA

Fig. 11. *Pro-Bolsonaro demonstrators in August, 2021, holding signs in support of the "printed and auditable vote."*

SOURCE: Nelson Almeida/AFP/Getty Images.

(#ElectronicVotingMachinesWereHacked), **trended when Bolsonaro announced** that he would deliver a live broadcast to prove that the electronic voting machines used in Brazil were fraudulent—and again found a high degree of **probable bot activity**. On July 29, 2021, he gave a live broadcast, "**escalat[ing] rhetoric over election fraud**," repeating **conspiracy theories** in an attempt to encourage **pro-Bolsonaro protests** over electronic voting.

On **November 5, 2021**, Bolsonaro changed his stance, saying that he now trusted that "electronic voting will be reliable next year" because the TSE invited the participation of the Brazilian armed forces in the election. (In fact, the armed forces have always played a role in the electoral system, **including the original development** of the system between 1995 and 1996.)

Interventions

Governmental interventions

Superior Electoral Court fact-checking and media literacy initiative

In 2019, the Superior Electoral Court (TSE) launched a **program to combat disinformation** in advance of the 2020 municipal elections. In August 2021, the TSE made the program permanent. The goal of the program is to fight the deleterious effects of disinformation on public trust in Brazil's electoral system, through the following **thematic axes**: improving internal coordination of the electoral court system; improving media literacy; monitoring and mitigating disinformation; strengthening legal processes around disinformation; and improving technology to identify and counteract disinformation. The TSE partnered with dozens of organizations from civil society and the private sector to carry out these goals. The program resulted in the publication of fact-checking and media literacy materials that the TSE claims have been viewed by millions of users.

Superior Electoral Court impeachment of an elected official spreading disinformation

The TSE has also been investigating and prosecuting those who spread disinformation, including elected officials. In 2018, Fernando Francischini, a state legislator from the state of Paraná, **broadcast a live video** on Facebook, **viewed six million times**, promoting false narratives about the voting machines being rigged against Bolsonaro. In October 2021, the TSE held a trial on whether to impeach Francischini for misusing the media and abusing his position of power. On October 28, 2021, by a 6–1 vote, the **TSE impeached Francischini** and made him ineligible for election for eight years from his previous election. One of the seven justices of the TSE commented on the decision, saying "words have meaning and power. People have freedom of expression, but they need to be responsible for what they say." Francischini has indicated that he **plans to appeal** the decision; President Bolsonaro has also been critical of the decision.

While the TSE has impeached officials for various electoral crimes before, this **decision** marked the first impeachment for spreading disinformation. It has been seen as a **warning shot** from the court to other politicians ahead of the 2022 elections.

Electoral Justice de-monetizing disinformation

In 2021, new details were released about a Federal Police investigation into the, what some called, "**hate office,**" a digital strategy office operated by Bolsonaro's team. The investigation found that the office, run by Bolsonaro's three adult sons and allied advisors, operated a **network of accounts** spreading disinformation, attacking political opponents, and raising money. The Inspector General of Electoral Justice, in August 2021, ordered that online networks be **prevented from generating revenue** via online advertising and other forms of online fundraising.

Federal Supreme Court "fake news" inquiry

In 2019, the Federal Supreme Court (STF), the highest court in Brazil, opened an **inquiry** that aimed to investigate fake news and other threats targeting the STF, its ministers, and their family members. In August 2021, after a TSE request, President Bolsonaro was added to the investigation in light of his aforementioned July 29, 2021 broadcast about election fraud. After his addition to the inquiry, and after STF Justice Moraes **authorized search and seizure warrants** against Bolsonaro allies, the president filed a request for the Federal Senate to **impeach Moraes**. The Senate **rejected** Bolsonaro's request.

Legislative measures

The "fake news bill."

In June 2020, the Federal Senate approved the "Brazilian Internet Freedom, Responsibility and Transparency Act"—also known as Brazil's "**fake news bill**."[11] The bill, which was intended to fight online disinformation (but does not define "disinformation"), has been decried as overbroad, draconian, and in violation of internationally recognized human rights standards. In a **letter** signed by international civil society organizations, signatories wrote that the bill "creates a highly controlled internet and puts every user under suspicion of malicious activities… might exclude millions of Brazilians from accessing information and basic services online…impos[es] tailored burdensome obligations on internet application providers and encourages censorship and chilling effects on online expression through surveillance and the wide criminalisation of discourse." **CDT** also wrote that the bill would violate user privacy and international standards of freedom of expression. The **UN Special Rapporteur** on the Right to Privacy and the **Inter-American Commission on Human Rights** also raised serious issues with the bill.

Since the Senate's approval, the approved text has been under review by the Chamber of Deputies. In 2020, the Chamber held **public panels** to discuss themes of the text (and the more than **50 other bills** in the Chamber on fake news). A revised draft of

[11] A translated version (by the Center for Technology & Society at the FGV School of Law in Rio de Janeiro, can be found here.

the bill, released in October 2021, makes some improvements but still has highly concerning provisions, according to the Electronic Frontier Foundation.

Overhauling the Electoral Code

In 2021, legislators proposed a bill to establish a new Electoral Code. This bill would make it a crime to disclose information that is known to be false or seriously out of context, with the intent to exert influence on the electorate. The bill also establishes rules limiting online platforms' ability to moderate content. It would prohibit the cancellation, exclusion, or suspension of candidates' accounts during the electoral period, except when ordered by a court. By limiting the power of platforms to moderate content from these accounts, disinformation could be allowed to remain online for longer, and individuals' participation, both in online fora and in elections themselves, could be chilled. Civil society organizations publicly noted their concerns about legal issues with the bill, as well as deleterious consequences that it could have for digital rights.

Platform interventions

WhatsApp

WhatsApp is the dominant online platform for Brazilians, with 83% of Brazilians using it in 2020. Just days before the second round of voting in the October 2018, presidential election, a journalist reported on an operation in which marketing companies were hired to send mass messages in support of Bolsonaro—the operation violated Brazilian campaign finance law as well as WhatsApp's terms of service. (A WhatsApp representative confirmed this operation a year later.) One study found that more than half of the 50 most widely shared political images on a sample of WhatsApp chat groups were false or misleading. In response to WhatsApp being used to spread viral disinformation in Brazil and other countries, the company took steps to block accounts that were thought to be inauthentic, and imposed limits on message forwarding in an attempt to limit virality.

In advance of the 2020 municipal elections, WhatsApp signed an agreement with the TSE to disable accounts believed to be sending mass messages. It also worked to train TSE and TRE employees on how to use the platform to combat misinformation and promote good information about electoral processes.

Facebook

While WhatsApp is overall the top social media platform in Brazil, Facebook is the top platform for news. In advance of the 2018 presidential election, Facebook announced that it would make political advertisements more transparent by providing users with more information, and partner with third-party organizations to monitor and fact-check content. It also announced that it would slow the spread of content that was labeled as false. (Google and Twitter announced similar measures.)

