

Insights for online regulation:

A case study monitoring political advertising

Economics discussion paper series, issue number 3



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[Insights for online regulation: A case study monitoring political advertising](#) – Welsh overview

Ofcom economics discussion paper series in communications regulation

The discussion paper series

Ofcom is committed to encouraging debate on all aspects of media and communications regulation, and to creating rigorous evidence to support its decision-making. One of the ways we do this is through publishing discussion papers, extending across economics and other disciplines. The research aims to advance our knowledge and to generate a wider debate on the themes covered.

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Contents

Section

Ofcom economics discussion paper series in communications regulation	1
1. Overview	3
2. Background	5
3. Methodology and data	12
4. Findings	17

Annex

A1. Responses to ERGA research questions	32
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1. Overview

The internet has delivered major benefits to people and wider society. Its free and open nature is a vehicle for innovation that has enabled new business models and ways of delivering information and content. It has revolutionised how people communicate with each other and how they access a range of this content.

But this has not come without risks, including those posed by illegal and harmful content. In the UK and internationally, work is being undertaken to understand the nature of these risks and how best to address them. New regulatory tools and approaches are being developed in response.

One recently developed tool is the voluntary Code of Practice on Disinformation developed by major online companies such as Google, Facebook, Twitter and Mozilla in 2018 to tackle online disinformation and help to maintain the integrity of democratic elections and debates online.

Political advertising is one of the areas covered by this code. Organisations that have signed up to the code have committed to: distinguishing paid-for communication; enabling disclosure of political advertising including the identity of advertisers and amounts spent; and making reasonable efforts to identify and label issue-based advertising.¹ These commitments were made recognising the value of transparency and research around political advertising and with a view to helping people understand why they have been targeted by a particular advertisement.

We joined other regulators across Europe in monitoring how the code has been implemented during election periods. Our monitoring took place during the 2019 UK General Election and focused on the measures put in place by Facebook and Google to increase transparency around political advertising on their platforms.²

This report discusses the lessons we learned from our monitoring exercise. We expect that these lessons can contribute to the wider debates on how regulation can help to address online challenges. This report also summarises the findings of our monitoring to help inform debates on how transparency measures can empower online users to critically engage with the content they come across.

¹ The Code does not itself define issue-based advertising but the concept is intended to cover advertising which is about a politically important topic, for example climate change, but which is not for or against a particular candidate or party.

² Twitter is also a signatory of the Code but changed its advertising policies ahead of the UK General Election to prohibit political advertising on its platform. Our evidence-gathering took place during the General Election period and, as there was no relevant Twitter data to monitor, it was not included in scope of this exercise.

What we have found – in brief

Platforms' commitments under the code were aimed at ensuring political and issue-based advertising transparency, aimed at enabling users to understand why they were targeted by a particular advertisement. We conducted a qualitative and quantitative review of the information made available by Google and Facebook as part of their commitments. Based on this work we have found:

- the information provided by online platforms has potentially brought benefits to people;
- however, there is scope for platforms to provide further information to users to increase transparency of political advertising;
- platforms provided multiple ways to access their data on political ads. We found differences in datasets provided by the same platform, including observations in one dataset which do not appear in another from the same platform, and different totals of active ads on the same day for the same platform. We also observed differences in how the code was applied across platforms;
- there were potential gaps in platforms' implementation of the code that risked limiting the effectiveness of the actions they took to make information available to their users and researchers; and
- we encountered some obstacles to the comprehensive monitoring of the code's implementation, which could potentially be overcome by platforms providing more information to researchers.

Our monitoring has underlined the importance of a number of factors when developing regulatory tools for online issues. We discuss them here as a contribution to the wider debate about online regulation.

- Online regulation is a new and developing area. Regulators and platforms might need to test and evolve their approach to meet the dynamic nature of the market and the potential for unintended consequences.
- Regulatory outcomes will be improved by platforms having their own robust systems to monitor the effectiveness and outcomes of their actions. This will be challenging to achieve and might itself require an iterative approach.
- Transparency of the processes put in place by platforms would allow regulators and researchers to better assess their effectiveness and to work with platforms to identify any scope for improvements. It would also build trust between regulators, platforms and the public.
- An open dialogue between regulators, platforms, third sector and academia about data availability and access could help to assess the implementation and effectiveness of a regulatory approach. Such dialogue should also consider the costs and benefits of making such information available.
- Monitoring could be strengthened by supplementing the analysis of platforms' data with other evidence, such as consumer research into how users engage with the measures taken by platforms.

While these lessons present relevant considerations for the use of online regulatory tools more generally, their future application might vary in order to reflect specific regulatory objectives and costs and benefits of regulatory interventions.

2. Background

Introduction

- 2.1 This report presents Ofcom’s findings from monitoring the transparency of online political advertising on Facebook and Google,³ in line with their commitments under the voluntary Code of Practice on Disinformation (‘the Code’).⁴ The Code was signed by additional platforms,⁵ but only Facebook and Google: (a) allowed political ads for at least part of the 2019 General Election, and (b) had a relatively wide reach.
- 2.2 By reviewing the transparency information available to researchers and platform users, this report seeks to contribute to debates about the comparative effectiveness of transparency tools, and to the wider public discourse around the potential role of regulatory tools for addressing online challenges.
- 2.3 In this section we provide background information on the Code of Practice on Disinformation and the monitoring work conducted in 2019 by the European Regulators Group for Audiovisual Media Services (‘ERGA’), of which Ofcom was a member at the time.
- 2.4 We then describe the subsequent approach taken in producing this report in the context of Ofcom’s statutory duty to promote media literacy in the UK.

Background to the Code of Practice on Disinformation

- 2.5 On 5 December 2018, the European Commission (‘the Commission’) published an Action Plan against Disinformation setting out concrete measures to tackle the issue. Amongst other steps announced, it tasked ERGA, a network of EU regulators advising the Commission, with assisting in monitoring and assessing the implementation of a Code of Practice on Disinformation by platform signatories (‘the signatories’).⁶
- 2.6 The Code was developed in 2018 by the signatories - Google, Facebook, Twitter, Mozilla, representatives of platforms and the advertising industry and major advertisers - in collaboration with the European Commission. Microsoft became a signatory of the Code in May 2019⁷ and TikTok in June 2020.⁸
- 2.7 The Code was designed to tackle online disinformation and help secure the integrity of democratic elections and debates online, objectives set out in the Commission’s Communication on Disinformation from April 2018.⁹

³ Twitter, whilst also a signatory, banned political advertising on its platform from 22 November 2019, i.e. during the General Election period. As a result, Twitter ceased to publish data on political advertising ahead of our evidence-gathering phase and we therefore did not include it in our data analysis.

⁴ [Tackling online disinformation: a European approach, European Commission April 2018.](#)

⁵ The full list of platform signatories currently includes Facebook, Google, Twitter, Mozilla, Microsoft and TikTok.

⁶ [Action Plan against Disinformation, European Commission,](#) December 2018.

⁷ <https://blogs.microsoft.com/eupolicy/2019/05/03/supporting-european-electoral-integrity/>

⁸ <https://techcrunch.com/2020/06/22/tiktok-joins-the-eus-code-of-practice-on-disinformation/>

⁹ [Tackling online disinformation: a European approach, European Commission April 2018](#)

- 2.8 This initiative was the culmination of a period of evidence-gathering and consultation which included the Communication on Disinformation and the detailed report of an independent ‘High-Level Group on fake news and online disinformation’ published in March 2018.¹⁰
- 2.9 The Code was the start of a process of improving signatories’ policies for tackling disinformation on their services. On the advice of the High-level Group, a multi-stakeholder approach was adopted from the beginning: in parallel to the Code’s development, a Sounding Board composed of representatives from the media, academia and third sector was established to provide advice and critical feedback to Code signatories throughout the drafting process. It published a final Opinion on the Code in September 2018.¹¹
- 2.10 Signatories agreed to cooperate with regular monitoring and a 12-month review of the Code’s implementation by the Commission. The Commission in turn tasked ERGA and its members to assist with the monitoring exercises and review its application during this 12-month period.¹²
- 2.11 Since then, ERGA, several of its members individually, as well as independent experts from third sector and academia have all contributed feedback to signatories on the measures they have taken to comply with the Code.¹³
- 2.12 We understand that this collection of feedback is being considered by the Commission as it implements its European Democracy Action Plan and prepares a new legal instrument for ensuring the transparency of online political advertising.¹⁴

The Code of Practice on Disinformation

- 2.13 The Code sets out 15 commitments arranged into 5 pillars, each accompanied by an explanatory note. The five pillars are:
- a) **Pillar A** - Scrutiny of ad placements (aimed at de-monetising online purveyors of disinformation).
 - b) **Pillar B** - Transparency of political advertising and issue-based advertising (aimed at ensuring political advertisements are clearly identifiable by users).
 - c) **Pillar C** - Integrity of services (aimed at identifying and terminating fake accounts and using appropriate mechanisms to signal bot-driven interactions).
 - d) **Pillar D** - Empowering consumers (aimed at improving the discoverability of a diverse range of news sources and viewpoints).

¹⁰ The European Commission also referred to the group as the High-Level Expert Group.

¹¹ [The Sounding Board’s unanimous final opinion on the so-called Code of Practice](#), September 2018.

¹² Monitoring of the code was implemented over two phases in 2019. The first phase aimed at monitoring the implementation of the Code during the 2019 European elections. The second phase, which Ofcom participated in, was aimed at providing an assessment on the implementation of the commitments of all the five Pillars of the Code after an initial 12-month period (i.e. in October 2019). See [ERGA Report on disinformation: Assessment of the implementation of the Code of Practice](#), May 2020

¹³ See for instance [‘Study for the assessment of the implementation of the Code of Practice on Disinformation’](#) 2020 and [‘Desinformation, fake-accounts und politische werbung: die grenzen der selbstverpflichtungen von Facebook, Google und Twitter’](#) 2020

¹⁴ [European Democracy Action Plan](#), December 2020.

- e) **Pillar E** - Empowering the research community (aimed at granting researchers access to platforms' data necessary for a continuous monitoring of online disinformation).
- 2.14 This report presents findings relating to Pillar B, transparency of political and issue-based advertising. Under Pillar B signatories committed to:
- ensuring all advertisements are clearly distinguishable from editorial content whatever their form and medium utilised;
 - ensuring that where advertisements appear in context of news or editorial content, they are presented in such a way as to be readily recognisable as a paid-for communication or labelled as such;
 - enabling public disclosure of political advertising which could include actual sponsor identity and amounts spent; and
 - making reasonable efforts to define, and publicly disclose issue-based advertising.
- 2.15 The Code states that the measures above should aim at enabling users to understand why they have been targeted by a given advertisement. They also support commitments to empower the research community, including in its efforts to study online political advertising.
- 2.16 Each signatory to the Code also published detailed 'roadmaps' setting out which of these commitments it would meet and how, in light of their relevance to the products or services they provide.¹⁵
- 2.17 As a voluntary framework implemented by signatories, the Code continues to be in effect in the UK today.

The Code is principles-based and focused on processes

- 2.18 The Code adopts a principles-based approach, focused on the processes put in place by the signatories for tackling disinformation. It does not involve subjective assessments of individual pieces of content on platform signatories' sites.¹⁶
- 2.19 There are several reasons for taking a principles-based approach and focusing on processes rather than on reviewing individual pieces of content:
- it helps avoid the risk of a regulator being overwhelmed by the volume of content online;
 - it helps mitigate the risk of a regulator applying subjective judgment to individual pieces of content, which in the context of user-generated content and disinformation could lead to undue influence over public discourse and freedom of expression online¹⁷; and
 - it provides flexibility to accommodate the diversity of platforms that are signatories to the Code and their business models. This flexibility allows platforms to adopt tailored responses to disinformation on their services.
- 2.20 The Code's principles-based approach has the additional advantage of allowing platform signatories to develop measures which are proportionate to their regulatory costs – for instance, the business costs of compliance. Flexibility in this respect could encourage smaller

¹⁵ <https://ec.europa.eu/digital-single-market/en/news/roadmaps-implement-code-practice-disinformation>

¹⁶ As set out above, there were signatories to the Code, such as advertisers, who are not platforms.

¹⁷ In the context of disinformation, freedom of expression can be understood as applying to platforms (i.e. their ability to set their own terms and conditions) as well as to users.

platforms to sign the Code by supporting their efforts to deliver on its principles in ways that are suited to them.

- 2.21 The Code is voluntary. It was developed by the signatories to meet objectives and deliver outcomes agreed with policymakers, in this case the Commission. Signatories, experts, third sector and academia then collaborated on the processes which should, if effectively implemented, deliver these outcomes. The feedback that is provided by the monitoring process should be proportionate to the voluntary nature of the Code and the commitments made by signatories.

ERGA's approach to monitoring and Ofcom's involvement

- 2.22 The Commission requested ERGA's assistance to monitor the Code's implementation at the Member State level.
- 2.23 Thirteen national regulatory authorities ('NRAs') participated in ERGA's monitoring of the Code, tailoring their contribution according to their respective statutory remits and resources.
- 2.24 Ofcom was an active member of ERGA until the UK's departure from the European Union on 31 December 2019, and participated in ERGA's monitoring work during the 2019 UK General Election.
- 2.25 Ofcom focused its efforts on monitoring the implementation by Facebook and Google of commitments made under Pillar B of the Code, which relate to the transparency of political and issue-based advertising.¹⁸ This matches the scope of the monitoring carried out by regulators in other jurisdictions during the European Parliamentary and respective national elections in 2019. It also aligned with Ofcom's statutory duty to promote media literacy in the UK (see 2.29 below for more detail).
- 2.26 Ofcom's participation in this work allowed us to:
- a) research the tools made available to users for understanding the transparency of political advertising encountered online and share this research with third sector and academia; and
 - b) learn about regulatory tools for addressing online issues, including their design and methods for monitoring their effectiveness.
- 2.27 We did this by applying the framework of nine questions prepared by ERGA which map out measures taken by platforms against their Code commitments. ERGA's view is that answering these questions provides a picture of how well signatories met their commitments. The ERGA methodology is discussed in detail in Section 3.
- 2.28 Ofcom applied this methodology using a qualitative approach during the UK 2019 General Election and its findings were included in ERGA's final report published in May 2020.¹⁹ Since then, Ofcom has undertaken additional quantitative analysis of the signatories' publicly

¹⁸ Issue-based advertising is an advertisement which is about a politically important topic, for example climate change, but which is not for or against a particular candidate or party.

