

Transparency in Digital Political Advertisements during the 2019 European Parliament Elections

Country Report on the Netherlands



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Executive Summary

Aim

This report assesses the degree of transparency in digital political advertising during the campaign period of the 2019 European Parliament elections in the Netherlands. It is part of the project 'Virtual Insanity: The need for transparency in digital political advertising', which was implemented by a consortium of European democracy support organizations, i.e. the European Partnership for Democracy (EPD), the European Association for Local Democracy (ALDA), the Netherlands Helsinki Committee (NHC) and the World Leadership Alliance-Club de Madrid (WLA-CdM).

Key Findings

1. Digital political advertising is not heavily regulated in the Netherlands. There are some recent developments and calls to action from the State Commission on the Parliamentary System and from Parliament itself, but these have yet to be implemented. The Minister of Internal Affairs plans to provide an update to Parliament in Spring 2020.
2. We examined the accuracy, consistency and completeness of the Facebook, Twitter and Google ad libraries, which were designed to bring transparency to political and issue advertising on the platforms. Considering the **accuracy** of the information, it is unlikely that all qualifying ads appear in the libraries; in some cases, stakeholders from political parties could not find their own ads in the Google and Twitter libraries. And outside researchers have no practical way of independently verifying whether the libraries reflect all relevant political and issue ads. Results also proved **inconsistent**; our searches of the Facebook ad library using the same search parameters but conducted in different locations generated different results. Considering the **completeness** of information, this varies significantly between the ad libraries. Some offered more information about the audience of an ad (Twitter, Facebook) than others (Google). However, even in the most complete ad libraries, (micro-) targeting information was very limited.
3. Interviews with key stakeholders (political parties, Ministry of Internal Affairs, civil society actors) confirm the results of our ad library analyses and stress the ad hoc way in which the ad libraries were set up. Stakeholders regard the measures taken by the platforms as mostly symbolic gestures not given high priority.

Recommendations

1. We recommend that ad data be openly accessible to independent researchers in all parts of the world. It is important that researchers are allowed to verify which ads the platforms label as 'political' or 'issue' and whether all ads are in fact included in the political ad libraries. At a minimum, all ads (political and otherwise) should be permanently discoverable within a database organized by date and audience country.
2. We recommend that the data also includes information needed to spot dark (micro-) targeting data—that is, data on the *intended* audience, not just the audience that was actually reached.
3. In the Dutch context, such openness can and should also apply more to the political parties, not just to the platforms. Currently, political parties are only required to report how much money they receive, not details about their campaign spending, such as the type of campaign effort (e.g. digital or otherwise).

1. Introduction¹

The phenomenon of digital political campaigning has been at the center of global public attention – at the latest since the last US Presidential Election – and was further exacerbated by the Facebook-Cambridge Analytica scandal in 2018. Concerns about transparency, protection of personal data and the use of digital political campaigning to spread disinformation have grown considerably.

Policy makers have begun to act upon these challenges, which led to the banning of advertising by non-Irish citizens on Facebook for the 2018 abortion referendum (while ads on Google were banned altogether). At the EU level, the European Commission launched a dialogue process ahead of the European Parliament elections, which culminated in a self-regulatory Code of Practice on Disinformation signed by Facebook, Google, Twitter and Mozilla and members of the advertising industry in October 2018, and later joined by other companies including Microsoft (European Commission 2018). The Code outlines several steps to increase transparency about digital political advertising but does not foresee clear enforcement / sanction mechanisms.

This country case study report on the Netherlands is part of the project ‘Virtual Insanity: The need for transparency in digital political advertising’, which is implemented by a consortium of European democracy support organizations, i.e. the European Partnership for Democracy (EPD), the European Association for Local Democracy (ALDA), the Netherlands Helsinki Committee (NHC) and the World Leadership Alliance-Club de Madrid (WLA-CdM). This report assesses the level of transparency of digital political advertising during the campaigning period of the European Parliament elections in the Netherlands.

This report consists of three parts. First, we analyze the regulatory context of digital political advertising in the Netherlands, as well as recent political and societal debates and developments on this issue. Second, we analyze the ‘ad libraries’ put forward by the various tech companies in the context of the Netherlands. Third, we report on a series of interviews with key stakeholders (political parties, digital media actors, civil society representatives, civil servants) that provided key insights into the practice of digital political advertising in the Netherlands. The final section of the report summarizes the key findings from each of these analyses and provides recommendations for improving the regulatory framework.

¹This introduction is based on the Terms of Reference for the Country case studies in the Virtual Insanity project.

2. Regulations and Debate on Digital Political Advertising in the Netherlands

Political parties play a major role in almost all modern representative democracies. In order to make this possible, money is needed to fund the costs of the activities carried out by the parties and pay the salaries of employees. Before the late 1960s and early 1970s, Dutch political parties were largely funded by revenues from civil society, such as membership fees and donations. However, due to the weakening of the traditionally strong bond between parties and their grass-roots supporters, parties saw a sharp decline in income. This led to the introduction of public funding provided by the State in the 1970s. Over time public funding has increased in both monetary amount and type (direct and indirect funding; specific activities for which funding is available), and has become the primary source of income of all national political parties, with the exception of the Freedom Party (PVV) (Koole, 2011).

Party Finances and Campaign Spending

The finances of Dutch political parties are currently regulated by the Law on Financing Political Parties (*Wfpp: Wet financiering politieke partijen*), which was first introduced in 2013. The Wfpp was meant as an improved version of its predecessor, the Law on Subsidising Political Parties (*Wspp: Wet subsidiering politieke partijen*), which had been in place since 1999. The Wfpp imposes stronger transparency requirements on political parties regarding the public disclosure of their finances. The Wfpp has been modified and supplemented a number of times since its introduction and currently encompasses the funding provided by the State, transparency requirements regarding donations pledged by private parties, spending directions and criteria for public funding, oversight by the authorities and sanctions for noncompliance (Kenniskbank Openbaar Bestuur, 2019; Ministerie van Binnenlandse Zaken, 2018).