In 2020, Facebook announced that it had removed "33 Facebook accounts, 14 Pages, 1 Group and 37 Instagram accounts that were involved in coordinated inauthentic behavior in Brazil." It noted that these accounts were linked to "some of the employees of the offices of Anderson Moraes, Alana Passos, Eduardo Bolsonaro, Flavio Bolsonaro and Jair Bolsonaro," implying a connection to the "hate office" operation mentioned above. The Digital Forensics Lab claimed that the removed accounts had a combined audience of **more than 2 million accounts**.

Other platforms

Most of the platforms signed **publicly** available **agreements with the TSE** to limit the spread of misinformation before Brazil's 2020 municipal elections. Some of the initiatives included: verifying the identities of political advertisers; publishing transparency reports about online advertising; providing official TSE information on how to vote alongside search results; partnering with news organizations to fact-check news; contextual information to indicate whether an account was a verified government organization; prohibiting political advertising; or opening communications channels to allow the TSE to report misleading content.

A preliminary report of an international election observation mission from the Organization of American States noted the TSE's partnerships, "openness, [and] ongoing dialogue efforts." It congratulated the TSE for its performance in the 2020 elections, **remarking** that its "short, medium and long-term measures… managed to expand the scope of verified news and raise awareness among citizens."

Bolsonaro pushes back on content moderation

Many efforts (by the platforms or the **courts**) to prevent online disinformation about elections or COVID-19 focused on content originating from President Bolsonaro or his allies. In response, the president, claiming to promote "freedom of expression," released an **executive order** limiting the ability of the platforms to take down content in violation of their rules. (This action mirrored a similar executive order issued by President Trump a year earlier, mentioned above.) Among other provisions, the order would have limited the cases in which "the exclusion, cancellation or suspension, in whole or in part, of the services and functionalities of the account or user profile of social networks" could be carried out. As a **New York Times reporter** put it, under the order, "tech companies could easily remove a nude photo, but not lies about the coronavirus."

Giorgetti Valente, director of the Brazilian InternetLab, **wrote**: "The provisional measure on content moderation might have been an effort to avoid having his content taken down for violating terms of service and gaining more space for anti-democratic actions. It could also have been part of a larger strategy of creating chaos and distrust, using it as a future argument when social media punishes other violations. It could as well be both. Even if we consider that Bolsonaro lost his first attempt—which is still early to say, since the measure might come back in a new guise—the second involves a slow process that is definitely ongoing."

Under Brazilian law, the executive order went into force immediately, but would only become permanent law if approved by Congress within 120 days. The president of the Senate, after intense pressure from civil society and other politicians, **rejected the** executive order, saying that it covered topics already under discussion by Congress. It was only the fifth time since 1988 that Congress had rejected an executive order without deliberation.

Civil society interventions

Since 2018, civil society organizations, research centers, and universities have been focusing more on the ways that election disinformation undermines democracy. In addition to following, monitoring, and intervening in legislative processes, they have been conducting research analysis and holding events on the phenomenon. The Pact for Democracy, a civil society initiative that convenes organizations with an interest in defending democracy, has been carrying out a series of debates on Brazilian democracy, with a focus on electoral code reform. Organizations in the Digital Rights Coalition, including ARTICLE 19 Brazil and South America, have also been developing material on the subject, focused on digital rights, disinformation, and democracy.

ARTICLE 19 Brazil and South America has been working on the topic since July 2021; it has carried out activities related to voting technology and published a project on election disinformation in 2019. Since September 2021 it has been a part of the Electoral Transparency Observatory, created by the TSE as a way of letting organizations monitor and participate in the planning for the 2022 elections.

France

Much of the disinformation in France in recent years has been linked to specific events: the 2017 presidential election, the 2018–2020 *gilets jaunes*/yellow vests movement, the 2019 Notre-Dame de Paris fire, and the 2020–2021 COVID-19 pandemic.[12] Since 2020, disinformation in France has taken on an unprecedented scale and is growing in volume and impact, according to the Prime Minister's Government Information Service (SIG).[13] According to SIG, this is due to several factors, including the pandemic, the proximity of the 2022 presidential election, and new incidents of terrorist violence.

In recent years, especially since 2017, French authorities have become more concerned about election disinformation, and have enacted a number of legislative and policy measures that are described below. In 2021, concern about potential interference during the 2021 New Caledonian referendum and the 2022 French presidential election has been rising, a trend which will likely accelerate in the coming months as those events approach.

Electoral system

Of all elections held in France (e.g., presidential, legislative, senatorial, regional, departmental, municipal, and European elections, as well as occasional referenda), the presidential election is the one that is most highly regulated. Several bodies are responsible for monitoring it, the main one being the Constitutional Council (Conseil constitutionnel). As the highest constitutional authority in France, the Constitutional Council's role is to ensure that constitutional principles and rules are respected. It is the "electoral judge" of both presidential and parliamentary elections. In practice, it supervises the election by controlling the eligibility of the candidates and ensuring that the election is free and fair.

Around a year before each presidential election, the Council of State (Conseil d'Etat), which acts as the highest administrative court, establishes the National Commission for the Control of the Electoral Campaign for the Presidential Election (CNCCEP), an "independent administrative authority." The role of the CNCCEP is to make sure

[12] See Jean-Baptiste Jeangene Vilmer, The French State Response to COVID-19 Information and Influence Operations, *The Hague Program for Cyber Norms*, Leiden University, to be published.

[13] Source: SIG internal memo.

that presidential candidates are treated equally by the state during the campaign. The commission monitors candidates' public meetings, as well as their written, oral, audiovisual, and online communications. It has "a duty to intervene to put an end to actions which it considers objectionable," and to refer "to the competent State authorities" serious cases that may affect the fairness of the election. The commission is composed of five high-ranking civil servants. Since 2012, the CNCCEP has had an office "responsible for examining the way in which the electoral campaign [is] conducted on social networks and for identifying the risks of public opinion being manipulated by the dissemination of false information or defamatory comments."

Media environment

In 2021, about the same proportion (around 68%) of French people got at least some of their news from TV and from the internet. Relatively fewer (38%) got news from social media, and far fewer (14%) got news from print media. There is a generational divide—while people under 35 usually get their news online, people above 35 usually get their news from TV. A plurality of French people polled reported that their primary source of online information is the websites and apps of traditional media companies (29%), with social media platforms next (20%). Of social media platforms, Facebook is the dominant source for news.

Trust in media is very low by international standards. In the 2021 Edelman Trust Barometer, France is ranked 26th out of 28 countries surveyed. About 30% of people report trusting the news overall, and 15% report trusting news on social media. 19% of people report trusting information from social media when it comes from a friend, and 37% report trusting it when the information comes from a media outlet.

However, overall, trust in the media increased in 2021 by 7 percentage points. The pandemic may have had a positive impact on trust in the media; according to Reuters, traffic to most news websites increased because of the lockdowns. One study found that people had more time for reading (including quality, investigative journalism) and fact-checking. Credibility of all forms of media improved for the first time since 2015. However, the same study showed political polarization, with trust in media declining among people more closely aligned with the far-right.

Most French people (61%) think that the media "are not objective enough and are not impartial", or even that journalists "deliberately attempt to mislead people by saying some false or erroneous information" (57%). 83% of French people would like the media to share their sources so they could "verify by themselves"—this is even higher among people 50–64 years old (89%) and supporters of the far-right party National Rally (88%).