¹⁹ [ERGA Report on disinformation: Assessment of the implementation of the Code of Practice](#), May 2020.

available data and reflected on the insights we have gained from this process which will be relevant to the development of other regulatory tools for online. We include the findings of the quantitative analysis and our reflections in Section 4 of this report.

Ofcom's media literacy role

- 2.29 Ofcom has statutory duties to research and promote media literacy in the UK.²⁰ Our aim is to empower people to use, understand and create online media in a variety of contexts through our work. Media literacy has become increasingly important to consider, given the growing need for consumers and citizens to be aware of the range of risks and opportunities involved in being online, particularly in relation to mis- and disinformation.
- 2.30 Ofcom delivers on its current duties through its 'Making Sense of Media' programme. This programme of work expands our existing media literacy activity and seeks to:
- help improve the online skills, knowledge and understanding of UK adults and children, through research and collaboration with relevant stakeholders and their activities;
 - understand the impact of service design, processes and interfaces on literacy; and
 - support improved evaluation of literacy-based interventions and programmes.
- 2.31 The 'Making Sense of Media' programme includes our Making Sense of Media Advisory Panel ('the Panel') and a wider Network. The Panel brings together expert representatives from across industry, third sector and academia, to debate and inform the development of Ofcom's media literacy research and policy work. The Network comprises a broad range of stakeholders from across the UK with an interest in promoting media literacy. It convenes for workshops and updates. In addition, our development of evaluation techniques and tools includes discussions with a working group of relevant stakeholders, and the participation of a range of planned activities.
- 2.32 People's understanding of why they are seeing a specific piece of content, whether as a result of an editorial choice, advertising agreement or algorithmic curation, is a fundamental aspect of being media literate. Making clear to people the distinction between advertising and other types of content is essential to this, a point well established in the regulatory regime for broadcasting. Making this distinction explicit is one of the commitments that signatories agreed to under the Code.
- 2.33 Awareness of the business models for services we are using is an aspect of this: our media literacy research has shown a majority of people (73%) are aware of how commercial TV is funded, while understanding about online funding remains a lot lower - for example, only 43% of people know that YouTube is mainly funded through ads.²¹ Our research also shows that while levels of confidence about identifying advertising online is high, there are much lower levels of understanding in practice. Some 85% of online users say they are confident identifying online ads, but only half (49%) of search engine users can correctly identify

²⁰ Section 11 and Section 14 of the Communications Act 2003.

²¹ [Ofcom Adults' media use and attitudes report, June 2020](#)

sponsored links on Google search results and understand that this is the main reason these results are displayed at the top of the list.²²

- 2.34 Wider understanding about the mechanisms of advertising online are also partial – three in five online users demonstrate awareness of personalised ads, but this has remained constant over time, still leaving two in five unaware.²³
- 2.35 It is against this backdrop that the UK has recently transposed the Audio-visual Media Services ('AVMS') Directive which introduces new requirements for video-sharing platforms ('VSPs') based in the UK which Ofcom is responsible for implementing. The AVMS Directive recognises media literacy as an important element in platforms' efforts to protect their users.²⁴ The importance of media literacy is also set out in the Government's proposals for a future Online Safety Bill which will impose a duty of care on online services in scope to take steps to protect their users from harm. The Government intends to appoint Ofcom as the regulator for this new regime.²⁵

Ofcom findings

- 2.36 This report presents Ofcom's findings from the ERGA monitoring exercise, including analysis we have completed since December 2019. It provides information useful to a wide range of stakeholders including platforms, third sector, academia and others on the effectiveness of tools made available by signatories to help users understand the political advertising they encounter online, and makes a contribution to the public debate around democracy and digital technologies.
- 2.37 We also hope our findings, and any public discussion they might generate, are useful to the Code's signatories as they continue to improve their implementation of their commitments under the Code.
- 2.38 Undertaking this exercise has underlined the importance of the certain factors when developing regulatory tools for online issues. These have been valuable as we prepare for new statutory duties to regulate video-sharing platforms established in the UK under the AVMS Directive, and a wider set of online services under the future Online Safety Bill. We include our reflections on these factors in this report as a contribution to the debate about the potential uses of regulatory tools in the UK and internationally. We intend to engage with stakeholders to discuss these observations.

Structure of this report

- 2.39 This report begins with an explanation of the data and ERGA methodology we used to monitor the transparency of online political advertising. It then summarises our conclusions on the following themes:

²² [Ofcom Online Nation 2020 report](#), June 2020.

²³ Ibid.

²⁴ The Government has transposed the revised Audiovisual Media Services Directive ('AVMS') into UK law which has created new requirements that apply to video-sharing platforms. Ofcom has been named as the competent regulator.

²⁵ See the [Government's full response to the Online Harms White Paper consultation](#) confirming Ofcom as the future regulator for online harms.

- a) findings from applying our monitoring methodology based on ERGA's questions; and
- b) insights gained from undertaking this exercise into the use of regulatory tools to address online issues.

3. Methodology and data

Introduction

- 3.1 To monitor how Facebook and Google implemented the Code during the UK 2019 General Election, we adopted the framework ERGA used in its monitoring of the Code. ERGA’s framework consisted of nine research questions, presented in the table below.
- 3.2 We analysed publicly available data from each signatory’s ad repositories, namely the Facebook Ad Library and the Google Transparency Report. We use the term ad repository to refer to data made publicly-available by the platforms.²⁶ In addition, we reviewed signatories’ policies, user-friendliness of ad repositories and user experience.
- 3.3 The section below describes the data sources available from each signatory, the data we were able to collect to evidence our responses to ERGA’s research questions and the methodology used in the data analysis.

Data

- 3.4 We collected data on political ads related to the UK 2019 General Election from four sources:
- a) the downloadable Facebook Ad Library Report comma separated variable (‘CSV’)²⁷ files,
 - b) the Facebook Ad Library application programming interface (‘API’),²⁸
 - c) the downloadable Google Transparency Report CSV files, and
 - d) the Google Transparency Report website.
- 3.5 Table 1 summarises the sources of data used in our analysis, the number of ads in each dataset.

Table 1: Summary of data sources

Repository	Number of ads in dataset	Date of data collection
Facebook Ad Library Report CSV – 02/12/2019	13,866*	02/12/2019
Facebook Ad Library Report CSV – 05/12/2019	13,263*	05/12/2019
Facebook Ad Library API	83,698	May 2020
Google Transparency Report CSV	748	February 2020

²⁶ Twitter, whilst also a signatory, banned political advertising on its platform from 22 November 2019, i.e. during the General Election period. As a result, Twitter ceased to publish data on political advertising ahead of our evidence-gathering phase and we therefore did not include it in our data analysis.

²⁷ CSV is a file format used to store tabular data.

²⁸ The Ad Library API allows researchers to perform custom keyword searches of ads stored in the Ad Library.

Google Transparency Report website	713	February 2020
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** Data for the Facebook Ad Library CSV was downloaded on two separate dates: 2 and 5 December 2019. The later date (05/12/2019) has fewer ads than the earlier date (02/12/2019) because this data source only contains ads which are live on Facebook at the time of the download. We analyse and present the results of these two datasets separately.*

3.6 We were unable to collect data from two additional sources: the Facebook Ad Library website and the Facebook Ad Library Report website. The reasons for this are given below, as well as a description of each data source.

Facebook

3.7 **The Facebook Ad Library Report website and CSV files** provide the spending totals, aggregated by the Facebook Page being advertised, the disclaimer displayed to users and the selected date range.²⁹ Date filtering options were limited to data covering the last day, last 7 days, last 30 days, last 90 days and all dates. This meant it was not possible to select data that covered only the election period. Data on individual ads was also not available. Because of these limitations, and resourcing constraints on our part, we only analysed data covering two separate dates during the election period. A second CSV file provided UK-level spend. However, spend data at this level of aggregation was not used in our analysis, as we had more granular geographical spending data from the API.

3.8 **The Facebook Ad Library API** allows keyword searches of all ads stored on the Ad Library. It also allows the user to download all ads related to social issues, elections and politics. To access the API, the user needs to be verified through Facebook’s identity verification process, which includes using a personal Facebook account and submitting identity documents. Data was downloaded from the API during May 2020. We queried the ad library database using the python programming language.

3.9 **The Facebook Ad Library website** is a searchable collection of active and inactive ads about social issues, elections and politics across Facebook products and services. Ads can be viewed after searching for a key term, looking on a political advertiser’s page or searching “*”, which is a wildcard term that returns a range³⁰ of political ads. There is also the option of searching for a particular ad using the ad ID. Our attempts to systematically retrieve data from this website using a python script were unsuccessful and we were therefore not able to view all ads during the election period on this platform. More details are provided in the Annex.

Google

3.10 **The Google Transparency Report CSV files** comprised six separate CSV files. Most files had a different level of aggregation for displaying the data. That is, some CSV files organised data by

²⁹ ‘Facebook Page’ relates to the Facebook page or account displayed alongside the ad. The disclaimer is the identity of the sponsor of the ad, or where the ad was shown without correctly disclosing as a political ad, the message “This ad ran without a disclaimer”.

³⁰ Wildcard searches should return all ads in the library. However, we had insufficient data to verify that this was the case with the Facebook Ad Library website.

individual ads while other files organized the data by campaign i.e. a collection of ads. Therefore, data manipulation was required before we could analyse it.

3.11 **The Google Transparency Report website** is a searchable repository of political ads. The website allows filtering by any date range between March 2019 to the present date. Filters are also available by impressions,³¹ amount spent by the advertiser and ad format.³² The repository can also be sorted by date, amount spent and number of impressions. We used a python script to systematically scrape ad data from the Transparency Report website.³³

Methodology

3.12 ERGA developed nine research questions for undertaking its monitoring work on political and issue-based advertising.

Table 2: ERGA's research questions and Data analysis methodology to address them

ERGA Research Questions	Data analysis methodology
1. What is the degree of transparency of the political and issue-based advertising? ³⁴	We understand this to be an overarching question and so our response reflects our thinking across all of our responses to ERGA's questions.
2. Is the platform adopting appropriate and efficient measures to enable users to understand why they have been targeted by a given advertisement?	1. Does the data contain fields with targeting information? 2. What share of ads contained information on micro-targeting criteria?
3. Is the platform adopting appropriate and efficient measures to ensure that political ads are clearly distinguishable and are readily recognisable as a paid-for communication or labelled as such?	1. Is there a data field to identify whether an ad displayed a paid-for disclaimer? 2. What share of ads displayed a paid-for disclaimer?
4. Is the sponsor's identity publicly disclosed?	1. Is there a data field to identify the sponsor's identity? 2. What share of ads displayed the sponsor's identity?
5. Are the amounts spent for the political ads publicly disclosed (at least in price ranges)?	1. Is there a data field to disclose amounts spent?

³¹ 'Impressions' is the number of times that an ad is shown. All ads in Google's Transparency Report have at least one impression. See <https://support.google.com/transparencyreport/answer/9575640> [accessed 21 July 2020]

³² The Transparency Report data can be filtered by three ad formats: Video, Image and Text.

³³ Although, we faced difficulties scraping some fields, such as the geographic targeting information on Google's Transparency Report website.

³⁴ Signatories to the Code committed to developing a definition and devising an approach to publicly disclose issue-based advertising. Although not defined in the Code, a working definition of issues-based advertising is: an advertisement which is about a politically important topic, for example climate change, but which is not for or against a particular candidate or party.

	<p>2. What share of ads disclosed amounts spent?</p> <p>3. What share of ads displayed the currency used?</p>
<p>6. What progress has been made on the commitment to publicly disclose “issue-based advertising”? Have platforms provided a definition of issue-based ads and complied with it?</p>	<p>1. Is there a data field to disclose the ad relates to an issue?</p> <p>2. What share of ads displayed a specific issue label?</p>
<p>7. Are the definitions of political ads and issue-based ads adopted by the platforms consistent with requirements set out in the legislation of the NRA’s Member State?</p>	<p>Comparison of existing UK definitions and platform policies.</p>
<p>8. Is the “registration/ authorisation” procedure for advertisers of political ads effective? How effective is the process to identify, and remove or re-label political ads that did not meet the verification requirements?</p>	<p>Qualitative review of the platforms’ ad repositories.</p>
<p>9. Is the archive presented in a user-friendly manner (e.g. is it searchable and analysable) and does it contain all the required information as defined in questions 2, 4 and 5?</p>	<p>Qualitative review of the platforms’ ad repositories.</p>

3.13 In addition to the data analysis, qualitative assessments formed our response to research questions seven, eight and nine, and provided context for the data analysis.

3.14 We reviewed the following features of the platforms qualitatively:

- a) the platforms’ policies on political advertising;
- b) the user-friendliness of the ad repositories; and,
- c) ads, as they were displayed to users of the platform, as in some cases this was different from the information displayed in the platforms’ repositories.³⁵

3.15 The qualitative assessments were conducted during December 2019, and our comments are correct to that month. Most of the data was collected after the conclusion of the UK’s 2019 General Election.³⁶ Table 1 provides a summary of the date of data collection from various sources.

3.16 Since we made our assessments, we are aware of several changes that platforms have made to the ad repositories and/or their policies on political advertising that interact with the comments we have made. We elaborate on these changes from paragraph 5.40.

³⁵ For example, we used logged-in Facebook accounts to view a number of ads. This was to assess how users might understand the information displayed alongside the ad and how this might differ from information available on the ad library.

³⁶ The general election was held on 12 December 2019.

3.17 In the next section we provide a summary of our findings. This summary is based on our full analysis which is contained in the Annex.

4. Findings

Introduction

- 4.1 In this section we summarise the conclusions of our work. We start by describing the findings from our monitoring of platforms' commitments regarding political advertising under the Code (our full findings are discussed in the [Annex](#)).
- 4.2 We then use these findings as a basis to discuss lessons we have learned from undertaking this exercise, which we believe can contribute to the wider debate on regulating online services.

Insights gained from answering ERGA's questions

- 4.3 As outlined in paragraph 2.15 above, signatories to the Code committed to ensuring transparency of political advertising with a view to enabling users to understand why they had been targeted by a given advertisement. We consider that enabling users to understand the content they are being delivered is a foundation of media literacy, as outlined in paragraph 2.32.
- 4.4 Signatories committed to making ads recognisable to users and clearly distinguishable from other types of content, and to enable public disclosure of political advertising. The latter could include providing users with the identity of the ad buyer (the 'sponsor') and the amount spent by the ad sponsor on the ad. Platforms also committed to making reasonable efforts towards defining and devising approaches to publicly disclose 'issue-based advertising'.
- 4.5 In our assessment of Signatories' commitments to transparency, we considered transparency of information given to (1) platform users; and (2) researchers, who might use the platforms' ad repositories for monitoring or research purposes. Both elements are vital toward building greater transparency.