Dutch political parties are required to provide an annual financial report to the Ministry of Internal Affairs, which also provides public funding. In the report, the parties are required to list all sources of income: public funding, donations and other revenues (such as profits from the sale of merchandise or books). For any donation totalling 4500 Euros or more, the name and residential city or town of the donor must be disclosed (Rijksoverheid, 2019).

In order to qualify for public funding, a political party must have a seat in the Upper or Lower House of Parliament, and have at least 1000 members who each pay an annual contribution fee of 12 Euros or more. Each year, there is a fixed budget to be proportionally divided between all parties. How much a single party receives therefore depends on the number of its parliamentary seats and rank-and-file members, as well as the number of parties applying and qualifying for public funding (Rijksoverheid, 2019). Public funding provided to a party consists of 4 smaller subsidies, which cannot be spent on other purposes; a 'general' portion, intended for the party itself, its organisation and its core activities (including election campaigns), a portion intended for each party's scientific institute, a portion for a party's youth organisation and finally a portions intended for a party's activities abroad. Public funding also comes with a set of spending rules, but these are quite broad and include election campaign activities (Party Law in Modern Europe, 2014).

From a comparative perspective, it is striking that very few legal regulations regarding campaign spending exist. The Wfpp only stipulates that a certain portion of public funding can be spent on 'campaign activities', but does not specify how much, what kind of campaign activities, through which outlets, in what timeframe and such. Also, there are very limited regulations on reporting campaign spending. The transparency requirements of the Party Finance Law are concerned mostly with *income*, not *spending*. And while parties have to submit their annual financial report to the

Ministry of Internal Affairs, there is no requirement to specify campaign spending in any detail. Most parties simply indicate a total amount of campaign spending for a given year, which is unspecified by type of spending and the particular election (in case of multiple elections in a given year). Moreover, campaign spending by local branches of political parties is not always easy to track down in these reports.

As for the European Parliament elections of 2019, campaign spending by political parties is not officially reported. Measurement and data analytics company Nielsen, in cooperation with newspaper *De Volkskrant*, have reported an estimate of total campaign spending on (digital and non-digital) advertisements (Volkskrant, 2019a). This analysis indicated that estimated advertising on social media is still only a small portion (€150,000) of the total estimated campaign advertising spending (€1.7 million). But it is important to stress that these are only estimates based on standard advertising rates, not what parties actually paid on (offline) advertisements. And it does not include other types of campaign spending. While the Nielsen analysis strongly suggests that spending on digital political advertisements on Facebook (the report does not include other platforms) is small compared to estimated spending in traditional media, it is impossible to draw firm conclusions about the relative size of digital political advertising because of a lack of transparency of non-digital campaign spending (even if the figures on digital political advertising provided by tech platforms were fully complete and accurate).

Specific Regulations on Digital Political Advertising

Similarly, but perhaps less surprisingly due to its relatively recent emergence, no laws or other legal regulations that specifically apply to digital political advertising (DPA) exist in the Netherlands at the time of writing. Under the current legal regime, DPA falls under the regular advertisement and political campaigning regulations. The Dutch Civil Code (*Burgerlijk Wetboek*) art.3:15e BW demands that (online) advertisements must be clearly recognisable as such, and that the party behind the advertisement must be equally visible. Similarly, the Dutch Advertisement Code Foundation (*Stichting Reclame Code*), which is an organisation that promotes advertisement self-regulation in order to maintain trustworthiness and credibility, uses a broad definition of advertisement, which also includes DPA, and states that advertisements must be easily recognisable (NRC, Art. 11.1, 2019).²

The mentioning of DPA in Dutch articles, newspapers and public debate is virtually always accompanied by the mention and discussion of micro-targeting. Political micro-targeting (PMT) or political behavioural targeting (PBT) is a technique that allows an advertiser to display (tailored) advertisements to very specific groups of people, for example 30 year old males who live in Amsterdam and like football and Mercedes cars (Dobber et al. 2017). On a very basic level, micro-targeting can mean just selecting a particular audience for a political advertisement. Ethical concerns are voiced about this, mostly regarding the large-scale collection of personal data that is needed to target particular people. These concerns seem to be larger when targeting is done on specific political characteristics (liking a particular political page, for example). And when different individuals receive different (perhaps conflictual) messages, the ethical concerns relating to fairness and transparency in democratic elections are most strongly heard (Leersen et al. 2019, p. 3).

In Europe, the gathering of personal data is regulated by strict privacy laws, which makes micro-targeting in within European Union member states more difficult than in, for example, the United States (Zuiderveen Borgesius *et al.*, 2019, p.667). On May 24th 2016, the General Data Protection Regulation (Dutch: *Algemene Verordening*

²Also see Van Hoboken (2019) for a recent analysis of the legal framework of digital political advertising in the Netherlands.

Gegevensbescherming) was adopted by the European Union. Article 9 of the GDPR forbids the processing of information which reflects an individual's political opinions and preferences, unless '*the data subject has given explicit consent to the processing of those personal data for one or more specified purposes*'.