44% of people think they encounter false or biased information at least once a week. An October 2021 survey found that the vast majority of the population (83%) believes that false information, fake news, and conspiracy theories are "very widespread on social media." Almost as many (78%) believe that false information can come "from anywhere, from any source," while only 15% believe that it mostly originates from extremist groups or foreign states. In any case, they seem disappointed with the response: 69% believe the government is not sufficiently committed to the matter, and 73% also expect a greater commitment from social media companies.

Examples of election disinformation

The Macron Leaks Operation (2017)[14]

The most notable example of election disinformation in France so far is the so-called "Macron Leaks" operation of 2017.

The Macron Leaks Operation was a coordinated attempt to undermine Emmanuel Macron's candidacy in the 2017 presidential election through a disinformation campaign consisting of rumors and fake news, the hacking of campaign email accounts, and finally a leak of hacked materials two days before the final round of the election. The launch of the disinformation campaign against Macron coincided with his rise in the polls in January 2017. As Macron emerged as the front-runner, he became the target of more frequent, organized, and aggressive attacks from the Russian state media, the American alt-right, and the French far-right. Attacks followed some common themes, painting him as a globalist, a rich banker, and a supporter of radical Islam and uncontrolled immigration. Attacks also included comments about the age difference between him and his wife and rumors about his sexuality.

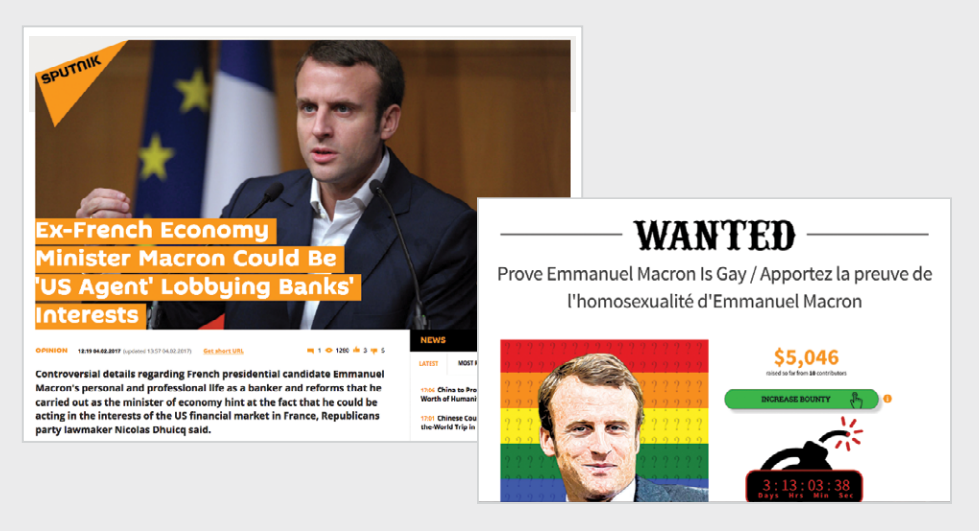


Fig. 12. *Examples of disinformation in the first phase of the Macron Leaks operation. On the left, the Russian state media Sputnik presents Macron as an "agent" working for the U.S. financial market in France.* **On the right**, *the American far-right political activist Charles C. Johnson on his website WeSearch offers more than 5,000$ to anyone able to "Prove Emmanuel Macron is gay."*

SPUTNIK
OPINION
12:19 04.02.2017 (updated 13:57 04.02.2017)
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NEWS
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Ex-French Economy Minister Macron Could Be 'US Agent' Lobbying Banks' Interests

Controversial details regarding French presidential candidate Emmanuel Macron's personal and professional life as a banker and reforms that he carried out as the minister of economy hint at the fact that he could be acting in the interests of the US financial market in France, Republicans party lawmaker Nicolas Dhuicq said.

WANTED

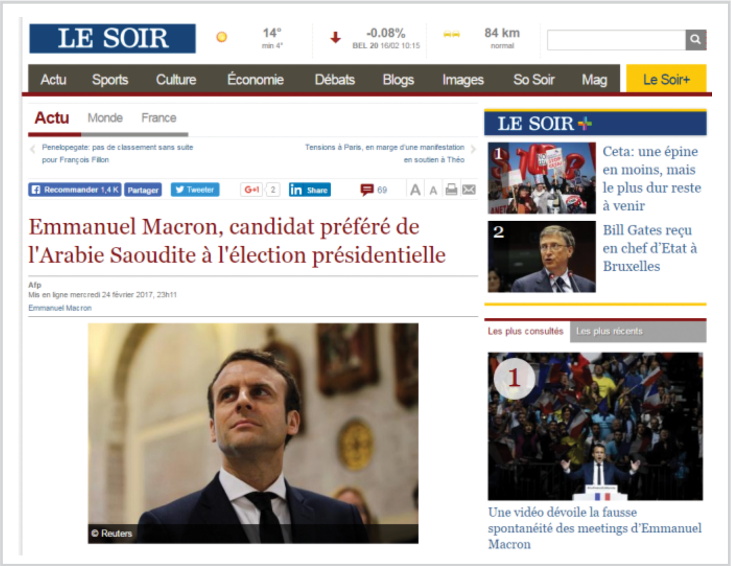
Prove Emmanuel Macron Is Gay / Apportez la preuve de l'homosexualité d'Emmanuel Macron

$5,046

raised so far from 10 contributors

[14] This section is based on Jean-Baptiste Jeangène Vilmer, *The Macron Leaks Operation*, IRSEM/Atlantic Council, 2019.

The campaign included some relatively sophisticated examples of manipulated information, such as fake news articles and documents. One article was designed to appear as if it came from the Belgian newspaper *Le Soir* headlined “Emmanuel Macron, Saudi Arabia’s preferred candidate in the French presidential election.” The article appeared on a cloned website, imitating almost perfectly the design and layout of Le Soir, but using a different URL, lesoir.info, instead of lesoir.be. The article was circulated on Twitter by other presidential candidates, including far-right candidate Marine Le Pen and center-right candidate François Fillon.



Penelopegate: pas de classement sans suite pour François Fillon

Tensions à Paris, en marge d'une manifestation en soutien à Théo

Emmanuel Macron, candidat préféré de l'Arabie Saoudite à l'élection présidentielle