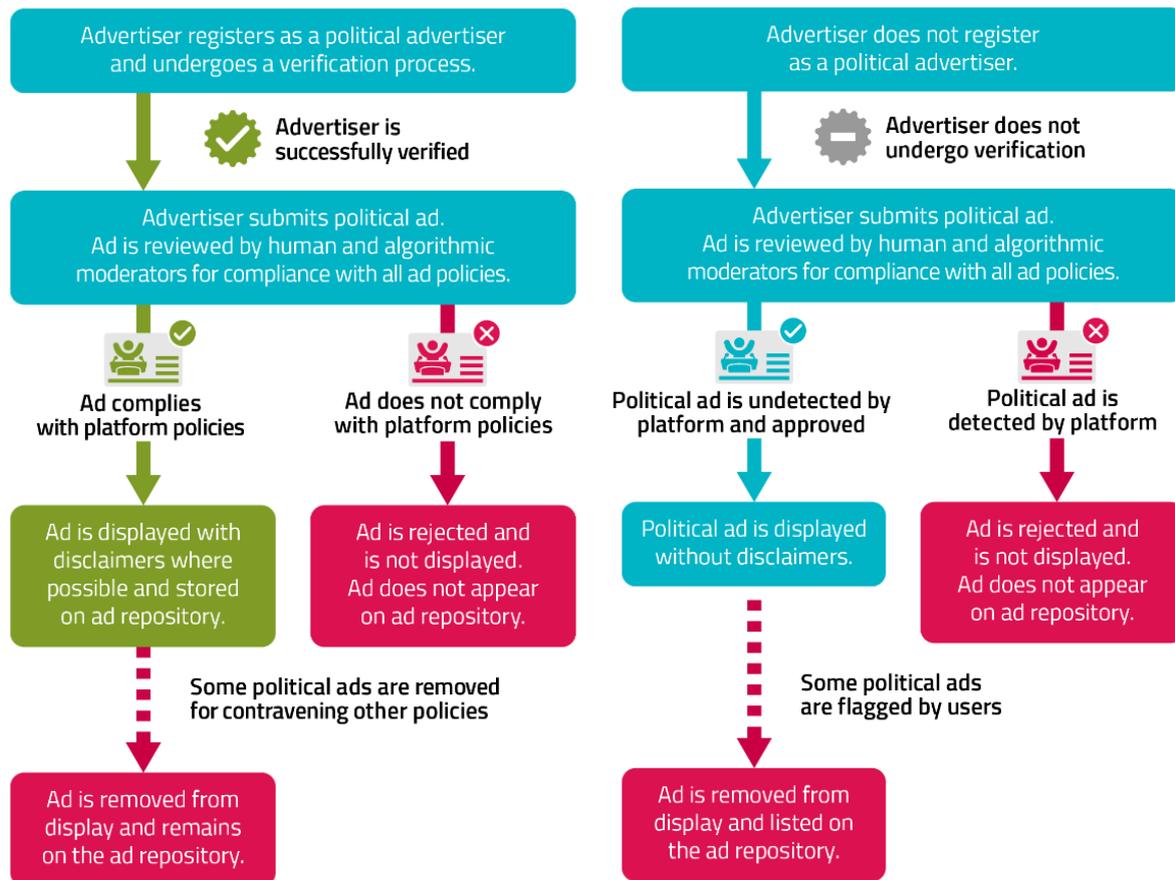
In summary, our findings are:

1. The information provided by online platforms has potentially brought benefits to people.
2. However, there is scope for platforms to provide further information to users to increase transparency of political advertising.
3. Platforms provided multiple ways to access their data on political ads. We found differences in datasets provided by the same platform, including observations in one dataset which do not appear in another from the same platform, and different totals of active ads on the same day for the same platform. We also observed differences in how the code was applied across platforms.
4. There were potential gaps in platforms' implementation of the Code that risked limiting the effectiveness of the actions taken by platforms to make information available to their users and researchers.
5. We encountered some obstacles to the comprehensive monitoring of the Code's implementation, which could potentially be overcome with the provision of more information to researchers.

Stylised moderation process

- 4.6 By way of background, in Figure 1 below, we provide a stylised representation of platform's processes to verify and review political advertisers and advertisements. Our review of platforms processes are discussed in detail in paragraphs A1.121 to A1.126 below.

Figure 1: Stylised illustrative representation of platforms’ political advertising verification and review processes³⁷



Source: Ofcom interpretation of Facebook and Google advertising policies and informed by meetings between Ofcom and Facebook as well as meetings between Ofcom and Google. The figure is not representative of any particular platform’s moderation model.

The information provided by online platforms has potentially brought benefits to people

4.7 Our overall assessment of signatories’ implementation of the Code is that it potentially brought benefits to citizens by increasing transparency around political advertising. The provision of political ad repositories and information to explain why users have been targeted by political advertising have improved transparency.³⁸ The Code has also established a framework whereby signatories, regulators, third sector and academia can discuss outcomes and a basis for addressing challenges.

4.8 **We found signatories made progress toward increasing transparency in several areas.**

4.9 Progress has been made towards labelling ads as political, paid-for communication.³⁹

³⁷ Note this graphic does not include the advertisers’ options to appeal a decision after an ad has been rejected.
³⁸ ERGA also recognised that Signatories ‘showed a clear commitment to implementing the 5 Pillars of the Code.’ See [ERGA Report on disinformation: Assessment of the implementation of the Code of Practice](#), May 2020, page 42.
³⁹ See Annex, Table 4 and paragraphs A1.46 to A1.48.

- a) 97% of ads on the Facebook Ad Library carried disclaimers to identify them as related to ‘issues, elections or politics’.
 - b) Some ad formats on Google have automatically generated ‘Ad’ labels; and for other ad formats, it is the responsibility of the advertiser to include disclaimers in the ad.
- 4.10 Most ads on the ad repositories of each signatory identified the ad sponsor and amount spent.⁴⁰
- a) 97% of political ads identified by Facebook disclosed the sponsor’s identity to users and researchers, and in all cases Facebook’s ad repository reported the amount spent (at least in ranges) and the currency used.
 - b) In all cases in its Transparency Report, Google disclosed the sponsor’s identity to researchers, the amount spent (at least in ranges) and the currency used to pay for the ad.
- 4.11 Some progress has been made towards helping users understand why they have been targeted by an ad.⁴¹
- a) Facebook’s ‘Why am I seeing this ad?’ tool provided general information to users about why someone might be targeted by an ad.
 - b) Google identified whether ads were targeted along three micro-targeting criteria (age, geography and gender) in its Transparency Report. Geographic micro-targeting criteria in the CSV files were displayed with differing levels of granularity – from national to postcode level, which we presume reflected the advertiser’s precise targeting selection. Geographic information on the website was less granular. However, it provided an indication of the broad geographic areas that were targeted.

However, there is scope for platforms to provide further information to users to increase transparency of political advertising

- 4.12 **More could have been done by platforms to ensure users can distinguish political, paid-for communication from other content.**
- 4.13 Signatories to the Code committed to increase the transparency to users of paid-for, political communication. Both Facebook and Google automatically generate ‘sponsored’ or ‘ad’ labels on most ads to distinguish paid-for communication from editorial content.⁴² The exception to this policy is that for some ad formats on Google, it is the responsibility of the advertiser to disclose paid-for communication.⁴³ It is unclear how Google reviews these ads, and what proportion of ads these ads represent.
- 4.14 Even with ‘ad’ disclaimer labels, Ofcom’s research shows that only half (49%) of search engine users can correctly identify search ads in context and understand that paid-for ad placement is the only reason these results are displayed at the top of the list.⁴⁴

⁴⁰ See Annex, Table 5 and Table 6.

⁴¹ See paragraphs A1.7 to A1.19.

⁴² See paragraph A1.45.

⁴³ https://support.google.com/adspolicy/answer/9681599?hl=en-GB&ref_topic=1316596

⁴⁴ [Online Nation 2020 report](#), Ofcom

- 4.15 Google did not have a policy to differentiate political advertising from other types of ads. It is possible users surmised that an ad was political from the content and information given. However, this was impossible for us to monitor using the data provided by Google and might not have been obvious to users for every political ad.
- 4.16 **There is scope for further action to help users understand why they have been targeted by an advertisement.**
- 4.17 With Google, information on targeting of political ads by age, gender and geographic location was made available on the Transparency Report website and CSV files. However, at the time of monitoring, it appeared that comparatively little of this information was provided to users at the point of being exposed to a political ad. For example, users did not appear to be informed about the specific targeting criteria such as age or gender selected by advertisers.
- 4.18 **Helping users to easily access ad repositories can increase transparency.**
- 4.19 For both platforms, there was no functionality for users to navigate from a political ad to its corresponding location on the Google Transparency Report or the Facebook Ad Library. This presents a challenge to users who might want to know more about the political ad they had encountered. Helping users, as well as researchers, access this information more easily can aid transparency.⁴⁵

Platforms provided multiple ways to access their data on political ads. We found differences in datasets provided by the same platform, including observations in one dataset which do not appear in another from the same platform, and different totals of active ads on the same day for the same platform. We also observed differences in how the code was applied across platforms

- 4.20 **There is scope for signatories to improve the identification and transparency of issue-based advertising.**
- 4.21 Facebook was the only platform to have provided a working definition of issue-based advertising, which it did by listing UK social issues which would come into scope.⁴⁶ Ads that referred to these social issues would be displayed with the same degree of transparency as political ads, and these 'issue-based ads' were included in its Ad Library.
- 4.22 However, there was substantial room for interpretation on what ads classify as issue-based. Advertisers and Facebook may have had difficulties determining when a label was necessary. As such, issue-based ad labels may have been more inconsistently applied on the platform. For example, some ads which came into scope of this working definition did not self-verify, and the ads were removed as a result and listed on the ad library.
- 4.23 As far as we are aware, Google did not provide a working definition of issue-based ads or label any issue-based ads.
- 4.24 **There were unexplained differences in the data provided by platforms.**
- 4.25 We collected data from multiple sources from each platform's ad repository. When we attempted to match the data on ads across different sources, we found some differences. For example, the list of advertisers from the Facebook Ad Library API did not exactly match the

⁴⁵ See paragraph A1.141.

⁴⁶ https://en-gb.facebook.com/business/help/214754279118974?id=288762101909005&locale=en_GB

list of advertisers found in the Facebook Ad Library *Report CSV files*. These differences were not explained in any documentation and could potentially undermine the correct interpretation and use of the underlying data.⁴⁷

There were potential gaps in platforms' implementation of the Code that risked limiting the effectiveness of the actions taken by platforms to make information available to their users and researchers

- 4.26 **Not all political advertisements were correctly identified through the platforms' ad review process.**⁴⁸
- 4.27 Of the ads identified by Facebook as political ads, 3% or around 2,000 had been displayed to users without a political advertising disclaimer. We understand this was because the advertiser had not declared the ad as political, and Facebook identified it as a political ad only after it had been posted. This means that users might have been exposed to political ads without the ads being labelled as such, for at least some period of time.
- 4.28 There might have been Google ads that violated Google's political advertising policy – for example, if an advertiser ran a political ad without self-verification - but the data provided did not make this clear. While several ads listed on the Google Transparency Report were found to be in violation of Google's ad policy, Google did not report the nature of this violation. More information on which policies an ad has violated would have made it easier to assess the robustness of Google's political advertising policies.
- 4.29 **Sponsor information was not clearly reported and could have been misleading in some instances.**
- 4.30 Google's policy for disclosing ad sponsors was to display the URL the advertiser was promoting. This created the risk of advertisers potentially misrepresenting who paid for the ad.⁴⁹
- 4.31 **The transparency tools provided can be more effective with better documentation and features to improve user friendliness.**⁵⁰
- 4.32 The transparency tools provided were useful. Google's Transparency Report was generally well designed and intuitive to navigate. Facebook's API was a helpful tool to query and access data.
- 4.33 Access to data could be improved still. For example, documentation of Facebook's API could be made clearer, in particular with comprehensive lists of the fields that can be queried. At the time of conducting our analysis, Facebook's Ad Library and API did not offer the option to filter results by date, which proved an obstacle when trying to access historical ads. We note that this has been improved since the election period. More thought could be given to improve the organisation of Google's CSV data. Data could be provided in a format that does not require reorganisation to interpret.

47 See paragraph A1.135.

48 See paragraphs A1.72 to A1.74

49 See Annex, page 45

50 See paragraphs A1.127 to A1.143

We encountered some obstacles to the comprehensive monitoring of the Code's implementation, which could potentially be overcome with the provision of more information to researchers from platforms

- 4.34 In general, we found that platforms could have provided more information to describe the processes and systems put in place to implement the Code. Without a full understanding of these systems and processes, and with limited data, we were unable to make a complete assessment of their transparency measures.
- 4.35 For example, more information could be provided to explain the process by which ads are reviewed for compliance with platforms' political advertising policies. While Google and Facebook state that ads are reviewed, the presence of ads in their political ad libraries which were initially published and later taken down suggests that there is room for advertisers to run political ads without being self-verified, and/or that these decisions are subjective and risk being applied inconsistently. It follows that there could be unidentified and non-verified political advertisers who are not subject to the transparency measures implemented for the Code, at least for some length of time.
- 4.36 More information on the verification process could support research on improvements and inspire greater confidence amongst users. This information could describe the average length of time it takes reviewers to identify incorrectly verified ads, how this process combines artificial intelligence and human moderation to deliver outcomes, and how many ads are removed for failing to self-verify.
- 4.37 More data is also needed to assess the effectiveness of platforms' processes. This could include how many political ads platforms have not identified as such. This assessment is only possible with access to the full library of ads that platforms displayed, from which independent researchers can estimate the true proportion of political ads. This can then be compared to the proportion of political ads platforms had identified. However, neither of the platforms had made this data available at the time of our monitoring exercise.
- 4.38 Proportionality is a key consideration when deciding which information platforms can make available. Not all data platforms hold will be relevant to assessing improvements in transparency. Some data might also be excessively onerous for platforms to provide. Understanding platforms' processes and systems will help regulators, third sector and academia to be proportionate and targeted when considering what additional data can help with monitoring efforts.