Most personal data that can in principle be used for micro-targeting is gathered online, through the use of tracking cookies or similar techniques, to which an internet user often has to consent in order to be able to visit or use a website. The ePrivacy (2002) guideline demands transparency regarding the use of and active consent to the placement of cookies. However, by making the placement of cookies a necessary condition for the use of a website, a large number of websites *de facto* propose an ultimatum to visitors. If visitors want to view the website, they (often) have to consent to the collection and processing of personal data which can be used for micro-targeting. And as such choices are usually made very quickly, it is very likely that users do not fully realise what exactly they consent to. A recent experimental study of cookie consent shows that the design choices of such notices has a large impact upon users' interactions and choices (Utz et al. 2019).

Political and Societal Debate on Digital Political Advertising in the Netherlands

State Commission on the Parliamentary System

As part of a larger project regarding major constitutional and political reforms, the State Commission on the Parliamentary System in the Netherlands, has made some critical remarks about DPA and micro-targeting in the Netherlands. The State Commission published its final report in December 2018 (Staatscommissie parlementair stelsel, 2018). The report noted that the current law is inadequate for new digital political campaign techniques and advocated for specific legal regulations regarding DPA. Additionally, the Commission called for '*an independent supervisory authority, responsible for the protection of democratic values in the digital world*'.

The Commission concludes, based on research carried out by the Technical University of Delft (Hazenberg *et al.*, 2018), that at the moment political parties themselves do not use micro-targeting on a large scale and that the consequences of political micro-targeting and DPA are currently relatively minor in the Netherlands. All parties make use of the advertisement options offered by tech companies, such as Google and Facebook (Staatscommissie parlementair stelsel, 2018, p.90). These companies do collect personal data for the use of micro-targeting, and one can question whether the use of these services by political parties conforms to GDPR standards. In June 2019, the government published its official reaction to the recommendations of the State Commission, in which it recognised the gaps in the current laws and subscribed to the urgency of the creation of adequate regulation. Regarding DPA, micro-targeting and transparency of the use of personal data for political purposes, the government promised that new, specific regulations would be created. These regulations will be included in a larger reform of the wider regulation of political parties, called the *Law on Political Parties* (WPP) (Ollongren, 2019).

However, the WPP is currently still in development within the Ministry of Internal Affairs. A date on which the draft will be sent to parliament for debate and revision has not yet been set. The Minister has indicated that the new bill will be presented to Parliament during the current parliamentary term (before March 2021), but it may take longer (Ollongren, 2019). The government also notes that the recommendations of the Commission regarding DPA and micro-targeting are still rather general and need further work before they can be converted to law and implementation. Regarding an independent supervisory authority, the government notes that although this is a serious option, the advantages and disadvantages of an independent body, compared to the current system of supervision carried out by the Ministry of

Internal Affairs, still need to be weighed and further elaborated. This will be taken into consideration during the drafting of the WPP (Ollongren, 2019).

Digital Political Advertising in the Political Debate

The topic of digital political advertising has also been raised in Parliament on several occasions. Parliament has adopted a number of resolutions (*motions*), which are non-binding statements by Parliament. On the 7th of February 2019, the motion Asscher/Buitenweg (TK 35 078, nr. 21), which required Facebook to publish the names of the parties behind political ads, was adopted in the Lower House of Parliament with support from nearly all parties. Only the People's Party for Freedom and Democracy (VVD) and the Party for Freedom (PVV) voted against the motion (Tweede Kamer, 2019a). The government has responded to this motion by referring to the European *Code of Practice*. A further motion was introduced by Asscher and Van der Molen (Tweede Kamer, 2019b) on the 13th of March 2019 and called for a law that would stipulate that political advertisements could only be purchased by organisations and persons with a (permanent) residence in the Netherlands. And the motion Kuiken/Verhoeven (25 June 2019) asked for a legal requirement of full transparency of digital political advertisements on online platforms. In a letter of 18 October 2019 the Minister of Internal Affairs reported on the implementation of these motions: currently the legal framework is still being explored and the Minister is considering whether this would have to be subject to national or European regulation.

The political party D66 has proposed a Plan of Action for Digital Advertisement, in which it advocates the creation of regulation which makes non-personalised (political) ads the norm, transparency rules regarding DPA and regulations regarding targeting criteria for ads (D66, 2019). Their plan is especially focused on the practices of Facebook and Google, which also seem to be the main topic in the wider debate. This plan was presented in late June, shortly before the start of the political summer break, and has therefore not yet been submitted to or discussed in Parliament.

Digital Political Advertising: Debate in the Media

Using NexisUni, an exploratory media analysis regarding DPA was conducted for the major Dutch national news outlets (NOS, De Volksrant, NRC Handelsblad, NRC Next, Trouw, Financieel Dagblad, ANP) from January 1st 2018 to August 20th 2019. The main search words used were 'digitale politieke advertenties', 'digitale advertenties Europese verkiezingen', 'digitale politieke campagne', 'digitale politieke campagne Europese verkiezingen' 'politieke micro targeting' and 'micro targeting'. A number of other combinations were tried, but it quickly became apparent that slightly varying search terms produced similar results. Each search yielded a very large number of results, most of which were of very little or no relevance. After scanning the first five result pages for each search query, it became apparent that the same news articles kept appearing as the most relevant results, 38 in total. Each of these articles were subsequently read and grouped together on the basis of similar content in order to gain a general overview of the news coverage of DPA, as displayed in Table 1.