Afp
Mis en ligne mercredi 24 février 2017, 23h11
Emmanuel Macron

1 Ceta: une épine en moins, mais le plus dur reste à venir

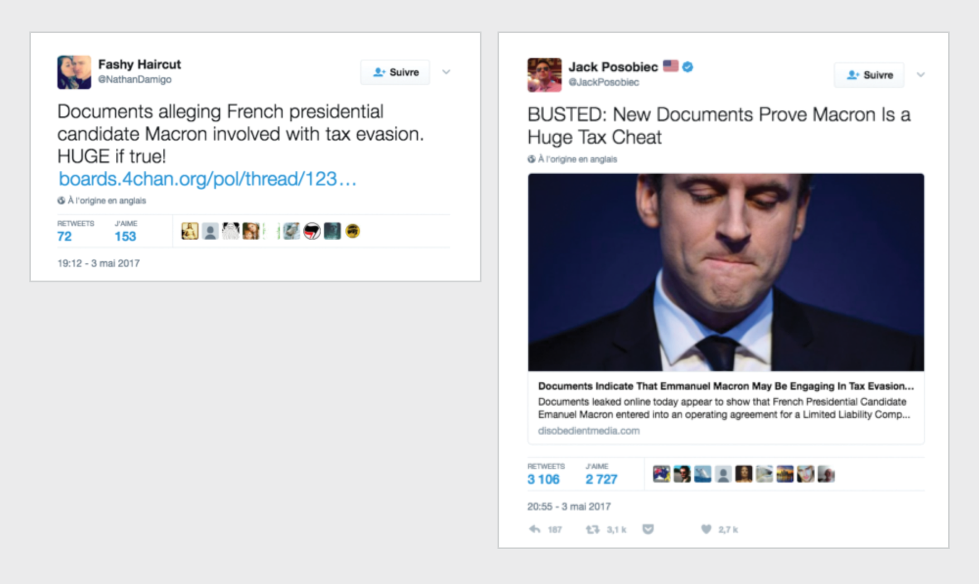
2 Bill Gates reçu en chef d’Etat à Bruxelles

Les plus consultés | Les plus récents

1 Une vidéo dévoile la fausse spontanéité des meetings d’Emmanuel Macron

Fig. 13. **A fake article** *linking Macron to Saudi Arabia on a cloned website, imitating almost perfectly the design and layout of the Belgian newspaper Le Soir.*

Additionally, two hours before the final televised debate between Macron and Le Pen, a user with a Latvian IP address posted two fake documents on 4chan. These so-called #MacronGate documents suggested that Macron had a secret company and offshore bank account registered in the Caribbean. Then the rumor spread on Twitter. The 4chan link was first posted by prominent American white nationalist Nathan Damigo and was further amplified by Jack Posobiec, an American alt-right and pro-Trump activist once dubbed “**The King of Fake News.**” The rumor was **quickly debunked** as several researchers and reliable media sources decisively proved these documents to be fabricated. However, this was only the beginning. The same user with the Latvian IP address who posted the fake documents on Wednesday announced on Friday morning that more were coming, **promising**, “We will soon have swiftnet logs going back months and will eventually decode Macron’s web of corruption.” Hours later, thousands of documents were released in what became known as the #MacronLeaks.



Fashy Haircut
@NathanDamigo

Documents alleging French presidential candidate Macron involved with tax evasion. HUGE if true!
boards.4chan.org/pol/thread/123…

À l'origine en anglais

RETWEETS 72 J'AIME 153

19:12 - 3 mai 2017

Jack Posobiec
@JackPosobiec

BUSTED: New Documents Prove Macron Is a Huge Tax Cheat

À l'origine en anglais

Documents Indicate That Emmanuel Macron May Be Engaging In Tax Evasion...
Documents leaked online today appear to show that French Presidential Candidate Emanuel Macron entered into an operating agreement for a Limited Liability Comp...
disobedientmedia.com

RETWEETS 3 106 J'AIME 2 727

20:55 - 3 mai 2017

Fig. 14. *American white nationalist Nathan Damigo first shared links to the #MacronGate documents, hosted on 4chan (left).* **The story was amplified** *by American disinformation-spreader Jack Posobiec (right).*

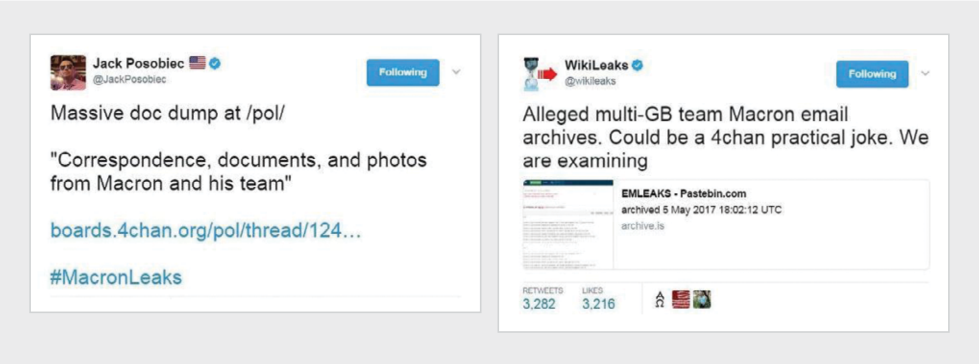
Macron's campaign staff were targeted with a series of attacks (i.e., phishing, tabnabbing, or email spoofing) intended to obtain access credentials, as early as December 2016. In total, the professional and personal email accounts of at least five of Macron's close colleagues were hacked, including his speechwriter, campaign treasurer, and two MPs.

In France, there is a forty-four-hour media blackout ahead of the closing of the polls, which also applies to public posts on social media. Between midnight on Friday and 8 p.m. on Sunday, when the last polls close, candidates are prohibited by law from making public statements or giving interviews.

Just hours before the start of the media blackout, fifteen gigabytes of stolen data, including 21,075 emails, were leaked. The timing left Macron and his team relatively defenseless, barred from making any public statements or media appearances to address the leak. It also prevented any coverage or analysis of the documents by the traditional media. This left social media platforms, especially Twitter, as the primary arena for discussion of the leaked content.

The documents were initially available on a number of file-sharing websites and first shared on Twitter by the American alt-right, which launched the hashtag #MacronLeaks. WikiLeaks then shared a link to the files.

The #MacronLeaks documents appeared to contain authentic documents mixed with manipulated documents—a technique that has been dubbed "tainted leaks." The fake-seeming messages insinuated that Macron used cocaine ("don't forget to buy c. for the boss") and was on the mailing list of "Vestiaire Gay," a gay underwear brand.



Jack Posobiec
@JackPosobiec

Massive doc dump at /pol/

"Correspondence, documents, and photos from Macron and his team"

boards.4chan.org/pol/thread/124…

#MacronLeaks

WikiLeaks
@wikileaks

Alleged multi-GB team Macron email archives. Could be a 4chan practical joke. We are examining

EMLEAKS - Pastebin.com
archived 5 May 2017 18:02:12 UTC
archive.is

RETWEETS 3,282 LIKES 3,216

***Fig. 15.** As with the fabricated #MacronGate documents, Jack Posobiec (left) was the first significant voice to amplify the #MacronLeaks documents. Wikileaks (right)* **internationalized** *the spread.*

SOURCE: Twitter.

The Macron Leaks operation is generally thought to have failed, for a number of reasons detailed in a **different report** by the contributing author. These reasons might include structural reasons (such as a more highly regulated media environment), anticipation (having seen previous similar campaigns in the Netherlands, the U.K., and the U.S.), and luck.