Platforms have made policy changes since we gathered evidence

- 4.39 Facebook and Google have already made changes to how they implement commitments under the Code, taking into account the feedback they have received since the Code was signed in 2018.
- 4.40 Google has extended its advertising verification policy to now require all advertisers to be verified, not just political advertisers. This information will be disclosed to users at point of exposure to the ad.⁵¹ Requiring all advertisers to verify themselves – and disclosing the

⁵¹ [Google blogpost 'Increasing transparency through advertiser identity verification', April 2020](#)

identity of the advertiser to users - could help prevent cases of political ads running without the Code's transparency requirements, and of bad actors from misrepresenting their identities.

- 4.41 Platforms have taken additional measures to support users' critical engagement with content during the COVID-19 pandemic.⁵²
- 4.42 Facebook improved the user interface of the Ad Library website by adding options for date filtering. Results can now be filtered to view ads that gained impressions during a specific date range. This makes the Ad Library far easier to navigate and to view historical ads.

⁵² Ofcom's programme of current research includes a regular tracker of c. 2000 respondents each wave, asking people about their news and information habits relating to the Coronavirus pandemic. Within it, we explore the prevalence of misinformation, and the habits and attitudes of those that come across it. We ask users of social media how frequently they are coming across "news/info that have warnings/notices from the platform attached, saying that the information may be untrustworthy/untrue?". Overall, one in ten say they are seeing these flags or warning notices "each time" or "most times" they go on social media, which rises to 15% among those aged 16-24. A further 37% say they see these warnings "sometimes" [week 20 results].

When asked how often they click through to view the content being flagged, 9% say they do this "sometimes" and 3% "all/most of the time" they are on social media. Among 16-24s, again these figures rise to 17% and 4% respectively. These findings indicate that while warnings about pieces of potential misinformation are seen by social media users at least some of the time they are on the platforms, a minority of users continue to investigate such content further.

Important factors to consider in developing regulatory tools for online

4.43 Our experience of monitoring the Code has underlined the importance of a range of factors when developing regulatory tools for online issues. We discuss them here as a contribution to the wider debate about online regulation.

Overview: Important factors to consider in developing regulatory tools for online

- Online regulation is a new and developing area. Regulators and platforms might need to test and evolve their approach to meet the dynamic nature of the market and the potential for unintended consequences.
- Regulatory outcomes will be improved by platforms having their own robust systems to monitor effectiveness and outcomes of their actions. This will be challenging to achieve and might itself require an iterative approach.
- Transparency of the processes platforms put in place would allow the regulator and researchers to better assess their effectiveness and to work with stakeholders to identify any scope for improvements. It would also build trust between regulators, platforms and the public.
- An open dialogue between regulators, platforms, third sector and academia about data availability and access could be useful to help to assess implementation of a regulatory approach and its effectiveness in delivering outcomes. Such dialogue should also consider the costs and benefits of making such information available.
- Monitoring could be strengthened by supplementing the analysis of platforms' data with other evidence, such as consumer research into how users engage with the measures platforms take.

Background to Ofcom's role in online content regulation and in the Code of Practice on Disinformation

4.44 The internet has transformed the way people lead their lives. In doing so it has delivered major benefits to individuals and society but also introduced novel risks, including those posed by illegal and harmful online content. In the UK and internationally, policy debates have turned to the question of how to protect people online while best supporting innovation and respecting fundamental rights including to privacy and freedom of expression. New regulatory tools are being developed to help strike this balance.

4.45 Against this backdrop, the UK and other countries in the European Economic Area are transposing the revised AVMS Directive which creates a new category of regulated service, video-sharing platforms. VSPs will be under a duty to ensure that they have in place appropriate measures to protect young people from potentially harmful content and all users from illegal content and incitement to hatred and violence. Services will also need to ensure standards around advertising are met.⁵³ Ofcom has been given powers to regulate UK-established VSPs, and in July published a [Call for evidence](#) on Ofcom's proposed approach VSP regulation based around some core principles: protection and assurance; freedom of

⁵³ While VSPs are subject to new requirements for advertising standards, these do not cover political advertising. The AVMS Directive does not include requirements on VSPs in relation to disinformation.

expression; adaptability; transparency; enforcement; independence; and proportionality. In October Ofcom published [a guide for potential providers of services in scope](#), providing an overview of the new regulatory framework for VSPs and setting out next steps towards its implementation.

- 4.46 Separately, the Government has published its [full response to the Online Harms White Paper](#), setting out its policy objectives for the Online Safety Bill which will impose a duty of care on a wider range of companies to take steps to protect their users from harm. The Government intends to build on the framework for VSPs in developing the new regime.
- 4.47 The AVMS Directive acknowledges that the scale of online content and the rapid pace of change in technology and culture pose challenges to the application of content standards-based regulation as currently applies to broadcasting and on-demand, whereby individual items of content are assessed by the regulator against its rules. Accordingly, the AVMS Directive states that this approach to regulation might not be appropriate for VSPs which do not have editorial responsibility for a significant share of the content they host, instead making decisions about the organisation and presentation of content to users.
- 4.48 Reflecting these points, the AVMS Directive focusses on the appropriateness of systems and processes for the organisation of content and the provision of tools for user protection (rather than requirements relating to individual pieces of content). The Government has stated its intention to take a similar approach in its future Online Safety Bill which it intends to be 'proportionate and risk-based, and focus on ensuring companies have appropriate systems and processes in place to tackle harmful content and activity.'⁵⁴
- 4.49 For the same reasons, the voluntary Code of Practice on Disinformation also takes a process-based approach. Having this in common with the aforementioned policy initiatives suggests that the insights we gained from monitoring the Code's implementation are of wider relevance.
- 4.50 In this spirit we set out below our insights into the application of regulatory tools to online issues based on our work monitoring the implementation of Pillar B of the Code. We hope these will be useful contributions to policy debates around online regulatory tools, as well as to platforms as they work to improve and refine implementation of this and other parts of the Code which we have not explored.

Important factors to consider in developing regulatory tools for online

- 4.51 **Online regulation is a developing area. Regulators and platforms might need to test and evolve their approach to meet the dynamic nature of the market and the potential for unintended consequences.**
- 4.52 Regulatory tools will be most successful if all stakeholders participate in the process of improving outcomes for users, as each party has a distinct contribution to make.
- 4.53 For example, in the case of this voluntary Code on disinformation, the European Commission set the public policy objectives, a multi-stakeholder forum comprised of platforms, third

⁵⁴ [Online Harms White Paper: Full Government response to the consultation](#), page 5.

sector, academia and technology experts advised on the types of measures that could help meet these, and platforms developed and implemented these according to the nature of the service they provided.

- 4.54 To complete this process, public authorities, third sector and academia have monitored the Code's implementation and made observations about how implementation – and the Code itself – can be improved. This is in the spirit of exchanging best practices and of collaborative working to common objectives.
- 4.55 This is what we call an iterative approach, where causes and effects are closely observed and learned from. Unintended consequences are identified and mitigated for future adaptations. This is essential in this context where unintended consequences can come at the cost of citizens' freedom of expression and of innovation. The iterative approach should result in gradual improvements over time.
- 4.56 In monitoring this Code we have seen evidence of progress made towards making political advertising more transparent to users. But we have also observed potential unintended consequences of signatories' implementation of their commitments. For example, Facebook's definition of 'issue-based advertising' led to the removal of ads that referenced a public issue as a selling point and not as political commentary, for instance an advertisement emphasising that a product was environmentally-friendly (see paragraph A1.98).
- 4.57 There are also potential gaps in signatories' policies that could potentially be exploited by bad actors. For example, Google's policy for disclosure of advertisers' identity based on the sponsoring URL could be abused with the potential to mislead users.
- 4.58 Dialogue between stakeholders and regulators can lead to fruitful 'test and evolve' strategies for improving users' experience of the internet over time. In both of the examples above, signatories appear to have made best efforts to implement their code commitments. But in both cases we consider that signatories can make changes to improve outcomes for users. These specific points are discussed earlier in this section.
- 4.59 The regulator is in a good position to point out these potential gaps and inconsistencies, to draw attention to their adverse effects, to advise on how to remedy them and ensure that stakeholder incentives are corrected so that known problems are avoided in future. The toolkit for doing so could include facilitating the sharing of best practices and new research, issuing guidance on how to ensure compliance with regulations, a backstop of regulatory intervention and finally the possibility that policy-makers adopt additional legislation to tackle specific issues.
- 4.60 **Regulatory outcomes will be improved by platforms having their own robust systems to monitor effectiveness and outcomes of their actions. This will be challenging to achieve and might itself require an iterative approach.**
- 4.61 As described earlier, the Code sets out a series of high-level objectives which signatories agree to meet in ways which are relevant to their services. This principles-based approach affords platforms more flexibility in implementing appropriate measures and processes suitable to the specifications of their services.

- 4.62 As a principles-based approach is not prescriptive about what specific actions platforms should take, it can benefit from a careful review of its effectiveness in delivering against the intended policy objectives. This process of monitoring outcomes can be made more efficient if it starts with platforms themselves, as they can rapidly act on information about what measures work and what could be improved.
- 4.63 For platforms to do this effectively, they will need to have robust monitoring systems in place, and a clear understanding of regulatory objectives they are working towards, in the form of key performance indicators ('KPIs').
- 4.64 Platforms and regulators can make use of KPIs and regulatory outcomes metrics, both qualitative and quantitative where appropriate, as part of this process. These will help to identify successes and areas for improvement, and contribute to the process of continuous improvement described in paragraph 4.55.
- 4.65 KPIs can be useful regulatory tools because they are by nature measurable, and so can serve as proxy metrics for desired outcomes. But platforms' KPIs and regulators' policy objectives are not identical and might not always fully align. In such cases there is the potential for unintended consequences – for example, a platform might try to demonstrate higher removal rates for flagged content at the cost of performing appropriate review. This risk could be compounded by undue emphasis by the regulator on outcomes metrics taken in isolation, thereby incentivising platforms to pursue these metrics rather than delivery of the desired policy objectives themselves. Recognition of this risk is particularly important in the context of online platforms which have a range of different services and user experiences, and where users' interests can be in conflict – for example between user safety and the right to free expression.
- 4.66 Careful design of a comprehensive set of regulatory outcomes metrics and platforms' KPIs, combined with continuous monitoring of how they are tracking to policy objectives can help to mitigate this risk. This will also require that KPIs do not serve to define effectiveness in themselves, but rather that they are indicators which need interpretation within their context to arrive at an informed understanding of outcomes. Effective monitoring of how KPIs are tracking outcomes will be key to early flagging of unintended consequences of measures and enable swift remedial action.
- 4.67 **Transparency of the processes platforms put in place would allow the regulator and researchers to better assess their effectiveness and to work with stakeholders to identify any scope for improvements. It would also build trust between regulators, platforms and the public.**
- 4.68 As part of the Code, signatories agree to cooperate with the Commission in assessing its efficacy, including by submitting periodic self-assessment reports detailing how they have implemented their commitments and the actions they have taken during a certain period.
- 4.69 This has proven valuable as it has provided platforms with opportunities to demonstrate progress made, and provided the Commission with up-to-date information with which to

refocus priorities for the Code and its signatories, making it more agile to changing circumstances in the market.⁵⁵

- 4.70 Self-assessment reports are also helpful in the monitoring process. They can provide a qualitative understanding of the systems and processes put in place by platforms, for example describing the rationale for adopting specific policies and how signatories anticipate these policies will deliver good outcomes for users, as well as providing context for KPIs. This paints a more comprehensive picture of implementation and effectiveness, and better enables regulators and researchers to suggest improvements.
- 4.71 There are additional benefits of this increased transparency to stakeholders and to the public. For example, increased transparency can demonstrate a platform's trustworthiness to users which could be a competitive advantage between platforms.
- 4.72 Regulatory tools should also encourage stakeholders to publish better records of historical amendments to their policies. Platforms can amend their policies frequently, and often for very good reasons: for instance, in response to new information on risks to their users, to new technology that can be deployed or as a response to feedback from third sector, academia and regulators. But rapid changes without a trace can be an obstacle to research into the effectiveness of measures taken.
- 4.73 Accessible documentation of significant policy changes can enable better-quality research while leaving platforms free to change their policies in an agile manner.
- 4.74 But transparency of implementation might also involve trade-offs. For instance, there could be a risk that if expectations for transparency are set too high, they can conceivably expose platforms' reviewing processes to 'gaming' by bad actors who could use this information to hone their efforts to harm users. They could also be disproportionately costly.
- 4.75 There might also be trade-offs with commercial confidentiality, for example if platforms deploy proprietary tech as part of their ad verification or if the information made transparent was previously sold on the market.
- 4.76 There could be cases where it is therefore more appropriate for platforms to disclose certain types of information to the regulator and/or researchers in confidence. This would enable monitoring while being sensitive to the risk of 'gaming' and proportionate to the commercial interests of stakeholders. Any such arrangements for confidentiality, in the context of a voluntary regime, would have to be considered very carefully during development of a regulatory tool and its terms made clear to regulators, platforms and to the public.
- 4.77 **An open dialogue between regulators, platforms, third sector and academia about data availability and access could be useful to help to assess implementation of a regulatory approach and its effectiveness in delivering outcomes. Such dialogue should also consider the costs and benefits of making such information available.**

⁵⁵ For example on [29 October 2019 the Commission published](#) annual self-assessment reports from the Code's signatories and urged them to increase their efforts to provide researchers with better access to relevant data.

- 4.78 There are benefits from making more data available to regulators and the research community. It can paint a clearer picture of measures in place and their effectiveness in delivering desired outcomes.
- 4.79 Given the vast volumes and complexity of data that online platforms hold, it is important to ensure that the data disclosed to enable monitoring is purposeful, targeted, and proportionate to what is necessary. It should comply with data privacy regulations and best regulatory principles of proportionality and evidence-based decision making.
- 4.80 In this spirit, regulators will need to understand the cost of making data available and the different formats that data can be provided in (e.g. API, CSV, etc). There could be confidentiality or technical considerations that would make the availability of certain types of data or formats more difficult.
- 4.81 Determining what data is relevant and necessary for effective monitoring will require cooperation between regulators, platforms, third sector and academia. Regulators can set out what outcomes they are monitoring for, researchers can advise on what data would be useful and platforms can present their view of the associated challenges (including costs).
- 4.82 This dialogue may evolve over time, adapting to experience. For example, platforms may develop new technologies and tweak their systems, researchers might hone their methods at comparative analysis across platforms and regulators can identify new types of datasets that are more valuable and less costly for stakeholders to provide.
- 4.83 As a starting point, this dialogue should be informed by a qualitative understanding of the systems and processes platforms have in place so that regulators and researchers can know what questions to ask (see paragraph 4.67 above). For example, if automated systems are involved in verifying political advertisers it would be useful for the regulator to know what keywords are being used to flag concerns, what percentage of ads are being flagged by these systems and how human moderators are involved as a backstop or as part of a review process.
- 4.84 **Monitoring could be strengthened by supplementing the analysis of platforms' data with other evidence, such as consumer research into how users engage with the measures platforms take.**
- 4.85 Our monitoring work of the Code was informed primarily by evidence and data made publicly available by platforms.⁵⁶ But future monitoring work would benefit from a diversity of evidence bases. This would provide a more comprehensive picture of the implementation of regulatory tools and their outcomes for users.
- 4.86 Research on users' behaviours and preferences is relevant in the context of increasing media literacy, and indeed to any measures which aim to empower users to make better and more informed choices online. Insight into how users interact with tools made available to them would be valuable in identifying what works and what does not. And speaking directly to users could give them a say in shaping the policies that apply to them and the tools they are equipped with to navigate digital content and communications online.