Table 1. Articles sorted by content

Articles on the Commission and the report	12
Articles on political debate regarding DPA	8
Articles on wider reflections of the consequences of DPA and micro-targeting	3
Articles on the Facebook Ad Library	15
<i>Total</i>	38

Table 2. Articles sorted by source

Financieel Dagblad/FD.nl	9
NRC Handelsblad/NRC.NEXT	15
De Volkskrant	6
Algemeen Nederlands Persbureau (ANP)	2
Trouw	4
Nu.nl	1
Nederlandse Omroep Stichting (NOS)	1
<i>Total</i>	<i>38</i>

The results reveal that media coverage has largely followed the political debate and policy developments described above. Major news outlets such as NOS, De Volkskrant, NRC and Trouw all factually reported the progress of the Commission, the presentation of the final report and the recommendations, as well as the government's official reactions and proposed policy measures. Most articles were explanatory in nature, offering little reflection or debate regarding possible positions that can be taken regarding DPA and micro-targeting.

Further Societal Debate

Further exploratory research aimed at finding different viewpoints and opinions mainly demonstrated a lack of active public debate on the issue of digital political advertising in the Netherlands. DPA and micro-targeting are discussed by and between relevant stakeholders, but a wider societal debate has not emerged. There seems to be a general consensus among policymakers, NGOs, political parties and experts that the development of legal regulations regarding DPA and micro-targeting is urgent and much needed.

In relation to the recent European Parliament elections and DPA, the major news item reported was the introduction of Facebook's Ad Library, which discloses which parties have paid for ads, a general approximation of the amount of money that was spent and to which groups, broadly defined, the ads were targeted. Facebook also announced that political ads focused on a certain country can henceforth only be placed by a party or person living in the same country in order to prevent malicious foreign influences from affecting the elections. However, when Bits of Freedom put this new policy to the test, they very easily managed to promote political memes and advertisements in the Netherlands using a German IP address and bank account, and vice versa. Facebook responded that Bits of Freedom had not checked the box 'political advertisement' when ordering the ad. Other targeting criteria they did check did not give Facebook cause to block the attempt (NOS, 2019; Volkskrant, 2019b).

3. Analysis of Political Ad Libraries

As part of their commitments under the Code of Practice on Disinformation, Facebook, Google, and Twitter each developed and deployed public archives for political advertisements in Europe ahead of the May 2019 European Parliament elections. Facebook also included these advertisements in its Ad Library application programming interface (API). These archives, as well as Facebook's API, represented the companies' primary mechanisms for fulfilling key responsibilities under Pillars 2, 4, and 5 of the Code of Practice (European Commission, 2018, *further referred to as CoP*).

Under Pillar 2, signatories committed to 'enable public disclosure of political advertising (defined as advertisements advocating for or against the election of a candidate or passage of referenda in national and European elections), which could include actual sponsor identity and amounts spent' and to using 'reasonable efforts towards devising approaches to publicly disclose "issue-based advertising"' (COP, Chapter II.B, para. 3). Pillar 4 expanded these commitments to encourage 'market uptake of tools that help consumers understand why they are seeing particular advertisements' (COP, Chapter II.D, para. 11). And under Pillar 5, Facebook, Google, and Twitter committed to supporting 'good faith independent efforts to track Disinformation and understand its impact...' (COP, Chapter II.E., para. 12).

Our research finds significant deficiencies in the design and implementation of the political ad libraries and Facebook's API. We conducted our research retrospectively, testing the platforms' systems to assess whether they could adequately support research seeking to understand digital political advertising in the Netherlands. While relevant ad information is required for real-time monitoring of content, sponsors and audience targeting, libraries must also be consistent and stable over long periods of time. We therefore examined the information available in the libraries and API over several months, between 15 June and 30 September 2019. Given the Code of Practice's focus on disinformation, we were particularly interested in assessing whether and how the platforms' archives might help us uncover and explore false content and its purveyors.

Limitations of a Political Party-Based Approach

To this end, it is important to note the limitations of an approach focused on political parties, per se. As noted above, current Dutch regulations tackle political advertising with a mind to governing how the political parties themselves advertise. Little consideration is given to whether or how third party actors, such as domestic interest groups or foreign actors, might seek influence through political advertising. In the Dutch case, our working hypothesis remains that such attempted influence is minimal. However, it is just that—a hypothesis that requires testing, particularly in light of the fact that digital technologies make it considerably easier for third parties to engage in disinformation campaigns. Thus, digital transparency tools should permit investigation of a broad range of actors and their advertisements, not just political parties.

However, this is not yet the case. As suggested by their monthly progress reports to the European Commission, Google, Twitter, and Facebook primarily focused on registering political parties, candidates, and other actors officially listed with national election authorities ahead of the European Parliamentary elections (e.g. see, Twitter, 2019, p. 3). And their libraries reflect this prioritization. Twitter's Ad Transparency Center, for example, can only be queried based on the account names of advertisers (e.g., @VVD, @PvdA). And within this platform, only ads purchased by certified

campaign accounts can be retrieved indefinitely. All other ads can be viewed for just seven days. This is problematic even when analyzing political party accounts, since not all party accounts are also certified campaign accounts. The @PvdA (Labour Party) account, for instance, is verified—that is, it has a so-called Twitter “blue checkmark” indicating that the account is authentic—but it is not a certified campaign account. Any ads purchased by @PvdA are therefore only discoverable for seven days after their run is complete. Our own queries to the Twitter Ad Transparency Center did not uncover any ads run by @PvdA, but because we conducted our research retrospectively, we cannot ascertain whether the account purchased ads during the campaign for the European Parliamentary elections.

This was true of an easily identifiable party-based account. Any retrospective search of third party activities—especially those seeking to mask their identities and any intended influence campaign—is rendered effectively impossible.

Facebook, in contrast, does appear to intend to archive all relevant advertisements for (at least) seven years (Facebook, 2019b). However, both the Ad Library and API must be queried using keywords identified by the end user. In other words, it is not possible to retrieve all ads in the archive for a specific geographical region. For known entities, such as political parties, this may not be problematic. Using party names or abbreviations as keywords, it should be relatively easy to surface relevant ads. However, searching for previously unknown actors is, in effect, impracticable. And even in the case of political parties, one has to be cognizant of party leaders or other members who might purchase ads through personal accounts.