The traditional media also played an important role in countering the Macron Leaks operation. Social media penetration was significantly **lower** than in the U.S., Germany, Canada, or the United Kingdom. Furthermore, French voters **tended not to trust social networks** as a news source, and **tended to share better quality information** than U.S. voters, potentially raising the impact of higher-quality traditional media sources. There was also an important effort from journalists to counter the disinformation campaign through fact-checking initiatives such as the aforementioned CrossCheck project. Traditional media outlets such as the state-owned **France 24** TV network or the **Libération** newspaper published real-time debunking of several false or biased information, including the #MacronGate rumor. And, soon after the leaks, when the president of the CNCCEP asked "the media not to report on the content of this data, especially on their websites, reminding the media that the dissemination of false information is a breach of law, above all criminal law," and the French Media Regulatory Authority (CSA) **forwarded this message** to broadcast media, the media complied. For example, Le Monde newspaper published an **article** on May 6 stating: "Whatever the origin of the hack, the publication of these documents only two days before the second round, in the blackout period prohibiting candidates and their supporters from expressing themselves, is clearly aimed at the disruption of the electoral process underway… If these documents contain revelations, Le Monde will certainly publish them after having investigated them, thereby respecting our journalistic and ethical rules and without allowing ourselves to be manipulated by anonymous actors."

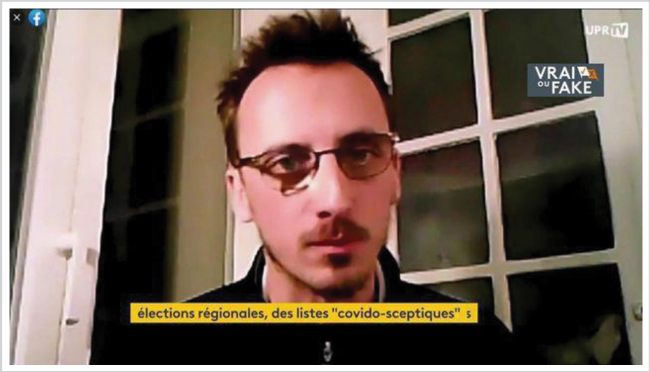
In 2021, the situation is different in several respects. On the one hand, social movements such as the yellow vests revealed and boosted the growing role of "alternative" and conspiratorial media in France, including Russian media, **which in return also fueled** those movements. In other words, the public may be more vulnerable to disinformation than before. On the other hand, traditional media outlets are better prepared. Radio France, the French public service radio broadcaster, is a good example. Franceinfo, its all-news radio station, has two specific systems: first, an internal agency of 17 journalists, responsible for monitoring, verifying and certifying information, in conjunction with the various editorial departments of Radio France. This agency publishes more than 20,000 dispatches each year, sent to all Radio France and France Télévisions journalists. This agency has no equivalent in France and its rules are very strict and include a prohibition on conditionality and on repetition of information from another media without verification.[15] Second, Franceinfo also has a dedicated office, entitled "**True from false**" (Le vrai du faux), with journalists fact-checking public speech and information trending on social networks, and providing context and explanation. "In both cases, the idea is to make the public debate about factual elements and therefore to fight against disinformation", explains one of the journalists.

Other incidents

More recently, there have been some isolated examples of disinformation seeking to undermine the legitimacy of French elections:

In May 2021, ahead of the June French regional elections, Louis Fouché, a doctor from Marseille known to spread disinformation and conspiracy theories about the Covid-19 pandemic,[16] initiated a political movement called "Un nôtre monde" with other personalities, including some linked to far-right groups and the QAnon movement. In a video clip about the movement—which made it onto the ballot in several regions—**Fouché explains** that "the elections are inevitably rigged, [but] to break the system, you have to go into it." However, this movement's impact seems minor: "Un nôtre monde" presented three lists, each of them getting less than 1% of the vote.

Fig. 16. Dr. Louis Fouché *(in yellow: "regional elections: some lists of 'COVID-skeptics'")*



[15] Source: interview with Vincent Giret, director of information, Radio France, Paris, on 26 May 2021.

[16] For example the idea that Covid-19 vaccine affects fertility (https://factuel.afp.com/les-vaccins-arn-messager-nentrainent-pas-dinfertilite-expliquent-les-experts). Louis Fouché launched the "reinformation" website https://reinfocovid.fr.

In June 2021, also in the context of the regional elections, Jean-Luc Mélenchon (the likely far-left candidate in the 2022 presidential election), predicted that "a grave incident or a murder" would influence the presidential election, noting that previous terrorist attacks occurred during election campaigns, like the Toulouse and Montauban shootings in March 2012 (a month before the presidential election). Insinuating foul play and conspiracy, he added: "Everything is already written in advance. We will have the very serious incident that will once again allow people to point the finger at Muslims and start a civil war." His words were denounced as "conspiracies" by most of the political class.

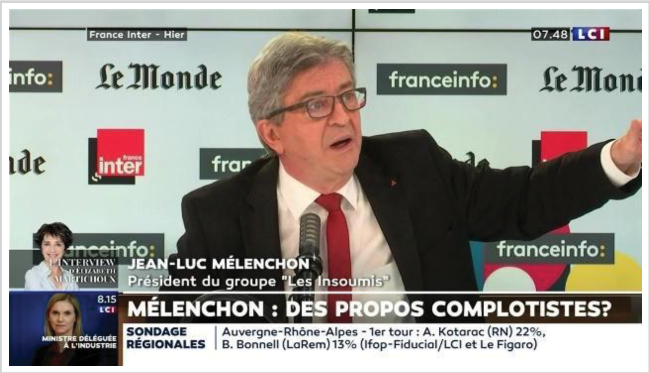

France Inter - Hier
07.48 LCI
Le Monde
franceinfo:
inter
franceinfo:
INTERVIEW D'ELIZABETH MARTICHOUX
JEAN-LUC MÉLENCHON
Président du groupe "Les Insoumis"
8.15 LCI
MINISTRE DÉLÉGUÉE À L'INDUSTRIE
MÉLENCHON : DES PROPOS COMPLOTISTES?
SONDAGE RÉGIONALES
Auvergne-Rhône-Alpes - 1er tour : A. Kotarac (RN) 22%, B. Bonnell (LaRem) 13% (Ifop-Fiducial/LCI et Le Figaro)

Fig. 17. *Jean-Luc Mélenchon in 2021 predicting a "grave incident" in the 2022 presidential campaign, on French national radio.*

SOURCE: Franceinfo

Another worrying trend likely to reinforce false conspiratorial thinking is the growth of the QAnon movement in France. In a February 2021 memo, the Interministerial Mission of Vigilance and Combat against Sectarian Aberrations (MIVILUDES, a government agency) mentioned the QAnon movement in France and assessed: "the increase in members and spreaders of those false information is worrying with regard to the next presidential election." In October 2021, the French press obtained and revealed another memo on "The Influence of the American QAnon Movement in France" from the Service central du renseignement territorial (SCRT), an intelligence service of the National Police. It explains that "the French QAnon trend follows the obsessions of the original movement [hidden world order, paedophilia of the elites, control of the media...] which crystallizes around the global rejection of political figures". One of the main French-speaking figures of this movement is Rémy Daillet, who has been recently charged with terrorism for planning to attack a number of targets, including vaccination centers and a masonic lodge. Under the nickname "Operation Azur", Daillet gathered around 300 people, mostly from far-right networks, whose ultimate goal was to overthrow the government.

Interventions

Following the 2017 presidential election disinformation and interference attempt, a number of measures have been taken by the government, civil society, traditional media and social media platforms.