⁵⁶ Other NRAs participating in the ERGA monitoring work did refer to third-party data in their submissions.

- 4.87 In the case of political advertising, consumer research could help answer important questions about the efficacy of platforms' efforts to increase transparency. For example, can users correctly identify the sponsoring entities of political ads they have been exposed to with the aid of tools at their disposal? Is one platform's approach more effective than the other?
- 4.88 With this in mind, the regulator could function as a centre of excellence, commissioning its own research and coordinating the work undertaken by the full range of stakeholders. It would be well placed to disseminate research and share the learnings amongst all stakeholders. It would also be able to set out the role of platforms in undertaking and publishing ongoing research.

A1. Responses to ERGA research questions

A1.1 ERGA developed a set of research questions to be used as a framework to monitor Signatories' commitments to the Code. In this section, we present the findings from our analysis on each of the research questions, which forms the basis of our key findings and lessons discussed in Section 4.

ERGA's research questions were:

1. What is the degree of transparency of the political and issue-based advertising?
2. Is the platform adopting appropriate and efficient measures to enable users to understand why they have been targeted by a given advertisement?
3. Is the platform adopting appropriate and efficient measures to ensure that political ads are clearly distinguishable and are readily recognisable as a paid-for communication or labelled as such?
4. Is the sponsor's identity publicly disclosed?
5. Are the amounts spent for the political ads publicly disclosed (at least in price ranges)?
6. What progress has been made on the commitment to publicly disclose "issue-based advertising"? Have platforms provided a definition of issue-based ads and complied with it?
7. Are the definitions of political ads and issue-based ads adopted by the platforms consistent with requirements set out in the legislation of the NRA's Member State?
8. Is the "registration/ authorisation" procedure for advertisers of political ads effective? How effective is the process to identify, and remove or re-label political ads that did not meet the verification requirements?
9. Is the archive presented in a user-friendly manner (e.g. is it searchable and analysable) and does it contain all the required information as defined in questions 2, 4 and 5?

A1.2 In line with the approach taken in ERGA's interim report, we interpreted ERGA's first question to be an overarching question about the platform's transparency. We discuss our overall assessment in Section 4 of this report.

A1.3 We answered questions two to six using qualitative and quantitative analysis. For each of these questions, we:

- a) set out the Code commitments and the relevant policy for each platform;
- b) provide a qualitative review of the information provided by the platforms;
- c) provide the results of our quantitative data analysis;
- d) describe the limitations of the analysis, given the data; and
- e) provide examples of the data which would have allowed us to answer more comprehensively.

- A1.4 Reflecting the nature of the questions, we answered questions seven to nine using a qualitative review of platform’s policies and ad repositories.
- A1.5 In our assessment of transparency, we considered transparency of information given to (1) platform users; and (2) researchers, who may use the platforms’ ad repositories for monitoring (such as a regulator) or research purposes (such as an academic). Signatories committed to increasing transparency regarding political advertising for both groups.

Question 2: targeting information

- A1.6 ERGA’s question two was:

“Is the platform adopting appropriate and efficient measures to enable users to understand why they have been targeted by a given advertisement?”

The Code and platforms’ targeting policies

- A1.7 Signatories to the the Code:
- recognised the importance of efforts to enable users to understand why they have been targeted by a given political or issue-based advertisement; and
 - committed to encourage market uptake of tools that help consumers understand why they are seeing particular advertisements.⁵⁷
- A1.8 Facebook’s policy on targeting of political advertising was:
- a) In its policy on advertising, Facebook noted that for all types of advertising (political and non-political), “*during the ad review process, we’ll check your advert’s images, text, targeting and positioning*”.⁵⁸ What the review of targeting consists of, however, was unclear, and the annual report did not include detail on how it reviews the targeting of political or issue-based advertising.
 - b) Of the targeting options that Facebook offered to advertisers, it did not appear that Facebook had particular restrictions on the criteria advertisers could use to target political advertising. It did appear that restrictions were in place for advertising related to health-related misinformation, where it removed ad targeting options such as “*vaccine controversies*”.⁵⁹
- A1.9 Google restricted the criteria that could be used to target election ads to: general geographic location, age, gender, and “contextual targeting options” (contextual targeting options allow advertisers to place ads on webpages or search pages that are associated with chosen topics or keywords - for example, the advertiser may specify they want their ads placed on webpages related to the topic of ‘election’).⁶⁰ Examples of types of targeting that were not

⁵⁷ https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=54454

⁵⁸ <https://www.facebook.com/policies/ads/>

⁵⁹ <https://about.fb.com/news/2019/03/combating-vaccine-misinformation/>

⁶⁰ See <https://www.blog.google/technology/ads/update-our-political-ads-policy/> and <https://support.google.com/google-ads/answer/2404186#zippy=%2Cyou-choose-keywords-and-topics%2COur-system-analyses-web-pages-that-make-up-the-display-network%2Cyour-ad-gets-placed>

allowed include targeting based on: audiences with specific interests, life events, demographics, etc; users that have already interacted with the advertiser previously; or users that the advertiser has existing data on and wants to specifically target.⁶¹

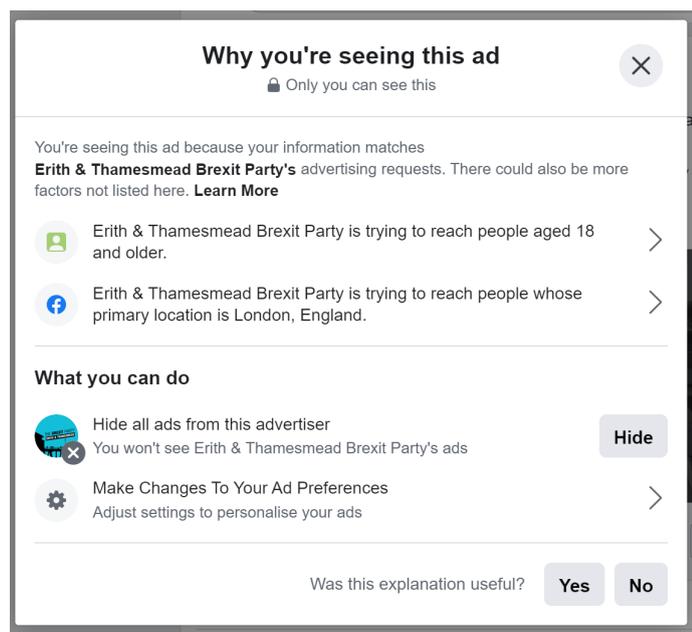
A1.10 Facebook and Google’s policies on making targeting information transparent to users is discussed below.

Qualitative review

Facebook

A1.11 For users logged into Facebook, the ‘Why am I seeing this ad?’ tool provided additional transparency on why a user was targeted with a given ad. The information provided was reasonably high-level, with targeting information on age, gender and location. In some instances, users’ interests or previous activity on Facebook were presented as explanations for being targeted by the ads. Under the ‘Learn more’ link, Facebook also provided more general information about the way that someone might be targeted by an ad – for instance, by activity across Facebook products or inclusion in a ‘Lookalike audience’ or ‘Custom audience’.⁶²

Figure 2: Example of 'Why you're seeing this ad' information displayed to users



A1.12 For researchers and users, Facebook provided information in the Ad Library on the demographics of the users the ad was displayed to. Figure 3 below shows an example of this

⁶¹ See <https://support.google.com/adspolicy/answer/6014595?hl=en-GB>; <https://support.google.com/google-ads/answer/2497941>; <https://support.google.com/google-ads/answer/2453998>; <https://support.google.com/google-ads/answer/6379332>; <https://support.google.com/google-ads/answer/1722043>.

⁶² <https://www.facebook.com/help/794535777607370> A Lookalike Audience allows businesses to identify potential customers by finding Facebook users who are similar to the business’ existing customers. <https://www.facebook.com/business/help/465262276878947?id=401668390442328>

data from an ad in Facebook’s Ad Library. The targeting information showed the number of impressions⁶³ (in a range), percentage of men and women that viewed the ad segmented by age group and percentage of ad views by country.

- A1.13 The Facebook Ad Library did not present information on the targeting criteria advertisers used to reach those viewers. Data about users’ engagement with the ads (beyond the range of impressions) was also not provided. For example, it was not possible to tell if a video was watched until the end or scrolled past.

Figure 3: Example from Facebook’s Ad Library



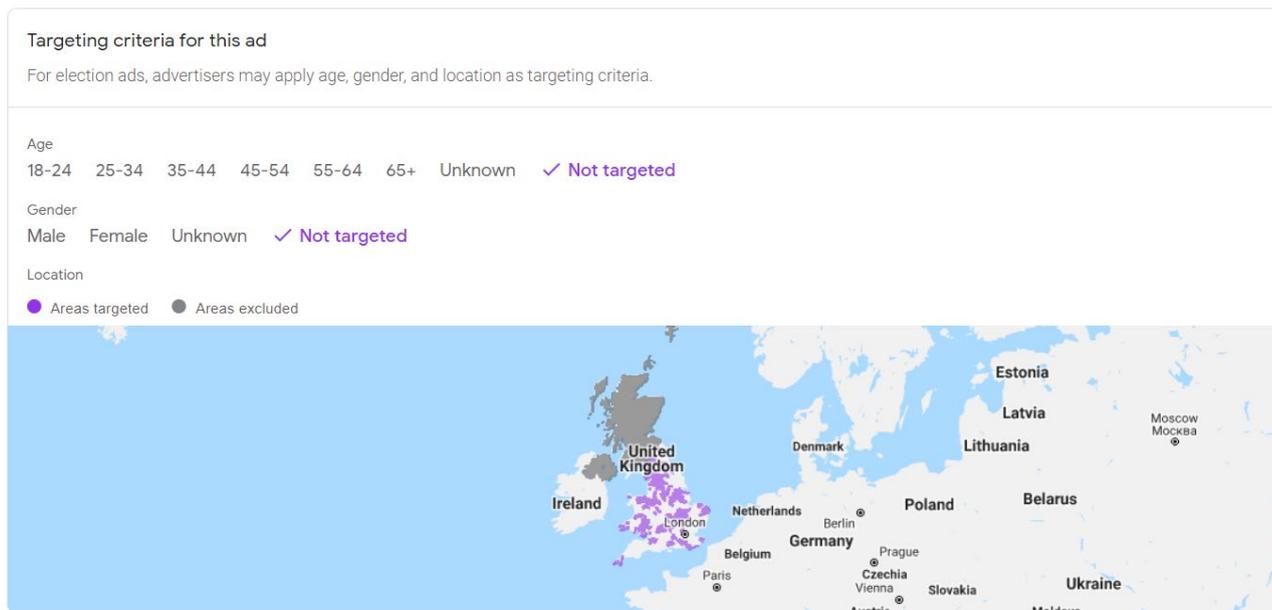
Google

- A1.14 There was no convenient way for users viewing an ad to find information on why they were targeted by the ad. At the time of our review, this information did appear to be provided with the ad. In addition, users could not easily check the corresponding ad on the Transparency Report (where targeting information is provided, see below) as there was no unique ad identification number or link to an ad’s entry in the Transparency Report.

⁶³ Impressions are the number of times an ad has been displayed.

A1.15 Google did provide targeting information for the ads that ran on its ad network in the Ad Transparency Report. The Transparency Report showed how the ad was targeted at users by location, age and gender. Figure 4 below shows an example of an ad targeted at users in specific areas of Wales and England, but not at users of a specific age or gender. Not all targeting information was provided in the Report. Whilst advertisers had the ability to target ads using contextual information (such as search terms entered by the user), these targeting criteria were not shown in the Transparency Report.

Figure 4: Example of the targeting information available on the Google Transparency Report



Data Analysis

A1.16 The below table shows our analysis of the targeting data made available by Facebook and Google.

Table 3: Share of political and issue-based ads on ad library showing targeting information

		Total number of ads	Share of ads with gender targeting information	Share of ads showing geographic targeting information	Share of ads with age targeting information
FACEBOOK	Facebook Ad Library Report CSV –02/12/2019	13,866	0%	0%	0%
	Facebook Ad Library Report CSV – 05/12/2019	13,263	0%	0%	0%
	Facebook Ad Library API	85,818	0%	0%	0%

GOOGLE	Google Ad Transparency Report CSV	748	100%	100%	100%
	Google Ad Transparency web-scrape	713	100%	- ⁶⁴	100%

Source: Ofcom analysis of platform data

- A1.17 The table above shows that Facebook does not report any information on the targeting criteria used by advertisers in either the Ad Library Report CSV, or the Ad Library API.
- A1.18 In all cases, Google identified whether ads were targeted along the three targeting criteria (gender, geography, age) in the Google Transparency Report CSV. The Transparency Report webpages also displayed gender and age targeting information, including a map showing geographic targeting information.⁶⁵

Limitations of the analysis given available information

- A1.19 It was not possible for researchers to assess the accuracy of the information that users were given to understand why they were targeted by political advertising on Facebook. From the data presented, it was difficult for researchers to gain any understanding of why particular ads were shown to users. In the Facebook Ad Library, no information was given on the targeting criteria advertisers had chosen for any ad.
- A1.20 Users' main source of information on why they were targeted by ads was Facebook's 'Why am I seeing this ad?' feature. However, this feature may only contain a sub-set of the complete list of targeting criteria that advertisers selected, as Facebook states that 'There may be more factors not listed here', see Figure 2 above. A greater understanding of how the information in this tool was generated would aid researchers in assessing its relevance to helping users understand targeting.
- A1.21 With the Google Transparency Report, some information on the targeting criteria chosen by advertisers was reported. How advertisers chose to target each ad by geographic areas, age and gender was relatively transparent. However, more information could still be disclosed for researchers to gain a full understanding of how ads are targeted. For example, Google provided advertisers with the ability to target ads using contextual information (such as search terms entered by the user) the details of which were not made transparent on the Transparency Report.
- A1.22 For both platforms, a comprehensive understanding of the targeting options available to advertisers would aid transparency for both users and researchers. Even where targeting has been limited by the platform, as is the case with Google, it is helpful to understand the complete set of targeting options available to verified political advertisers as well as advertisers who failed to self-verify. The latter would be helpful to understand the potential impact of unverified political ads.