Google, on the other hand, does provide downloadable data (in csv format) on all political advertisements. Data can be filtered by country or region for which an ad was certified or served, and the advertiser’s name and unique ID are provided. In theory, among the three platforms, this approach is most useful for uncovering and analyzing the activities of third party advertisers. However, Google did not publicly disclose issue-based advertising, meaning that data are only available for a narrow set of advertisements that are explicitly campaign related.

Issue-Based Ads

In fact, only Facebook meaningfully fulfilled the commitment to disclose issue-based advertising. Because Twitter’s Ad Transparency Center can only be queried using Twitter account names, there is no way to search for specific keywords or topics.

Facebook, in contrast, does require authorization for advertisers seeking to run ads on specific topics within the European Union. As laid out in its February 2019 report to the Commission, Facebook’s policy covered the following topics: immigration, political values, civil and social rights, security and foreign policy, economy, and environmental politics (Facebook, 2019a). Since this initial report, Facebook has expanded the topics covered to also include crime and health (Facebook Business, n.d.-a). However, it is not clear how Facebook defines content in any of these areas, and the review process for determining whether an advertisement falls within one of the categories is similarly opaque. Facebook suggests only that ‘a combination of artificial intelligence (AI) and human review’ is employed (Facebook Business, n.d.-b). Note, too, that these are broad, generic issue areas. None are tailored for the Dutch context specifically.

Ad Information

Google, Twitter, and Facebook also committed to providing ‘tools that help consumers understand why they are seeing particular advertisements’ (COP, Chapter II.D, para. 11). Here we found the information provided by Twitter most useful. Figure 1 offers an example of the types of data available in the Twitter Ad Transparency Center for individual advertisements. Figure 1 comprises a series of screenshots for an ad created on 15 May 2019 by the @groenlinks (Green Left Party) certified campaign account.

The left-hand column in Figure 1 shows the advertisement itself, which in this case contains an embedded video. (At the time of writing, this video is still available. However, we found a number of other tweets in the Ad Transparency Center for which the video no longer functioned, preventing us from interrogating the video content.) The information provided in the upper-right corner of the figure provides data specific to this tweet (i.e., that GroenLinks spent €115.50 promoting the tweet and the tweet received ~22,500 overall impressions). However, because this tweet was part of a scheduled campaign containing multiple tweets, further information is provided for the full campaign only. Thus, in the lower-right we see that the campaign ran for nine days (14-22 May 2019), the total campaign spend was €555.10, and the full campaign received ~139,400 impressions. We also know that users were targeted within the Netherlands broadly, but it is not clear whether other personal user criteria were used for further micro-targeting. (Twitter does not list any other criteria, but it does not explicitly state that geography was the *only* criteria.) Not pictured in Figure 1 are a further set of metrics breaking down the actual audience for the full campaign by age, gender, language, metro areas—in this case, just “De Randstad, NL”—and region, meaning the provinces of the Netherlands.

We note that it would have been useful to break down “metro areas” further (the Randstad is a diverse area) and that both target and actual audience information would be more useful if it were provided for individual tweets. Yet when compared to the other two platforms, this information is relatively comprehensive and helpful.

Figure 1. Twitter Ad Transparency Center Example

GroenLinks @groenlinks · May 15
Ga stemmen op donderdag 23 mei 🗳️

Het is een enorm verschil of GroenLinks aan de knoppen zit of de VVD of FvD. Jouw stem telt. Spreek je uit! #spreekjeuit #EP2019

groen.li/spreekjeuit



189 316

Promoted (political) · [Ad details](#)

Tweet performance summary
This is how much the advertiser spent promoting this Tweet and how many times it was seen in ad campaigns.

Spend	Impressions
€115.5	22.5K

Targeting
This ad ran in 1 campaign. Campaigns may include multiple ads. Select a date range to view the targeting information for each campaign.

May 14, 2019 – May 22, 2019
6 Tweets, 4555.1 spend, 139.4K impressions

← May 14, 2019 – May 22, 2019

This campaign has 6 Tweets. Targeting information includes the performance metrics across all the Tweets in this campaign.

Campaign performance summary
This is how much the advertiser spent promoting this campaign and how many times Tweets in the campaign were seen.

Spend	Impressions
€555.1	139.4K

Campaign disclaimer
This information is provided by the advertiser for each campaign. An ad may have run in multiple campaigns.

Paid for by GroenLinks

Targeted audience
These are the demographics of the advertiser's intended audience for this campaign. Because audience data may be inferred, some ads may have been delivered to demographics outside those the advertiser targeted.

Country
The Netherlands

As shown in Figure 2, Facebook provides more information about the advertiser, listing phone number, email address, website, and physical address, as well as the total amount the advertiser has spent over time on political and issue ads. Facebook also lists the Dutch provinces in which the ad was viewed and provides audience breakdowns on the basis of age and gender. However, these audience figures are presented as percentages of tweet impressions, and because the impressions are listed in a rather broad range—in this example, 10,000-50,000 impressions—it is difficult to accurately assess audience numbers. For example, did the ad in Figure 2 reach 2,000 or 10,000 people in South Holland? Moreover, the Ad Library provides just actual audience information. It does not reveal the variables used to target Facebook users for the advertisement.

Figure 2. Facebook Ad Library Example

VVD
Sponsored · Paid for by VVD
ID: 798907987162597

...

Met Nederland gok je niet.