Governmental interventions

Legislative measures

2018 law on information manipulation

A "Law against the manipulation of information," mostly limited to electoral periods, was approved by the National Assembly on November 20, 2018. One month later, the Constitutional Council confirmed its legality. One of the reasons why the Council approved it is that the law "takes into account the particular gravity of a destabilization attempt emanating from a media controlled directly or indirectly by a foreign power."

It is important to note that the effectiveness of the law is unclear, and it has been invoked only once (somewhat ironically) against a tweet from the Minister of the Interior, though the court found the Minister not guilty of spreading false information. The complainants acknowledged that their "objective was to demonstrate by the absurd that the law is useless." More importantly, the law has generated strong opposition, from journalists and NGOs in particular, given its free speech and human rights implications. Reporters Without Borders (RSF), for instance, has said that "it is understandable and justifiable to try to prevent manipulative content from circulating online, but the solutions proposed in the bill could be unworkable and even counter-productive."

Under this law, information manipulation is defined as the "inexact or misleading allegation of a fact that could alter the sincerity of an upcoming vote and that is spread deliberately, artificially or automatically and massively to the online public through a communication service." In the three months before an election, candidates and political parties can now appeal to a judge to stop "false information"; the CSA can suspend television channels "controlled by a foreign state or under the influence" of that state if they "deliberately disseminate false information likely to affect the sincerity of the ballot." This is limited, however, to false news that (i) is obvious, (ii) is disseminated deliberately on a massive scale, and (iii) could cause violence or compromise the outcome of an election—three conditions that may be difficult to satisfy in practice. Any offense is punishable by one year's imprisonment and a fine of €75,000. Moreover, the law requires large digital platforms (with more than five million unique visitors per month in France) to provide users with "information that is fair, clear and transparent" on how their personal data is being used, and to report any sponsored content by publishing the name of the author and the amount paid.

Avia Law (2020)

The so-called "Avia law" (after the MP Laetitia Avia, who drafted the original bill) aims to regulate hateful content online. Although it is not directly related to elections or limited to electoral periods, it is worth considering here. Online hate speech is a commonly-used corrosive and divisive tool for malign foreign actors, notably (but not only) during electoral periods. Inspired by the German "Netzwerkdurchsetzungsgesetz" (NetzDG) that came into effect on January 1, 2018, forcing digital platforms to take down "manifestly illegal" messages within 24 hours or face fines of up to €50 million euros, Avia's initial draft law required digital platforms (e.g., search engines and social media) to remove "manifestly illegal" harmful content within 24 hours of notice or complaint, at the risk of incurring very high fines (up to 4% of the company's global revenue).

However, what passed in Germany did not pass in France, as this specific provision was rejected by the Constitutional Court as breaching the freedom of expression and opinion, mostly because the 24 hour delay was considered too short. Without what was its core provision, what has been described as a "watered-down" version of the law entered into force in July 2020, with provisions such as the creation of an independent observatory of online hate speech. Note that this law was also criticized by civil society groups, for being too broad in scope, with overly severe sanctions, and a problematic enforcement regime. The Secretary General of RSF stated his support for the Constitutional Court's rejection of the core of the law.

Policy measures

Among other measures taken in 2018, the Culture Minister pledged to double her ministry's budget for media and information literacy, from €3 million to €6 million. These funds were used to support civil society actors (i.e. associations and journalists) working with schools and libraries to create a "civic service program." As part of this program, the Ministry financed training of "volunteers in libraries on media and information education."

More recently, in 2021, a significant step was accomplished: the creation of a new national agency.

Creating a new agency: Viginum (2021)

In a Senate hearing on June 10, 2021, Stéphane Bouillon, head of the Secretariat-General for National Defence and Security (SGDSN), was asked about what his agency was doing against the risk of electoral interference. He said that the SGDSN was working on creating "a useful tool for [agencies] and for the success of their missions during the presidential campaign." This tool is a new national agency, named "Viginum" (standing for Vigilance and protection service against digital interference), operational since September, 2021. Its role is to "monitor, detect, and characterize foreign digital interference operations aiming at manipulating information on social networks." It also provides information to the CSA and to the National Commission for the Control of the Election Campaign, which, unlike Viginum, can address domestic sources of disinformation. Organizationally, the agency will operate under the SGDSN, itself under the Prime Minister's authority.

Viginum's creation is linked to two important upcoming electoral deadlines that likely carry high risks of foreign information manipulation: the New Caledonian independence referendum in December 2021, and the presidential election in April 2022. In his June 10, 2021, Senate **hearing**, the SGDSN explicitly said, "To take the example of the future referendum in New Caledonia, we will be very attentive to any interference from countries that would have an interest in this territory becoming independent."

Viginum is also the result of the observation that there are no non-governmental/ private organizations already doing this kind of digital forensics in France and that, in any case, the state needed such a tool. Interestingly, it has been described as a "State **Graphika**," in reference to the American company (also famous in France because its former Chief Innovation Officer, **Camille François**, is French). The methods may be the same, or inspired by the private sector, but Viginum is a public service, working for and within the state. In the Senate hearing, the head of the SGDSN explained how Viginum will work: the new agency will only detect and identify the threats ("our objective is to be able to trace the arsonist as quickly as possible"), and it will then refer the cases to other actors which will take actions: the Ministry of Foreign Affairs will take diplomatic measures, the Service of Government Information (SIG) will produce a counter-argument, the Ministry of Justice will initiate judicial proceedings if needed, the CSA will make recommendations to digital platforms, etc. He also added that this agency will be connected to European bodies, in particular the special committee on foreign interference in all democratic processes in the EU, chaired by a French MP, Raphaël Glucksmann, with another French MP, Nathalie Loiseau, as one of the coordinators.

Advisory commissions ahead of the 2022 presidential election

At least two advisory commissions also play a role in fighting electoral disinformation ahead of the 2022 presidential election. First, in June 2021, the French Digital Council, created in 2011, published a **report** on false information online with the **goal** of "raising awareness ahead of the presidential election." The report describes the risk posed by disinformation for elections, but relies mostly on the American precedents (2016 and 2020) – there is nothing in that report on election disinformation in France specifically.

Second, in September 2021, the President created a **new advisory commission**, called "Enlightenment in the digital age," comprised of 14 experts and chaired by the sociologist Gérald Bronner. Its role is to think about "the space for common debate in our democracy," and, more specifically, to formulate recommendations on countering those spreading disinformation and hate.

The Court of Audit

The 2022 presidential election will be the first that directly involves the Court of Audit (Cour des comptes) in the prevention of election disinformation. The Court of Audit is an administrative court conducting legislative and financial audits of public and private institutions, including the government itself. In October 2021, the Court's president announced that it will publish by the end of the year 12 memos on the most likely major themes of the campaign (such as pensions, energy policy, industry, police, etc.).

By doing so, he hopes to offer a counterpoint to "caricatures" and "disinformation" in the public debate to come.