⁶⁴ With our web-scraping methodology, it was difficult to systematically verify whether the geographic information was provided in all cases.

⁶⁵ With our web-scraping methodology, it was difficult to systematically verify whether the geographic information was provided in all cases.

A1.23 Moreover, data provided by platforms may not fully capture how users perceive the targeting information they are given. Comprehensive platform data may allow researchers to assess the accuracy and relevance of transparent targeting measures, however, this provides limited ability to understand the effectiveness of such measures in informing users. For example, consumer research could examine whether users can easily engage with or understand the information presented in the ‘Why am I seeing this ad?’ tool.

What data or information could help increase transparency

A1.24 To address the above limitations, the following information from Signatories on their ad repositories could aid in improving researchers’ and users’ ability to understand targeting better.

A1.25 Below, we distinguish between information that might increase transparency for users from information that might increase transparency for researchers. Users may be more interested in information on why a particular ad was displayed to them, whereas researchers are more likely to be interested in aggregate information about all advertising and the options advertisers are selecting. This aggregated information could be aimed towards increasing transparency for regulators, third sector and academia to better monitor and scrutinise the practices of advertisers and suggest improvements to the transparency systems and processes implemented by platforms.

A1.26 Example(s) of information that might increase transparency for users include:

a) The full set of criteria advertisers used to target the ad viewed by the user.

A1.27 Example(s) of information that might increase transparency for researchers include:

a) For each ad, the full set of criteria advertisers used to target an ad and an explanation of the full set of options advertisers have for targeting political ads.

b) For each ad, what information was given to users to enable them to understand why they had been targeted by an ad. This can be aggregated or provided as a sample.

c) A more comprehensive set of demographic information.

A1.28 Information from other sources may also aid in monitoring users’ understanding of targeting, such as consumer research by independent bodies.

Question 3: distinguishable and recognisable

A1.29 ERGA’s question three was:

“Is the platform adopting appropriate and efficient measures to ensure that political ads are clearly distinguishable and are readily recognisable as a paid-for communication or labelled as such?”

The Code and platforms’ policies

A1.30 Signatories to the Code recognised the need to ensure transparency about political and issue-based advertising. They committed to enabling public disclosure of political advertising, which

could include providing platform users with the identity of the ad buyer (the ‘sponsor’) and the amount spent by the ad sponsor on the ad.⁶⁶

- A1.31 Signatories committed to presenting all advertisements as clearly distinguishable from editorial content. When an advertisement appears in a medium containing news or editorial matter, signatories committed to presenting the advertisement as paid-for communication.
- A1.32 Facebook’s policies on advertisements about social issues, elections or politics was to:
- a) show a ‘Sponsored’ label on each advertisement, indicating that the content is an advertisement;
 - b) show a disclaimer noting that the ad is ‘about social issues, elections or politics’; and
 - c) show a ‘Paid for by’, followed by the name of the advertiser.^{67,68}
- A1.33 On the occasions when an advertiser fails to declare an ad as political advertising, but Facebook subsequently identifies it as a political ad, the ad is “paused, disapproved and added to the Ad Library, until the advertiser completes the authorisation process”.⁶⁹
- A1.34 Google’s policies on political ads were:
- a) a disclosure requirement identifying who has paid for the ad.
 - i) For “most” ad formats, Google said it automatically generates a ‘Paid for by’ disclosure using the information provided during the verification process.⁷⁰ Ad format refers to the ad’s media, where text, image, video are examples of different ad formats.
 - ii) For some ad formats and features, it was the advertiser’s responsibility to include in-ad ‘Paid for by’ disclosure in UK election ads.⁷¹ Google did not automatically generate this disclaimer. These ad formats include among others: YouTube ads, audio and video ads.⁷²

Qualitative review

Example advertisements

- A1.35 As part of our assessment, we examined a sample of ads from Facebook’s and Google’s ad libraries, two of which are shown in Figure 5 below. The ad on the left is from Facebook’s Ad Library. It shows that the ad ran on Facebook and Instagram, the ad is about social issues, elections or politics (the ‘disclaimer’), and the Conservatives paid for the ad (the ‘sponsor’). The ad on the right is from Google’s Transparency Report and shows that the ad was paid for by Welsh Labour.

⁶⁶ https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=54454

⁶⁷ <https://en-gb.facebook.com/business/help/167836590566506?id=288762101909005>

⁶⁸ <https://en-gb.facebook.com/business/help/2150157295276323>

⁶⁹ <https://en-gb.facebook.com/business/help/167836590566506?id=288762101909005>

⁷⁰ https://support.google.com/adspolicy/answer/9681599?hl=en-GB&ref_topic=1316596

⁷¹ https://support.google.com/adspolicy/answer/9681599?hl=en-GB&ref_topic=1316596

⁷² <https://support.google.com/adspolicy/answer/6014595?hl=en-GB> [accessed: 25 June 2020]

Figure 5: Examples ads from the Facebook Ad Library (left) and Google Transparency Report (right)

The image shows two side-by-side screenshots. The left screenshot is from the Facebook Ad Library, displaying an ad for the Conservative Party. The ad is titled 'About social issues, elections or politics' and is sponsored by 'Conservatives'. The ad text reads: 'Let's end the chaos and uncertainty and make Parliament work for you again.' Below the text is a video thumbnail showing several people in a parliamentary setting. The ad includes a 'Learn More' button and a link to 'VOTE.CONSERVATIVES.COM'. The right screenshot is from the Google Transparency Report, showing a video ad for Welsh Labour. The video has a red background with the text 'IT'S TIME FOR LABOUR' and a play button icon. The video duration is 0:16. Below the video, it states 'Paid for by Welsh Labour' and '07/11/2019 - 04/12/2019 (28 days)'. At the bottom, it shows the ad budget: '100 K-1 M' and '£500 to £25,000'.

Source: Facebook Ad Library and Google Transparency Report

Facebook

- A1.36 Ads displayed to logged-in users, where the advertiser had declared a political intention/affiliation, included a small subheading saying they were sponsored and paid for by an entity or individual.
- A1.37 The Ad Library contained only political ads which were declared as political, or ads identified by Facebook as political after they had been displayed to users. Within the Ad Library, ads which were submitted as political ads by their creators featured a noticeable banner stating “About social issues, elections or politics”.
- A1.38 Those ads that were later identified as political, but not initially declared as such, carried a banner reading “This ad ran without a disclaimer”. This feature – and the accompanying filtering function allowing users of the Ad Library to restrict their searches to those ads without a disclaimer – could be useful in pinpointing advertisers which are non-compliant or potentially suspicious. Facebook also provided useful information about why an undeclared ad may have been flagged, such as being bought in U.S. dollars, but targeting users in the UK.
- A1.39 In terms of functionality, there were points in the sampling where filtered results would not load properly. For example, when results were filtered by ‘ran without a disclaimer’, some ads with a disclaimer were returned.

Google

Figure 6: Examples of different text and image ad previews on the Google Transparency Report

Welsh Labour | Fairer taxation with Labour
(Ad) welshlabour.wales
We will crack down on tax avoidance and tax evasion. And make the top 5% of earners and corporations pay their fair share.



Source: Google Transparency Report

- A1.40 Google clearly labelled political text ads as paid-for content (similar to how commercial ads are labelled on the platform). Unlike Facebook, it did not explicitly identify ads as being political. This may have limited the ability for users to identify that an ad shown was political. Without clear labelling, whether the user can identify an ad as political, paid-for communication may depend more on the contextual information such as the content of the image, the placement of the image on the webpage and the content of the webpage. It is worth reflecting on whether users can identify ads as political based on the advertisement content and the advertiser's URL.
- A1.41 On its Transparency Report, how labelling of paid-for communication was displayed to users was unclear for some ad formats. On text ads, the content preview of ads showed that paid-for communication clearly carried an 'Ad' label, followed by the web address being promoted. Labelling on other ad formats was less clear. For example, in the content previews of image ads, there appears to be no consistently generated 'Ad' label to identify the ad to users as paid-for communication.
- A1.42 This may be due to the Google policy that for some ad formats, it is the responsibility of the advertiser to include 'Paid for by' labels. If this was the case, there was no explanation provided as to whether or how Google would check this disclosure was included.
- A1.43 Ads placed in line with editorial content may be harder to distinguish as paid-for communication than ads that are placed to the side of the webpage. Information around the ad's positioning, the website the ad was displayed on and potentially, the content the ad was displayed alongside could have been used for spot-checks in assessments. However, this information was not available in the ad previews in the Transparency Report.

A1.44 In any case, it was difficult to assess whether all advertisements were clearly distinguishable from editorial content, given the information available. This highlights the challenges that arise when there is a discrepancy between how consumers view ads and how researchers view the archive of those ads.

Data Analysis

A1.45 The below table shows the share of ads with a disclaimer identifying ads as political or issues based.

Table 4: Share of political and issue-based ads on ad repositories showing a disclaimer to identify the ad as political or issue-based advertising

	Number of ads in dataset	Share of ads with political ad disclaimer	Share of ads showing a label to identify paid-for communication
Facebook Ad Library Report CSV – 02/12/2019	13,866	99.83%	At least 99.83%
Facebook Ad Library Report CSV – 05/12/2019	13,263	99.87%	At least 99.87%
Facebook Ad Library API	85,818	97.31%	At least 97%
Google Ad Transparency Report CSV	748	0%	- ⁷³
Google Ad Transparency Report web-scrape	713	0%	100%

Source: Ofcom analysis of platform data.

A1.46 The table shows that nearly three percent of political or issue-based ads identified by Facebook, or around 2000 ads, ran without a disclaimer according to Facebook’s API data. In other words, around 2000 ads were detected by Facebook as political ads, after they had been displayed to users without a disclaimer.⁷⁴

⁷³ There was no field to denote where an ad carried a sponsor label and/or where this label was automatically generated by Google or where it was the responsibility of the advertiser.

⁷⁴ We found no evidence of any ads that had political ad disclaimers applied and subsequently removed.

- A1.47 The table shows that Google did not show any disclaimers identifying political ads on its platforms. However, in all cases in the Transparency Report, Google identified who paid for its political ads (see findings to question 4 below).
- A1.48 The foregoing highlights the differences in Facebook's and Google's approaches to identifying ads as being political. The above table shows that in most cases, ads carried a label to identify it as paid-for communication. However, this did not indicate that the label was present in the content of the ad and shown to users.

Limitations of the analysis given available information

- A1.49 The primary limitation of our analysis was that the data was unlikely to represent the full repository of political ads on these platforms. The publicly available repositories of political ads contained only those ads that were classified as political by platforms' systems. The data did not allow us to check if there were political ads that had not been appropriately classified as such by platforms' systems.
- A1.50 It was therefore not possible for independent researchers to estimate the proportion of undetected ads, as repositories of all ads on these platforms were not available. This limitation applies to all the analysis based on these ad repositories and is a significant caveat on the interpretation of these results.
- A1.51 Another limitation was that Facebook's Ad Library did not distinguish between election, political or issue-based ads. While we intended to monitor ads specifically relating to the 2019 UK General election, we were unable to filter the data to show ads related to elections specifically. As a result, our analysis included non-election political ads and issue based ads, and we were unable to assess the transparency statistics reported above for those ads directly referring to the 2019 UK elections.
- A1.52 Similarly, for Google, ads were included in the UK Transparency Report which were for non-UK elections. For example, several ads related to the Romanian general election and were targeting Romanian citizens residing in the UK. There was no method to filter for ads that related to specific elections.
- A1.53 Another limitation arose from differences between how the ad was displayed on ad repositories and how the ad was displayed to users. This was more relevant to Google ads as there were a larger variety of ad formats on its ad network. For example, our understanding was that YouTube ads were typically accompanied by ads with paid-for communication labelling as well as the identity of the sponsor. However, this information was not present in the video preview of the ad on the Transparency Report. This made it difficult to monitor whether there were labels to identify 'paid-for' communication on many ads. This could have been resolved by making the content preview of ads closer to the user experience and including a data field that clearly identified whether the ad carried political disclaimer labelling or paid-for labelling.

What data or information could help increase transparency

- A1.54 To address the above limitations, the following information from Signatories on their ad repositories could aid in improving researchers' and users' ability to understand whether an ad is a paid-for political ad:
- A1.55 Example(s) of information that might increase transparency for users include:
- A label to denote the ad has been identified by the platform as political.
- A1.56 Example(s) of information that might increase transparency for researchers include:
- For each ad, a field to clearly denote whether the ad was displayed to users with a political advertising disclaimer label.
 - For each ad, a field to clearly denote whether the ad was displayed to users with a paid-for communication label.
 - For each ad, a field to clearly denote where the disclaimer and paid-for labels were automatically generated by the platform, or where it was the responsibility of the advertiser to generate the label.

Question 4: sponsors' identities

- A1.57 ERGA's question four is:

"Is the sponsor's identity publicly disclosed?"

The Code and platforms' policies

- A1.58 Signatories committed to enable public disclosure of political advertising, which could include actual sponsor identity.
- A1.59 Facebook's policy was as follows:⁷⁵
- Show the sponsor's identity if the ad is classed as an ad related to elections, social issues or politics.
 - Facebook does not require sponsors to disclose their identity for non-political or issue-based ads, and this information is not made available to users. If Facebook detects a political ad that has been categorised as a non-political ad, it will remove the ad and archive it in the Ad Library, with no sponsor identity information.
- A1.60 Google text ads showed users the URL the ad links to. For example, if a political party sponsors an ad, then the user will see the URL to a site maintained by the party.
- A1.61 Both platforms required political advertisers to complete a verification process before submitting political ads. This verification process includes submitting among other information, evidence with proof of the advertiser's identity, (such as UK passport and proof

⁷⁵ <https://www.facebook.com/business/help/208949576550051?id=288762101909005>

of residence in the UK).⁷⁶ Our understanding of the verification and review processes is given in Figure 1 and we discuss our review of the verification process below in paragraphs A1.121 to A1.126

Facebook

- A1.62 On the Ad Library, the amount of information provided about advertisers varied significantly. Within the ad, the ‘paid for disclaimer’ could include a party, an entity or an individual’s name. When clicked-through to ‘See ad details’ and then ‘information from the advertiser’, ads often included only a few of the verifiable components that Facebook set out in its annual report, and sometimes only included the disclaimer (the named sponsor) without any additional detail.
- A1.63 This variation could be explained by Facebook not appearing to provide advertisers with guidance around the level of detail it expects them to provide around sponsorship, for example requesting that political advertisers include the name of the political party and candidate they are promoting.