Data About This Ad i

● Inactive
May 21, 2019 - May 23, 2019
ID: 798907987162597

10K - 50K
Impressions

€100 - €499
Money spent (EUR)

Who Was Shown This Ad

Age and Gender

Men Women Unknown

18-24

25-34

Information from the advertiser ^

- Disclaimer
VVD
- Phone Number
+31703613031
- Email
online@vvd.nl
- Website
www.vvd.nl
- Address
Mauritskade 21, Den Haag 2514 HD

About the Page

VVD
[View more ads from this Page](#)

Total spent by Page on ads about social issues, elections or politics i

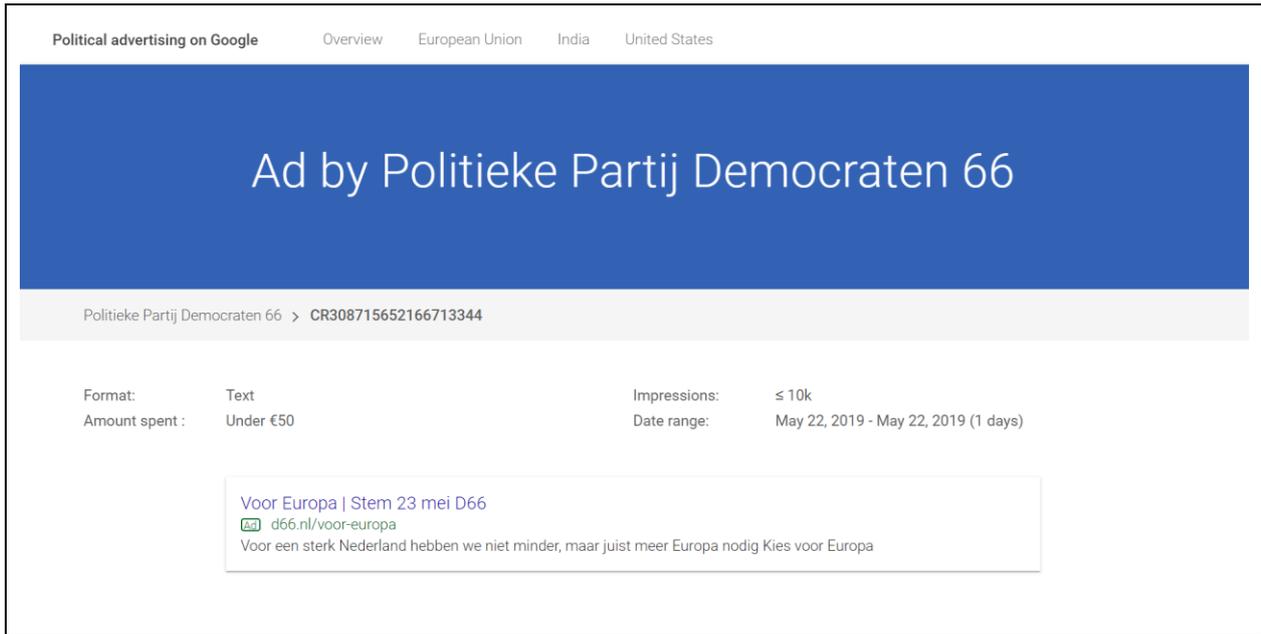
Mar 2019 - Oct 24, 2019
Netherlands

€25,930
[See spend details](#)

Where This Ad Was Shown

South Holland	20%
North Brabant	14%
North Holland	14%
Gelderland	12%
Utrecht	7%
Overijssel	7%
Limburg	6%
Groningen	5%
Friesland	4%
Drenthe	2%
Zeeland	2%
Flevoland	1%

Figure 3. Google Political Ad Transparency Report Example



Google’s Political Ad Transparency Report provides very little information. In the example shown in Figure 3, only the dates the ad ran, the amount spent on the ad, and the number of impressions are listed. And the latter two are provided in unhelpfully broad ranges. The impression range categories Google offers are ≤ 10k, 10k-100k, and 100k-1M impressions. The ranges for euros spent per ad are < €50, €50-500, and €500-30,000. No audience or targeting information is supplied.

Data Inconsistencies and Uncertainty

We tested each of the libraries and Facebook’s API by submitting identical queries from three different countries, IP addresses, and accounts. Google and Twitter consistently returned the same results. However, the Facebook Ad Library and API returned inconsistent results each time. For example, submitting identical date ranges and using the keyword “Rutte,” a query run from the Netherlands returned 139 ads, while queries from Germany and the United States returned 147 and 224 ads, respectively.

This points to perhaps the largest concern our research team faced: There is no way to independently verify the integrity of the data provided by any of the platforms. While the results returned by Google and Twitter were stable across all of our tests, we still cannot be certain that the results reflect the true population of relevant data held by the platforms.

4. Digital Political Advertising in Practice

In order to delve deeper into the findings discussed in the previous section, we also conducted bilateral interviews with stakeholders. Such interviews also shed light on how the transparency rules were implemented and how they played out in practice. Lastly, the interviews revealed several other factors that go beyond mere transparency issues, but are related to them.

Interview Requests and Responses

We contacted several types of stakeholders. Specifically, we contacted five political parties, two societal actors (one NGO and one journalist), the government (Ministry of Internal Affairs) and two of the tech companies (Facebook and Google). Some of the interviews were oral, others were written. The interviews were semi-structured: 10 questions were included in the standard questionnaire, but when possible follow-up questions were asked.