Supporting civil society

French authorities recognize the critical role played by civil society, particularly journalists and NGOs, in countering information manipulation. Within the Ministry of Europe and Foreign Affairs, the team of the Ambassador for Digital Affairs, himself coming from civil society, has been working very closely with non-state actors. In 2019, they organized a 2-day event on countering online information manipulation, with approximately 50 people coming from civil society, particularly journalists, academics, developers and NGOs, but also private companies, including social media platforms.[17] Another sign of this approach is the support President Macron provided for Reporters Without Borders' (RSF) International Initiative on Information & Democracy, pushing twelve Heads of State and Governments to commit, during the first edition of the Paris Peace Forum (November 2018), to launching a political process based on this initiative.

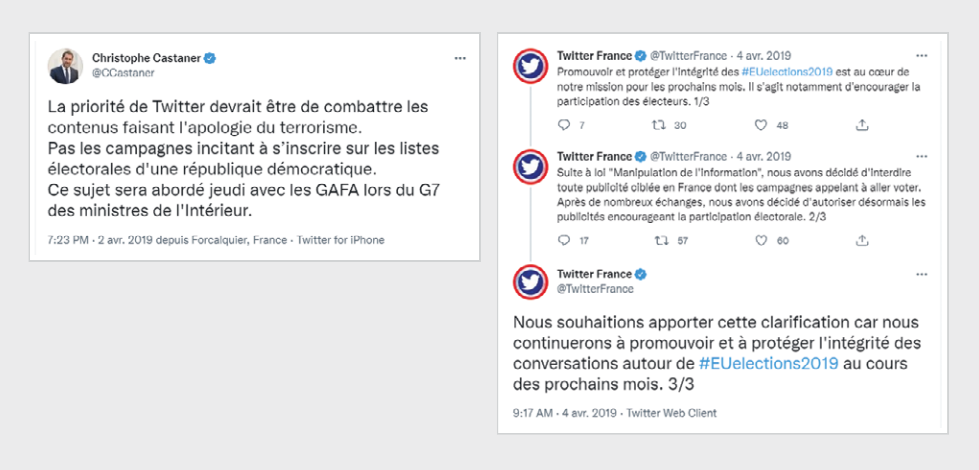
Platform interventions

Ahead of the 2017 presidential election, Facebook partnered with several French media organizations doing fact-checking so they could identify false information. Facebook also works with the French authorities. They participated in the aforementioned event on countering online information manipulation at the French Ministry of Foreign Affairs where, for the first time outside the U.S., Facebook offered a training session on its Social Science One program allowing selected social science researchers to have access to anonymized data. Currently, Facebook is also preparing for the 2022 presidential election by raising awareness among candidates, encouraging them to better secure their accounts, and by developing new partnerships with fact-checking media.

Another initiative taken ahead of the 2017 presidential election was CrossCheck, a collaborative journalism project powered by the First Draft coalition and supported by the Google News Lab. Over ten weeks, between February and May 2017, it gathered more than one-hundred journalists from thirty-seven French newsrooms in order to fact-check information during the campaign.

As for Twitter, following the 2018 information manipulation law, it "decided to ban all targeted advertising in France, including campaigns calling for people to vote," including a government communication campaign called "#Ouijevote" (Yes I vote) encouraging people to vote in the 2019 European Parliament elections. The government protested, and Twitter changed its mind: "After much discussion, we have decided to now allow advertising encouraging voter turnout," they explained in April 2019.

[17] Source: French Ministry of Europe and Foreign Affairs.



Christophe Castaner
@CCastaner

La priorité de Twitter devrait être de combattre les contenus faisant l'apologie du terrorisme.
Pas les campagnes incitant à s'inscrire sur les listes électorales d'une république démocratique.
Ce sujet sera abordé jeudi avec les GAFA lors du G7 des ministres de l'Intérieur.

7:23 PM · 2 avr. 2019 depuis Forcalquier, France · Twitter for iPhone

Twitter France @TwitterFrance · 4 avr. 2019
Promouvoir et protéger l'intégrité des #EUelections2019 est au cœur de notre mission pour les prochains mois. Il s'agit notamment d'encourager la participation des électeurs. 1/3

7 30 48

Twitter France @TwitterFrance · 4 avr. 2019
Suite à loi "Manipulation de l'information", nous avons décidé d'interdire toute publicité ciblée en France dont les campagnes appelant à aller voter. Après de nombreux échanges, nous avons décidé d'autoriser désormais les publicités encourageant la participation électorale. 2/3

17 57 60

Twitter France
@TwitterFrance

Nous souhaitions apporter cette clarification car nous continuerons à promouvoir et à protéger l'intégrité des conversations autour de #EUelections2019 au cours des prochains mois. 3/3

9:17 AM · 4 avr. 2019 · Twitter Web Client

Fig. 18. *The French Minister of the Interior (left) protested that "Twitter's priority should be to fight content promoting terrorism. Not the campaigns encouraging people to register to vote in a democratic republic. This issue will be discussed on Thursday with the GAFA during the G7 of interior ministers." Two days later, Twitter (right) explained how they changed their mind and authorized campaigns to increase voter turnout: "Following the 'Information manipulation' law, we have decided to ban all targeted advertising in France, including campaigns calling for people to vote. After much discussion, we have decided to now allow advertisements encouraging voter turnout. We wanted to provide this clarification as we will continue to promote and protect the integrity of the conversations around #EUelections2019 over the coming months."*

SOURCE: Twitter.

Civil society interventions

The contribution of global civil society was another reason that the 2017 Macron Leaks operation failed; there were international efforts to quickly analyze and publicize what was happening. Within hours of the initial dump, several analyses, **for example from Ben Nimmo** of the DFRLab, helped inform the international media conversation. As a result, the dominant story was not about the content of the leaks, but instead about the implication of the American alt-right in an influence operation against the French election. Thus, a handful of open-source researchers (those without access to privileged intelligence information) helped to derail the attackers' narrative. According to Nimmo, the main lesson of the event is that it was less about information warfare than "narrative warfare." In **Nimmo's words**, "we have the facts" but "they have the stories." To counteract this, it is important to push other stories and deconstruct theirs. Furthermore, it is vital to encourage and develop international civil society initiatives that scan the web on a permanent basis—and not just during election periods—searching for trolls, bots, and disinformation actors, and exposing their identities, methods, and networks.

This is not one of the strengths of France, as the think tank scene is rather small, compared to the U.S., the U.K., and Germany, and very few people are actually working on disinformation. So far, there is no major group conducting social media analysis or OSINT (open-source intelligence, conducted using publicly available sources) in France, comparable to **Graphika** or **Bellingcat**; this is clearly needed.[18]

[18] The most promising groups may be the GEODE Center at University of Paris 8 and the French-speaking OSINT association Open Facto, as well as the EU Disinfo Lab (which is based in Brussels and works mostly in English).

Conclusion

Our review of election disinformation in the U.S., Brazil, and France highlights some of the ways that false information and misleading narratives undermine democracy. In each country, disinformation spreads along a number of vectors: foreign actors, domestic politicians, social media users, and the traditional media. Combating election disinformation is extremely challenging. False narratives may be exciting, intriguing, and be specifically targeted towards audiences who are inclined to believe them. And responding from the "supply side" (such as via content moderation and fact-checking) poses a number of challenges. For example, taking action against individual pieces of content may not be very important on its own—instead, the various misleading narratives can be woven together into a powerful "**meta-narrative**," such as those that have been built around mail-in voting in the U.S. or electronic voting in Brazil.