Google

- A1.64 Where an ad violated Google’s advertising policy, Google removed the archive of the ad content from its Transparency Report. Google said that while it can review these ads for compliance with advertising policies, it is unable to display the content of the ad in the Transparency Report due to technical limitations.⁷⁷ All other information about the ad, including the sponsor identity, remained available on the Transparency Report.
- A1.65 Google showed the sponsor identity information gathered during the verification process on the Transparency Report, but this information did not appear to users. Users viewed the URL of the website advertisers were promoting, which in most cases corresponded the advertiser’s identity. However, this was not always the case, as discussed below.
- A1.66 Displaying the URL being promoted instead of sponsor identity could have resulted in misleading information being displayed to the user. For example, Figures 7 and 8 below show examples of text-based ads which appeared to be sponsored by a particular political party, but which, if clicked on by the user, would open a new webpage that showed election material criticising that party. The Transparency Report shows that the ad in Figure 7 was sponsored by the Conservative and Unionist party and the ad in Figure 8 was sponsored by Concerned Citizens Limited.
- A1.67 Lack of clarity on sponsor identity or the use of potentially misleading website links was consistent with the results found from the Electoral Commission’s report on the election.
- A1.68 The Electoral Commission raised concerns on the transparency of digital campaign material in its report on the UK Parliamentary General Election 2019. They considered that it is “too

⁷⁶ <https://support.google.com/adspolicy/answer/9002729?hl=en-GB>
<https://www.facebook.com/business/help/208949576550051?id=288762101909005>

⁷⁷ For example, see <https://transparencyreport.google.com/political-ads/advertiser/AR83680256577241088/creative/CR336022435759390720> [accessed 20 August 2020]

*often unclear who is behind digital election campaign material, and significant public concerns about the transparency of digital election campaigns risk overshadowing their benefits.*⁷⁸

A1.69 The Electoral Commission found that the public held concerns that campaigners branded their social media pages in ways that meant it wasn't clear who was responsible for them, or used misleading website links to encourage people to visit their sites.⁷⁹

A1.70 We include these examples, not because they were being delivered by a particular political party or from a particular political perspective, but because misrepresentation on social media in political campaigns during the UK 2019 General Election was an issue highlighted by the media at the time and by the Electoral Commission. The examples described in this report were the only examples of this practice we discovered in our research. However, there may be examples of this practice by other parties which our research did not identify.

Figure 7: Example ad from Google Transparency Report

What's in Labour's Manifesto? | £2,400 More Tax, Every Year
 Ad labourmanifesto.co.uk
 Corbyn's reckless plans equate to £1.2 trillion of extra spending over the next 5 years. You can't trust anything Labour say until they have a plan for Brexit.

Figure 8: Example ad from Google Transparency Report

Conservative Manifesto 2019 | No New Police
 Ad conservativemanifesto.org.uk
 The 20k promised new police officers will only replace the ones lost since 2010. Learn more now about how the Conservatives are misleading you.

Data Analysis

A1.71 The below table shows the share of ads showing the sponsors' identity for each of the data sources.

Table 5: Share of political and issue-based ads on ad library showing the sponsor identity

	Number of ads in dataset	Share of ads with sponsor identity	Share of ads without sponsor identity
Facebook Ad Library Report CSV – 02/12/2019	13,866	99.83%	<1%
Facebook Ad Library Report CSV – 05/12/2019	13,263	99.87%	<1%
Facebook Ad Library API	85,818	97.31%	2.83%

⁷⁸ [The Electoral Commission report on UK Parliamentary General Election 2019](#)

⁷⁹ Ibid, page 12

Google Ad Transparency Report CSV	748	100%	0%
Google Ad Transparency Report web-scrape	713	100%	0%

Source: Ofcom analysis of platform data

- A1.72 The table shows that in most cases and across both platforms, the identity of the sponsor was disclosed in the political ad libraries. The Facebook Ad Library API data shows around 2,000 ads ran without a disclaimer to identify it as a political ad. Where an ad ran without a disclaimer, there was no information on the identity of the sponsor of the ad.
- A1.73 In addition, the share of ads in Facebook’s data which showed the sponsor’s identity mirrors the share of ads which showed a disclaimer (as shown in Table 4). Intuitively this makes sense: if the sponsor did not identify the ad as a political ad, then Facebook would not have required the sponsor to identify himself as the ad’s sponsor. In all of Facebook’s datasets, the share showing the sponsor’s identity is above 97%.
- A1.74 In all cases on the Google Transparency Report, the advertiser name was included. Google identified the sponsor of the ad, irrespective of whether the advertisement violated its advertising policy. Where an ad was found to be in violation of an advertising policy, a preview of the content of the ad is not made available.

Limitations of the analysis given available information

- A1.75 The sponsor identity was present in almost all ads on the platforms’ ad repositories. However, it was not always clear whether this information was accurately reported to users that were served the ad.
- A1.76 For example, on Google text ads, the sponsor identity obtained during the verification process was not displayed to users. Users only saw the URL the advertiser was promoting and no identity information collected by Google during verification process. Users may have inferred the sponsor identity from information given on the URL displayed in the ad. However, this may not have been clear in all cases. In some cases, advertisers may have used this feature to publish unclear or misleading information on who was sponsoring the ad.
- A1.77 For some other ad formats, Google relied on the advertiser to include a ‘Paid-for-by’ disclosure, followed by the name of the organisation or individual paying for the ad.⁸⁰ Google did not automatically generate this disclosure. It was unclear on the Transparency Report where it was the advertiser’s responsibility to include the disclosure, and it was unclear how Google reviewed this disclosure was included in the content of the ad. Therefore, it was difficult to assess whether users would be able to identify the sponsor.

⁸⁰ <https://support.google.com/adspolicy/answer/6014595#701>

What data or information could help increase transparency

A1.78 To address the above limitations, the following information from Signatories on their ad repositories could aid in improving researchers' and users' ability to understand who sponsored a political ad:

A1.79 Example(s) of information that might increase transparency for users include:

- the sponsor of the ad that was provided during the platform's verification process.

A1.80 Example(s) of information that might increase transparency for researchers include:

- For each ad, a field to denote whether the sponsor identity (gathered during the verification process) was displayed to users.
- For each ad, a field to denote where the sponsor identity label was automatically generated by the platform, or where it was the responsibility of the advertiser to disclose the sponsor of the ad.

Question 5: amounts spent

COP and policies

A1.81 Signatories committed to enable public disclosure of political advertising, which could include amounts spent.

A1.82 Facebook provided the following data on amounts spent for political ads:

- a) the amount spent in ranges (e.g. £0-£100) in the Ad Library CSV data; and
- b) the amount spent per ad in ranges on its Ad Library API data.

A1.83 Google provided data on the amount spent per ad in ranges in the Transparency Report and the CSV data.

Data analysis

A1.84 The below table shows the share of ads which show the amounts spent and currency used to pay for the ad, for each of the data sources.

Table 6: Share of political and issue-based ads on ad library showing amounts spent and currency used to pay for the ad

	Total number of ads	Share of ads showing amount spent	Share of ads showing currency information
Facebook Ad Library Report CSV – 02/12/2019	13,866	100%	0%
Facebook Ad Library Report CSV – 05/12/2019	13,263	100%	0%
Facebook Ad Library API	85,818	100%	100%

Google Ad Transparency Report CSV	748	100%	100%
Google Ad Transparency Report web-scrape	713	100%	100%

Source: Ofcom analysis of platform data

- A1.85 In all cases, the political ad repositories disclosed information on amount spent, at least in ranges.
- A1.86 The Facebook Ad Library csv did not provide information on the currency used to pay for the ad, while the Facebook Ad Library API did.
- A1.87 The Google Transparency Report also provided information on amount spent in ranges in different currencies.

Limitations of the analysis given available information

- A1.88 The data available was useful in monitoring Signatories' commitments to the Code.
- A1.89 One potential limitation of the Code commitments and the data made available, could be that it limited the ability of researchers to determine the total amounts spent in support of each political party during the election. That is, it was generally possible to identify ads placed by political parties, but private individuals or organisations may have sponsored ads to support political parties and the data does not allow us to identify this information. This may be another important dimension in understanding who is funding ads and why.

What data or information could help increase transparency

- A1.90 As stated above, the data provided was useful in answering the research question posed by ERGA.
- A1.91 To address the above limitation, the following additional information from Signatories could aid in improving transparency around amount spent on political ads:
- a) For each ad, a field denoting the political party or individual the ad is supporting or no particular party, if the ad was issue-based.

Question 6: Progress made on issue-based advertising

- A1.92 ERGA's sixth questions was:

"What progress has been made on the commitment to publicly disclose "issue-based advertising"? Have platforms provided a definition of issue-based ads and complied with it?"

The Code and platform policies

- A1.93 Signatories committed to using reasonable efforts to devising approaches to publicly disclose 'issue-based advertising'. This would include the development of a working definition of issue-based advertising which does not limit reporting on political discussion and the

publishing of political opinion and excludes commercial advertising. Given the implications related to freedom of expression, Signatories said that they would encourage engagement with expert stakeholders to explore approaches that both achieve transparency but also uphold fundamental rights.

A1.94 Facebook's policy on disclosing issue-based ads was:

- a) show that an ad is related to issues, elections or politics;
- b) for the UK, social issues included: immigration, political values and governance, civil and social rights, security and foreign policy, economy, environmental politics, health, and crime.⁸¹

A1.95 We understand that Google did not have a policy on issue-based advertising and it did not show any issue-based labels on ads that ran on its platform. This was consistent with its approach of not distinguishing political and commercial ads.

Qualitative review

Facebook

A1.96 When searching for the most prominent issues in the UK within Facebook's Ad Library, results were broadly the same as political advertising: 'paid for by' disclaimers were included (with varying levels of detail) and demographic, spend and impression ranges were provided, along with high-level location data on which UK country people were located in when viewing the ad.

A1.97 It should be noted again that the onus is on advertisers to declare their ads as political or issue-based. Facebook provides high-level guidance around the topics which may be considered as 'issue-based'.⁸² We consider that even with the guidance, there was still substantial room for interpretation about what an issue-based ad is. Making the right determination may be even more difficult to discern for issue-based advertisers, presenting the risk that issue-based ad labels are less likely to be applied consistently.

A1.98 Likewise, there is a greater challenge for Facebook to proactively review whether ads on its platform are issue-based, and at times observers may have different views on whether such a label was necessary. One example of an issue-based advertisement which was proactively identified by Facebook is given below. This ad for a vegetable-growing kit was included in the ad library. As it mentioned sustainability, it could appear to promote "environmental politics". Facebook states: "This ad ran without a disclaimer. After the ad started running, we determined that the ad was about social issues, elections or politics and required the label. The ad has been taken down."

⁸¹ <https://www.facebook.com/business/m/one-sheeters/ads-with-political-content-uk>

⁸² https://www.facebook.com/business/help/214754279118974?id=288762101909005&locale=en_GB

Figure 9 Example of Facebook ad removed

 **Truleaf**
Sponsored
ID: 2240835596216197

Grow your own micro greens the sustainable way. Truleaf's fully compostable kits contain everything you need to enjoy growing your own fantastically nutritious, sustainable and tasty micro greens. Choose from 3 varieties. Easy to grow indoors at home any time of the year. Harvest within 2 weeks. What's more the packaging box itself is used to grow the greens. No needless waste and NO PLASTIC! Visit www.truleaf.co.uk/gyo to buy one now.



grow your own kit

pea

radish

sunflower

Fully sustainable and PLASTIC FREE

Source: Facebook Ad Library

Google

A1.99 Google did not have a policy on issue-based advertising and it did not show any issue-based labels on the ads that ran on its platform.

Data analysis

A1.100 The below table shows the results of our data analysis on issue-based advertising.

Table 7: share of issue-based advertising on each of the platforms

	Number of ads in dataset	Share of ads labelled as an issue	Share of ads with specific issue label
Facebook Ad Library Report CSV – 02/12/2019	13,866	99.85%	0%
Facebook Ad Library Report CSV – 05/12/2019	13,263	97%	0%
Facebook Ad Library API	85,818	97%	0%
Google Ad Transparency Report CSV	748	0%	0%
Google Ad Transparency Report web-scrape	713	0%	0%

Source: Ofcom analysis of platform data

A1.101 The above table shows that most ads on Facebook’s Ad Library were labelled as related to an issue, while none of the ads were labelled as related to specific issues. All issue-based ads carried the generic label of being ‘politics, election or issue-based ads’. There was no further information given on which specific issue, for example ‘environmental issues’ or ‘health issues’ the ad may have related to. No issue-based labels were present on any ads on Google’s Transparency Report.

Limitations of the analysis given available information

A1.102 It was difficult to quantitatively analyse this question with any degree of detail. From the Facebook Ad Library, it can be identified where an ad was related to ‘issues, elections or politics’ but no way to identify which of those three categories the ad is in. There was no option to filter for only ‘election’ ads. It was not possible to identify whether ads related to issues, much less whether ads related to specific issues. While no strict definition of ‘issue’ or ‘issue-based advertising’ was provided, Facebook did set out list a set of ‘social issues’ for which advertisements would be subject to increased transparency requirements. This

list is periodically updated and at time of writing includes issues like ‘civil and social rights’, ‘environmental politics’, ‘health’ and ‘immigration.’

A1.103 On the Google Transparency Report, it was difficult to determine if issue-based ads were displayed on any of Google’s platforms. None of the ads included in the Transparency Report were identified as issue-based.

What data or information could help increase transparency

A1.104 To address the above limitations, labels to distinguish between issue-based ads and political advertising to users and researchers would aid transparency of advertising on these platforms. Labels to identify where an ad related to a specific issue would also aid researchers into understanding what progress had been made by platforms in identifying and defining issue-based advertising.

Question 7: consistency with legislation

A1.105 ERGA’s seventh question was

“Are the definitions of political ads and issue-based ads adopted by the platforms consistent with requirements set out in the legislation of the NRA’s Member State?”

UK legislation

A1.106 There is no definition of political advertising in legislation for digital advertisers. Therefore, while definitions of political and issue-based advertising differed across platforms, this was not inconsistent with UK legislation.