We selected a broad range of parties that spans the ideological left-right spectrum, includes government and opposition parties, and varies in terms of ad spending. Appendix 2 lists these parties. One party, Forum voor Democratie, ignored our interview requests. One other, Socialistische Partij, explicitly rejected our interview request, even after we offered partial confidentiality and stressed that statements could be withdrawn. The (in)actions of both parties are telling by themselves. The VVD cooperated via a written interview, Groenlinks and ChristenUnie were interviewed face-to-face.

We also selected two vocal and prolific societal actors: Bits of Freedom was very active on the topic of transparency and presented its analysis to the Lower House. Eric van den Berg is a journalist and examined Facebook transparency in multiple of his items for Brandpunt+, a current affairs program on the public broadcast. Bits of Freedom participated via a written interview; Eric van den Berg was interviewed face-to-face.

Finally, we interviewed two government representatives: Puck Gorrisen (involved in crafting the new Dutch law on political parties) and Amber Mechelse (involved in policy development on the topic of disinformation). Both work for the Ministry of Internal Affairs, the Ministry responsible for matters related to online transparency in campaigning.

We aimed to interview the two most relevant tech companies in the Netherlands, Facebook and Google. However, our attempts to get in touch with relevant Facebook officials were unsuccessful. Google merely referred us to several online texts.³

Main Findings from the Interviews

1. Deficiencies in the Ad Library: Low Accuracy

Section 3 showed that the Facebook ad library was not consistent: one gets different search results in different countries. Though this problem did not manifest itself on Google and Twitter, the interviewees stressed that those two libraries suffered from accuracy problems: they could not find some of their own paid ads in the libraries. As one

³ Specifically it referred to: <https://www.blog.google/around-the-globe/google-europe/eu-political-advertising-transparency-report-2019/>; <https://blog.google/around-the-globe/google-europe/update-our-work-prevent-abuse-ahead-eu-elections/>; <https://blog.google/around-the-globe/google-europe/tools-help-you-vote-eu-elections/>; <https://elections.google/>; <https://support.google.com/adspolicy/answer/6014595?hl=en>.

interviewee from a political party indicated, ‘The Google ad library was extremely inaccurate. I could not even find my own ads. (...) Twitter idem ditto.’

What is more, interviewees felt that many of the transparency mechanisms were merely bureaucratic features and were easy to circumvent (e.g. one could avoid Facebook’s verification process by simply not ticking the ‘politics’ box on the Facebook ad interface). Such requirements constrain the parties who want to play by the rules, but do not deter parties that want to ‘play dirty’.

2. Implementation of the Transparency Requirements: Chaos and Opaque Bureaucracy

Moving beyond the ad libraries, interviewees felt that the implementation of transparency requirements was haphazard and seemed fairly ad hoc. As one party interviewee indicated regarding Facebook:

When the new requirements were implemented in 2019, you had to sign an agreement; there was the mandatory identification, and you had to tick a box that your ad was related to politics. It was complete chaos. It was chaos because it was unclear what they wanted precisely. It was completely unclear where you could do all these things. The whole process was chaos: from the user interface, to the goal of the measures to the path for reaching that goal. It felt like you were confronted with the castle of Kafka. (...) I was able to fix it myself. (...) It turned out that all notifications were shown on your Facebook business page, but you had to change the relevant settings in your own Facebook profile.

While the previous example dealt with Facebook, there are also indications that the measures were not a high priority and mostly symbolic on other tech platforms. For example, one party interviewee indicated that he was approached by Google to prepare their ads account for the European elections. However, despite being approached by Google itself, the company did not manage to register the party in time for the European Parliament elections, despite a lengthy back and forth between the interviewee and several Google employees.⁴

3. Beyond the Ad Libraries: Different Platforms, Different Problems

Moving to the broader problems the Code of Practice sought to address, the interviewees stressed that the problem of disinformation manifests in different ways on different platforms. Facebook, Twitter and Youtube were seen as the most important platforms.⁵ Disinformation and micro-targeting in paid ads was considered to be a particular problem for Facebook, while a lack of algorithmic transparency was considered the main problem related to Youtube. As one interviewee noted, ‘The biggest problem is Youtube’s algorithm being a black box. We do not know how for instance conspiracy theories spread on the platform.’ Bots and trolls were seen as the primary problem on Twitter. Most of the current legislation (and the broader discussion about transparency) typically uses a one-size-fits-all approach. Such an approach may solve some issues on Facebook, but as one interviewee stressed, it ‘cannot solve the problem completely’. Moreover, it does not address the other problems associated with Google and Twitter.

⁴ Apparently, the issue at stake was the fact that the person whose credit card was linked to the account no longer worked at the party. While this should be fixable, one of the big problems was to find the right person within Google to change the setting. Ultimately, they did not manage to do this in time and as a result the party could not post paid ads from its account.

⁵ Instagram was seen as less useful, though the interviewees did notice an uptick in their audiences on Instagram.

Twitter's recent decision to (partially) ban political advertising nicely illustrates this: Twitter can easily ban political advertisements because parties spent very little money on such ads in the first place. Moreover, on Twitter the problem is not disinformation in paid content, but rather disinformation in the free content. The ban on political advertising does not address this. On Facebook such a ban might have more impact, because, as the interviewees stressed, there hardly is any free, organic reach left on Facebook. But it mostly falls flat on Twitter.

4. Division of Labour between National and European Levels

It is important to note that such problems, and the regulation of the tech companies in particular, cannot be managed solely by national governments, as their scale and clout are too limited. However, once one shifts the focus to political parties, national regulation is considered possible. As the interviewees of the Ministry of Internal Affairs noted, 'Just like [Dutch] elections, national political parties are a national matter. Establishing rules that affects national parties, such as legislation concerning the digital transparency [of parties] and controlling whether parties comply with that legislation, is a national matter. Regarding the European level, one can think of legislation regulating the tech companies.'