The difficulties are compounded when characteristics of electoral systems lend themselves to disinformation. In the United States, we noted that the decentralized nature of the electoral system helps to create a fertile environment for election disinformation. There is no simple way to describe how elections are administered across the U.S., which creates challenges for educating the public and opportunities for those who would spread disinformation—especially when election procedures are suddenly changed, as occurred in response to the COVID-19 pandemic. In Brazil, public debate over elections has recently been dominated by discussion about the electronic voting system. The voting system has real flaws and vulnerabilities, but it has been the focus of a sweeping disinformation campaign that has veered into conspiracy theory, precluding the possibility of an honest public debate about improving the system.

The impact of disinformation is greatly exacerbated when government officials or candidates play a role in disseminating it. As we have shown, in 2020, President Trump spearheaded a broad disinformation campaign aimed at discrediting mail-in voting; a line can be traced from the start of this campaign to the deadly January 6 riot at the Capitol. Likewise, in Brazil, President Bolsonaro and his allies have misled the public, confusing vulnerabilities with actual evidence of fraud and fomenting distrust. Claims of fraud may be particularly potent in Brazil, which has a long history of proven fraud in elections prior to the introduction of electronic voting machines in 1996, as well as a history of high profile corruption and abuse of power. By contrast, in France, the most significant example of election disinformation was the Macron Leaks Operation, a coordinated attempt to undermine Emmanuel Macron when he was running in the 2017 presidential election. That disinformation campaign was not amplified by political leaders, and it appears that election disinformation campaigns such as the Macron Leaks have not been as effective with the French public as they have been in the U.S. and Brazil.

The complexity of how disinformation spreads means that an effective response must come from all of the relevant players: governments, social media platforms, members of the media, and users. These players can enhance their response by building on and reinforcing each others' efforts—for example, social media platforms can work to amplify the government's factual responses to disinformation.

We have seen some successful efforts by governments to counter disinformation in each of the three countries we examined. In the U.S., the federal government, as well as nearly every state-level election official, initiated programs to promote media literacy campaigns; debunk misinformation on traditional and social media; and proactively provide information about election procedure to voters in events, written, and online materials. In the wake of the 2020 U.S. presidential election, the Cybersecurity and Infrastructure Security Agency created the Rumor Control page to debunk disinformation as it happened. In Brazil, the Superior Electoral Court (TSE) fact-checked disinformation leading up to and on recent election days, partnered with social media platforms and civil society, and even impeached elected officials who spread disinformation. Before each presidential election, France establishes the National Commission for the Control of the Electoral Campaign for the Presidential Election (CNCCEP) to monitor and intervene against disinformation.

Efforts to debunk misinformation (or "pre-bunk" it in advance) are not always effective, because government agencies and officials do not always have strong communications capabilities or experience in effectively communicating with the general public. But they often provide an important authoritative source for journalists to use. This may be tempered by the fact that trust in the **media and government** is very low in all three countries. We recommend that government officials commit to not trafficking in disinformation and to take seriously their role in countering objectively false information about voting processes.

While government actors can play an important role in combatting disinformation, legislatures have also proposed interventions that in some cases are extremely overbroad, to the extent that they may be incompatible with upholding international standards of free expression. These proposals have created pushback from advocacy groups and other members of civil society. In general, we found that no comprehensive legislative effort to regulate disinformation has been passed, upheld, applied regularly, and been consistent with human rights. Governments ought to fulfill their obligations to respect human rights when considering legislation aimed at addressing disinformation. The United Nations Special Rapporteur on Freedom of Opinion and Expression has provided a **set of recommendations** for governments on responding to disinformation without suppressing freedom of expression.

In addition to governments social media platforms have, in all three countries, initiated efforts to limit the spread of disinformation, either by fact-checking and labeling content, taking down content, or limiting the virality of forwarded messages. However, it remains difficult to determine the effectiveness of these interventions. We suggest that the social media companies work to be more transparent about their efforts to combat election disinformation—both how they are applied and how effective they are. There should also be more transparency about how platform ranking and amplification algorithms affect the distribution of content, including election disinformation. Platforms should increase researcher access to data, in order to support independent research by academics, journalists, government, and civil society. The platforms should also be more transparent about their efforts to protect elections internationally; a **recent leak** revealed that Facebook leaders put the U.S., Brazil, and India in "tier zero," the highest priority category of election protection. Facebook should be transparent about how it prioritizes which elections to protect most, and what such prioritization means in practice.

Some of the most promising methods for fighting disinformation involve **collaborations** between governments, academics, social media platforms, journalists, election officials, civil society, and **members of the public** to monitor and mitigate election disinformation. Some governments have suggested a **whole-of-society** approach to the problem that incorporates civil society, traditional media, social media, and end users. This appears to have much promise, and we suggest that more research be done to explore the most effective ways in which this can work.

The threats to democracy from disinformation in these three countries remain. Although it is possible that former president Trump's influence **is fading**, his fraudulent claims of a stolen election still have power today. Commentators like Steve Bannon and Mike Lindell, who continue to promote "**fantasyland**" theories about the 2020 election, have large followings. State legislators are still taking steps to conduct "**sham reviews**" of the results, one year later. Especially concerning to us are new laws in the states that could make it easier for state legislatures to overturn, or **subvert**, election results. With these laws in place, an effective disinformation campaign might be used to build support for undoing the will of the people.

In Brazil, President Bolsonaro will be up for re-election in October 2022. For years, Bolsonaro has been railing against the electronic voting system, saying that if he lost it would be because the system had been rigged against him. Such a campaign—as with President Trump's campaign to undermine mail-in voting—appears to be intended to build popular support for maintaining power in the courts or on the streets in the case of an eventual electoral loss. **Polling** indicates that Bolsonaro may be on track to lose. What might that look like? Will Bolsonaro use false claims about election fraud merely to save face? Or might he attempt to inspire his supporters to revolt, as Trump's supporters did on January 6, 2021?

In France, as in Brazil, the incumbent president will be running for re-election next year. In March 2021, **President Macron warned** against Turkey's "attempts to interfere" in the 2022 presidential election: "Obviously, there will be attempts to interfere in the next election. It is written, and the threats are not veiled," he said. However, at this stage no publicly available evidence seems to suggest that Turkey is involved in spreading false narratives related to the upcoming election.

In each of these countries and elsewhere, disinformation may evolve in ways that make it more dangerous and difficult to counter. For example, on top of the traditional tools of election disinformation such as hack-and-leak operations or the use of kompromat in order to damage a candidate's credibility, **journalists** and **experts** are increasingly concerned about **deepfakes**, or sophisticated manipulated media. There is also concern over a more rudimentary efforts to manipulate media, dubbed "**cheap fakes**": an amateur, low-quality manipulated video of a candidate that could **nevertheless be a powerful vector** for disinformation.

Election disinformation appears poised to continue undermining democracy and diminishing public trust in government. It will take all of us—governments, civil society, members of the media, social media platforms, and end users—to defend against it and uphold global democracy.

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Dhanaraj Thakur

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