A1.107 A definition of political advertising exists in the context of broadcasting, where political advertising is prohibited. (Instead, parties are given airtime via party political broadcasts which are not classified as advertising.)

A1.108 Under section 321 of the Communications Act 2003, advertising is political advertising if it is—

- a) an advertisement which is inserted by or on behalf of a body whose objects are wholly or mainly of a political nature;
- b) an advertisement which is directed towards a political end; or
- c) an advertisement which has a connection with an industrial dispute.

A1.109 For these purposes “objects of a political nature and political ends” are defined as including each of the following—

- a) influencing the outcome of elections or referendums, whether in the United Kingdom or elsewhere;
- b) bringing about changes of the law in the whole or a part of the United Kingdom or elsewhere, or otherwise influencing the legislative process in any country or territory;

- c) influencing the policies or decisions of local, regional or national governments, whether in the United Kingdom or elsewhere;
- d) influencing the policies or decisions of persons on whom public functions are conferred by or under the law of the United Kingdom or of a country or territory outside the United Kingdom;
- e) influencing the policies or decisions of persons on whom functions are conferred by or under international agreements;
- f) influencing public opinion on a matter which, in the United Kingdom, is a matter of public controversy;
- g) promoting the interests of a party or other group of persons organised, in the United Kingdom or elsewhere, for political ends.

A1.110 Political advertising that is not broadcast is largely exempt from regulation. A definition of political advertising is given by the ASA. However, this is used to exclude political advertising from the scope of its rules. The definition is as follows⁸³:

- a) “Claims in marketing communications, whenever published or distributed, whose principal function is to influence voters in a local, regional, national or international election or referendum are exempt from the Code.”

A1.111 From August to November 2020, the Cabinet Office opened a consultation on the digital imprints regime. This regime would require digital election materials to show information identifying the promoter of the material and the political party or individual that the material is promoting.⁸⁴

A1.112 The proposed definition of election materials is given by the following:

- a) “Can the material you are posting reasonably be regarded as intended to promote or procure the electoral success of registered political parties and candidates, or in the case of a referendum, does the material relate wholly or mainly to the referendum?”

COP and platform’s policies

A1.113 The code of practice defined political advertising as,

- a) “advertisements advocating for or against the election of a candidate or passage of referenda in national and European elections”.

A1.114 Facebook’s definition of political advertising is as follows⁸⁵:

⁸³ See https://www.asa.org.uk/type/non_broadcast/code_section/07.html [accessed 12 August 2020]

⁸⁴ See, Cabinet Office, Nov. 2020, *Transparency in digital Campaigning*.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/908358/Digital_imprints_consultation.pdf

⁸⁵ See https://www.facebook.com/policies/ads/restricted_content/political [accessed 12 August 2020]

- a) “Any advertiser running ads about social issues, elections or politics who is located in or targeting people in designated countries must complete the authorisation process required by Facebook, except for news publishers identified by Facebook. This applies to any ad that:
 - i) Is made by, on behalf of or about a candidate for public office, a political figure, a political party, a political action committee or advocates for the outcome of an election to public office; or;
 - ii) is about any election, referendum or ballot initiative, including "get out the vote" or election information campaigns; or
 - iii) is about any social issue in any place where the ad is being run; or
 - iv) is regulated as political advertising.”

A1.115 Google’s definition of political advertising was as follows⁸⁶:

- a) “Political content includes ads for political organisations, political parties, political issue advocacy or fundraising, and individual candidates and politicians.”
- b) “In the UK, election ads include ads that feature:
 - i) a political party, current elected officeholder or candidate for the UK Parliament
 - ii) a referendum question up for vote, a referendum campaign group, or a call to vote related to a national referendum or a regional referendum on sovereignty
- c) Note that election ads don’t include ads for products or services, including promotional political merchandise like t-shirts, or ads run by news organisations to promote their coverage of referendums, political parties, candidates or current elected officeholders.”

A1.116 Both Facebook and Google stipulate that all political advertisements are expected to comply with local legislation.

Question 8: verification

A1.117 ERGA’s eighth question was:

“Is the “registration/authorisation” procedure for advertisers of political ads effective? How effective is the process to identify, and remove or re-label political ads that did not meet the verification requirements?”

A1.118 ERGA noted that while this question did not specifically derive from the wording of the code, it intrinsically linked to the first research question on overall degree of transparency.⁸⁷

⁸⁶ See <https://support.google.com/adspolicy/answer/6014595?hl=en-GB> [accessed 12 August 2020]

⁸⁷ ERGA, Report of the activities carried out to assist the European Commission in the intermediate monitoring of the Code of practice on disinformation (ERGA Report), page 10.

COP platforms and policies

- A1.119 Facebook's verification process required advertisers to submit proof of a UK passport, EU passport or residence permit and proof of a UK residential address.⁸⁸
- A1.120 Google's verification process required advertisers to provide the organization registration number, documents to confirm the organization was registered or based in the UK, proof of UK issued photo ID, attestation that the organisation is legally permitted to run election ads in the UK and other information.⁸⁹

Qualitative review

- A1.121 In general, for both platforms, we found that the public information available on platforms' systems for verification, review and advertiser redress could have been more transparent. We lacked the necessary understanding of these systems to make an informed assessment on their effectiveness.
- A1.122 For example, in the case of Facebook, the data indicated that political or issue-based ads were viewed 900 million to 1 billion times. Of this, political or issue-based ads without disclaimers were viewed 50 to 60 million times. This corresponded to approximately 2,000 undisclosed political ads taken down by Facebook during the election period, or less than 3% of political ads on the Facebook Ad Library.
- A1.123 This could suggest that Facebook's political advertising policy was effective as most political ads on the library were correctly identified, or at the other extreme, it could suggest that Facebook is limited in its ability to detect undisclosed political advertising as there may be a large number of undetected political ads. Without access to a full library of ads displayed by Facebook, it may be difficult to determine which of the two conclusions is more likely to be true. The Ad Library currently allows access to active non-political ads, but a full library would also require access to inactive political ads.
- A1.124 Figure 1 shows our generalised, stylised interpretation of the verification and ad review processes on platforms Google and Facebook. This figure was created in part, after discussions with Facebook and Google on their verification and review systems.
- A1.125 More information on the following systems and processes involved in the verification and review of political advertising on platforms can aid an assessment of effectiveness:
- a) More information on the process of verification after applicants apply. For example, what happens if applicants are rejected; how many applicants are rejected?
 - b) More information on the process of ad review, after an ad submission is rejected. Are rejected ads that were not displayed to users listed on ad repositories? How many ads are rejected for violating political advertising policies (rather than other policies)?

⁸⁸ <https://www.facebook.com/business/help/208949576550051?id=288762101909005> [accessed 7 August 2020]

⁸⁹ <https://support.google.com/adspolicy/answer/9681599> [accessed 7 August 2020]

- c) More information on the process of review. For example, how many ads are reviewed by human moderators compared to algorithmic? What are the systems in place to ensure the quality of algorithmic review?

A1.126 In other areas, we also identified missing information that might impede an assessment of the effectiveness of platforms' systems. For example, Google's Transparency Report did not contain ad previews for those ads managed by a third-party⁹⁰, nor did it contain ad previews for ads found to be in violation of Google's ad policies. Transparency to researchers could have been improved with an explanation of why ads had been removed – an important factor in assessing the efficacy of the Code.

Question 9: user-friendliness of ad libraries

ERGA's ninth question was: "Are ad libraries user-friendly?"

Facebook

Ad Library Website and CSV files

- A1.127 Facebook's Ad Library was reasonably intuitive and provides quite a smooth user experience for those searching the library. For instance, users could search using a variety of terms (including an issue, a party or an ad ID) and then click through to more details around which Facebook platforms the ad appeared on, some basic information on ad reach, and further information about the provenance of the ad.
- A1.128 However, conducting an extensive analysis of the Ad Library presented the following issues.
- A1.129 The Facebook ad Library website incorporated an infinite scroll feature and no date filters. The only method of viewing ads during the election period was to scroll down until those ads could be viewed. However, the Ad Library appeared to limit the user from scrolling past a point. When we attempted to scroll to the election period manually, we were presented with a gateway error. When we attempted scrolling using a python script, we were told we made too many requests.
- A1.130 The Ad Library website did not provide an accessible option to view all political ads identified by the platform. The Ad Library suggested using keywords or the advertiser name to search for ads in the 'Issues, elections or politics' category. However, these queries would only return a subset of political ads. We searched for '*', which is a wildcard term that in principle could return all political ads. However, we were unable to verify whether all ads were returned from the search. A comprehensive view of all political advertising on the platform is important to improving transparency and understanding

⁹⁰ Third-party advertisers in this context refers to third parties that purchase or manage Google advertising on behalf of their customers. This ad did not have a preview at the time of the UK General Election but appears to now. https://support.google.com/adspolicy/answer/6086450?hl=en&visit_id=1-636281067406931333-2732856561&rd=1

what users of these platforms are exposed to. Similarly, the Ad Library did not provide an option to view all ads in the Ad Library.

A1.131 Ads displayed to users did not show the unique ID number that could be used to find the ad on the Ad Library. The Ad Library could have provided additional information to users on ad spend, total impressions and demographic information on the users the ad was displayed to. There was some missing data from the ads on the Ad Library. For example, many ads are labelled as inactive, but the end date of their circulation is not included in the library. This information was important to enable assessment of whether the ad was active primarily during the election period or afterward.

Ad Library API

- A1.132 To access the API, the user needed to be verified through Facebook's identity verification process. This included using a personal Facebook account and submitting documents to prove one's identity, such as a UK passport or driving licence and proof the user is a resident of the UK.
- a) If a researcher did not have a personal Facebook account, they face issues when setting up a new account to conduct research, as Facebook may block the account for 'suspicious activity'.
 - b) If a researcher used their personal account and shared their API token, they may be exposing their personal data to anyone who using the API token to access the Facebook Ad Library.
- A1.133 We also found that Ofcom colleagues were refused authorisation by Facebook, which made monitoring more difficult.
- A1.134 We also encountered issues with using the API itself. The API documentation could be clearer and more comprehensive for researchers.⁹¹ For example, the documentation stated that the start date of an ad could be used to search the ad archive. But it did not list the syntax for searching the API with this field.
- A1.135 We observed differences between data provided on the Ad Library API and data provided on the Ad Library Report CSV files. While the two datasets had differing levels of aggregation, and could not be directly compared ad-by-ad, we were able to compare the listed names of advertisers that had run ads on a particular day. If the datasets were consistent, we would expect the lists of advertisers to match. However, the API showed advertisers that were not present in the CSV files and vice versa.

⁹¹ See https://developers.facebook.com/docs/marketing-api/reference/ads_archive/ [accessed 13 August 2020]

A1.136 Finally, during the monitoring period, on 10 December, it was reported that around 60,000 ads had gone missing from the ad archive.⁹² We were unable to verify this as our data collection took place after this date.

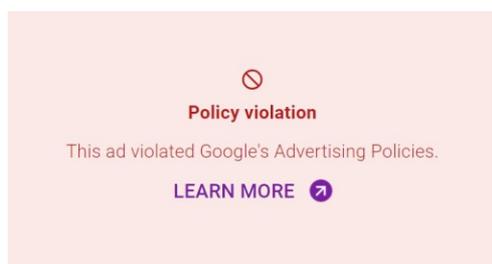
Google

A1.137 Google's Transparency Report was user-friendly. It allowed for searching by keywords, by unique ad ID numbers, by advertiser. It kept a running total of amount spent on advertising per advertiser and per Member State. It allowed users to filter search results by date range, by impressions, by amount spent and by format (text, image, video).

A1.138 The downloadable CSV files could have been more accessible. There were 6 separate CSV files which required data manipulation to gain an overall picture, in particular to assess which targeting criteria applied to individual ads.

A1.139 Ad previews were removed from the Transparency Report when the ad was in violation of Google's policies. While the ad's meta-data remain available, no explanation was given as to why the ad was removed. Understanding the type of policy violations is important to assessing the effectiveness of Google's ad review processes and policies. See Figure 10 below for an example.

Figure 10: Example of policy violating ad on Google's Transparency Report



Advertisers are able to use approved [third party vendors](#) to serve ads on Google. While we are able to review these ads for compliance with advertising policies, due to technical limitations, we are currently unable to display the content of the ad in the Transparency Report.

Source: Google Transparency Report

A1.140 Furthermore, where ads were managed by a third-party, the Transparency Report only contained the meta-data and not the ad itself. This posed challenges for monitoring what ads were displayed to users. See Figure 11 for an example of an ad which did not have a preview at the time of our monitoring exercise.

A1.141 While information was provided on the Transparency Report that might aid users in understanding why they were targeted by particular ads or who the sponsor of the ad was,

⁹² See for instance <https://uk.reuters.com/article/uk-facebook-advertising/thousands-of-uk-political-ads-went-missing-from-facebook-archive-searches-idUKKBN1YE2HZ> [accessed December 2019]

users were not able to access this information from viewing the ad. Ads displayed to users did not have unique ID numbers that users could use to locate the corresponding ad in the Transparency Report or CSV files.

- A1.142 More detail could have been provided around the formats and context in which the ad was displayed. We are aware that there are a multitude of ways in which ads can be displayed on the Google network and the three broad categories of text, image and video was not enough detail to give researchers an understanding of how users may view an ad. We considered the variety of ways in which ads can be displayed on the Google advertising network posed an additional challenge to researchers who sought to understand how the ad was displayed to users.
- A1.143 For example, the Google Transparency Report did not appear to distinguish between ads that run over a selected video as a 'trailer' (i.e. pre-roll), and YouTube videos with purchased prominence either in search results or in the recommended videos sidebar. While the format is implied by the length of the video, it is impossible to verify this by the Transparency Report. This could be important as 1M impressions of a 40 minute-long video will have different implications if this was advertised as a 'trailer' or if this was a normal video for which prominence in recommendations or sidebar was purchased.

Figure 911: Example of ad delivered by third-party on Google's Transparency Report

The Brexit Party > CR8629654449553408

About the ad

Format:	Text
Amount spent :	€500 to €30k • £500 to £25,000
Impressions:	10k–100k
First served:	Nov 17, 2019
Last served:	Nov 18, 2019
Ran for:	2 days

Ad preview unavailable

Advertisers are able to use approved [third party vendors](#) to serve ads on Google. While we are able to review these ads for compliance with advertising policies, due to technical limitations, we are currently unable to display the content of the ad in the Transparency Report.