5. Conclusions and Recommendations

Main Findings

In the first part of this report we discussed the Dutch regulatory background. Digital political advertising receives little consideration in current Dutch regulations. There have been some recent developments and calls to action from the State Commission and from Parliament, but these have yet to be implemented. Details about potential implementation remain vague. The Minister is planning to report an update to Parliament in Spring 2020.

We then moved to testing the accuracy, consistency and completeness of the ad libraries. Considering accuracy, it is unlikely that all political ads are in the ad libraries; political party interview respondents indicated that in some cases they could not find their own ads in the Google and Twitter ad libraries. External researchers also have no practical way of independently verifying which and how many ads might be missing from the libraries. Moreover, interpretations of what constitutes a ‘political’ or ‘issue’ ad varied from platform to platform. As to the consistency of the results, searches of the Facebook ad library using the same query parameters but initiated from different locations returned different sets of ads. Finally, the completeness of information varied significantly between the various ad libraries. Some ad libraries offered more information about the audience of an ad (Twitter, Facebook), while others provided very little information (Google). However, it should be stressed that even for the most complete ad libraries, (micro-) targeting information was very limited and was focused on the country target.

All these findings are in line with other reviews and analyses of ad libraries (Edelson et al. 2019; Leerssen 2019; Mozilla 2019; Rieke & Bogen 2018). The interviews also confirm the results of our analyses and stress the ad hoc way in which the ad libraries were designed. Interviewees regarded the platforms’ efforts as mostly symbolic.

Recommendations Concerning Ad Transparency

From our overview, research and interviews, several recommendations can be distilled. To begin, it is important to keep in mind that transparency is a means, not an end. Increased transparency may be useful to reach some broader goals, such as allowing independent researchers to spot disinformation or exposing inconsistencies in micro-targeted messages. However, while the existing ad libraries are certainly a step in the right direction, to date they suffer from inaccuracies, inconsistencies and are incomplete. As a result, they are insufficient to reach the two broader goals just mentioned.

We therefore recommend that ad data be openly accessible to independent researchers in all parts of the world. It is important that researchers are allowed to verify which ads the platforms label as ‘political’ or ‘issue’ and whether all relevant ads are in fact included in the political ad libraries. At a minimum, all ads (political and otherwise) should be permanently discoverable within a database organized by date, as well as the country or countries reached and targeted. Researchers should be able to surface any and all ads, whether affiliated with a political party or other actor, to examine for potential disinformation or other harms.

We also recommend that the ads data include information about the audiences *targeted* by each ad, not just the audiences *reached* by an ad. This information is needed to spot potentially problematic micro-targeting patterns and practices.

In the Dutch context, such openness can and should also apply more to the parties themselves, not just to the tech companies. Currently, political parties are only required to report how much money they receive, not details about their campaign spending, such as the type of campaign effort. Such information is useful for broad public accountability. However, it is also crucial more specifically for verifying the accuracy of ad libraries.

More General Recommendations

In addition to these ad transparency recommendations, we would also like to formulate some more general recommendations. Indeed, it is important that we recognize that, ultimately, even at their (hypothetical) best, the ad libraries are most likely to surface content generated by actors playing by the rules, not those with ill-intent mostly likely to generate disinformation. During our research we also came across issues that go beyond the scope of our study (i.e. the Code of Practice on Disinformation), but are clearly related to it.

Youtube's algorithms can boost the virality of certain content, without requiring payments. Such videos can contain disinformation, but are free and do not fall in the category 'advertisement'. As such, transparency regarding paid ads does not apply, but these videos can be problematic nonetheless. Similarly, free content boosted by trolls or fake accounts can increase the impact of disinformation on Twitter and fool unsuspecting audiences in terms of how popular a tweet is. The latter is particularly problematic for journalists, who often rely on tweet metrics to assess how widely shared the sentiment expressed in a tweet is. Again, transparency regarding paid ads does nothing to address this problem.

As noted, these problems fall outside the narrow scope of our study, and as such we cannot formulate recommendations to address them. However, a broader lesson can be drawn that does apply: each platform has its own problems and consequently, a one-size-fits-all approach could prove counter-productive. A more fine-grained and flexible approach is preferable for tackling digital disinformation and micro-targeting—one that allows for differences in how these two problems manifest themselves on specific platforms.

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Appendix 1. Questionnaire used for the interviews

The following questions constituted the main questionnaire for the interviews:

1. What is your position regarding ad transparency?
2. How important are online ads for electoral campaigns?
3. How concerned are you regarding digital misinformation in the NL? Why so?
4. According to you, are political parties active in terms of online campaigning?
5. What about non-party activist groups (grassroots)?
6. What about campaigns from outside of the NL, being run within the Netherlands?
7. According to you, what works well regarding the current transparency rules?
8. According to you, what does not work well regarding the current transparency rules?
9. Did you observe any unintended consequences resulting from the transparency requirements?
10. According to you, what should be improved in practice and/or regulation?

Specific questions relevant to the specific actors were added to the main questionnaire. E.g. we asked the parties how they organized their online campaigns in practice and whether they received training from the tech platforms. Regarding the Ministry of the Interior we for instance also asked which government level (national and/or European) should do what in terms of regulations.

Appendix 2. Overview of the parties and their characteristics

Party	Left-right	Government opposition	- Ad spending*
SP	Radical left	Opposition	High
GroenLinks	Left	Opposition	Moderate
ChristenUnie	Centre	Government	Low
VVD	Right	Government	Moderate
Forum voor Democratie	Radical Right	Opposition	Moderate

* Based on Facebook & Instagram ad spending.

