

The fight against the manipulation of information on online platforms

Summary of the annual review
of the means and measures
implemented by operators in 2021

November 2022

Introduction

The law of December 22nd, 2018 on combating the manipulation of information imposes on online platform operators to cooperate with Arcom, and requires strengthened efforts and transparency towards their users.

These obligations include the implementation of a reporting system and measures to increase transparency of algorithms, promote content from verified sources, combat accounts that actively participate in the manipulation of information, increase transparency on ad placements and improve media and information literacy.

Operators must make public the means and measures they implement in an annual declaration submitted to Arcom. The regulator is responsible for publishing a periodic review of the application and effectiveness of the measures taken by operators, which is summarised in this document.

This report on the means and measures implemented in 2021 confirms the highly satisfactory assessment of cooperation with platforms during the two election periods in France. Arcom has published its report on the elections on November 2nd, 2022¹.

1. General remarks on compliance

Twelve online platform operators subject to the duty of cooperation under Title III of the French law of December 22nd, 2018 have completed the reporting exercise to Arcom for the year 2021 : *Dailymotion, Google, LinkedIn, Meta, Microsoft, Pinterest, Snap, TikTok, Twitter, Webedia, Wikimedia Foundation* and *Yahoo*.

In general, Arcom has observed an improvement in the amount of information reported, which is the consequence, in particular, of an intensified cooperation between platforms and the regulator through the establishment of a rich and constant dialogue. Nevertheless, this observation must be nuanced by the great variation in the level of transparency shown in this reporting exercise. *TikTok* (subject to these obligations for the first time this year), *Yahoo* (presumably subject to these obligations for the last time) and, to a lesser extent, *Google*, stand out in particular for the lack of tangible information enabling Arcom to analyse the relevance and effectiveness of the means and measures implemented to fight against manipulation of information.

Operators are now complying in a generally satisfactory manner with the obligation to set up a mechanism for reporting false information likely to pose public order issues or adversely affect the fairness of a major election. However, the accessibility and visibility of such mechanisms remains uneven from one platform to another, especially on search engines. Moreover, Arcom regrets a flagrant lack of metrics relating to users' reports and the effectiveness with which they are handled, which prevents any assessment of the relevance and effectiveness of measures relative to the risks associated with each service.

There is also some improvement in the amount of information provided about the criteria used for recommending content, including those that lead to reduce visibility of content considered to be of low quality. But here again, the lack of metrics does not enable the regulator to assess the relevance of the mechanisms, particularly automated moderation systems. Particular attention was also paid this year to the evaluation processes for algorithmic systems, both internal and external, implemented by operators.

¹ <https://www.arcom.fr/nos-ressources/etudes-et-donnees/mediatheque/rapport-sur-les-campagnes-electorales-2022-election-la-presidence-de-la-republique-et-elections-legislatives>

Regarding the identification and promotion of reliable sources, the measures reported are broadly the same as those reported the previous year for the majority of respondents. Against a backdrop of great geopolitical instability, the analysis of the means and measures implemented to identify content from verified sources focused on identifying media not enjoying the necessary guarantees of editorial independence from the State that controls them.

More specifically, Arcom notes a lack of transparency regarding practices identified by operators that could undermine the integrity of services, and about the resources and tools they use to respond to them. In this respect, Arcom recalls that the less virtuous operators are those which are most opaque, thus avoiding any criticism other than a fundamental condemnation of their lack of cooperation and transparency.

On measures to counter manipulation in commercial communications, a lack of information was particularly noted in sales and bidding models and advertisement targeting.

Finally, in terms of media and information literacy, Arcom notes disparities in the number of actions undertaken by operators towards users, particularly concerning risks specific to their own services. Although there have been improvements in cooperation with the research community, researchers' access to platform data is still very limited. As Arcom pointed out at the launch of its public consultation on access to platform data, it is essential that the EU's Digital Services Act (DSA) framework for studying online behaviour and the systemic risks involved is implemented. This development will make a decisive contribution to protecting and strengthening researchers' own independence, autonomy and analytical capacity.

Arcom condemns the repeated failures of some operators to provide information and figures. The justifications given call into question operators' willingness and ability to evaluate their own policies on combating manipulation of information.

The implementation of this regulation thus shows the limits of an essentially flexible framework that fails to hold platforms accountable, firstly about the reality of manipulation of information phenomena found on their services, and secondly about all the measures taken to mitigate them. Indeed, although the law of December 22nd, 2018 established a precursory framework based on the obligations of best endeavours and transparency incumbent upon online platform operators, transparency efforts still appear to be very inadequate, especially as operators remain silent on essential issues.

However, a major development in the regulatory framework with the adoption of the DSA will change the situation. With its tougher obligations and their corollary, the power to sanction, this ambitious and innovative legislation is intended to deliver a much-improved response to the risks raised by online platforms. This will apply in particular with regard to protecting the general public and the stability of our democratic societies, with strict respect for freedom of expression and the fundamental rights guaranteed in the European Union. The provisions of the strengthened European Code of Practice on Disinformation dated June 16th, 2022 are thus intended to complete the risk mitigation toolkit that regulators will be able to use in respect of the DSA. The various commitments made by its signatories, which include the majority of operators covered in France by Title III of the French law of December 22nd, 2018, and the resulting obligations to publish transparency reports, will help provide input to Arcom's reflection on coordinating and harmonising the monitoring and analysis of the different means implemented to fight against manipulation of information at the various European and domestic levels.

The DSA establishes an overhauled regulatory framework based on interweaving the domestic and European levels, which requires close coordination between national regulators and the European Commission. In this respect, regulators' access to data and

information from platforms is essential, as is access for researchers, now enshrined in the DSA, to the data needed to assess risks and the measures taken to reduce them.

2. Summary of Arcom's recommendations to operators

On transparency in general

- ❖ **Recommendation 1:** increase transparency vis-à-vis the general public by providing more quantified metrics on both the content, practices and phenomena of information manipulation identified, and on the means and measures implemented to combat them.
- ❖ **Recommendation 2:** implement more initiatives to improve transparency towards civil society and researchers, including access to data, to enable an independent and plural assessment of the risks and the measures taken to counter them.
- ❖ **Recommendation 3:** provide the regulator with more information, if necessary on a confidential basis, to enable better understanding of the means and measures implemented to fight against manipulation of information.

On the reporting system

- ❖ **Recommendation 4:** improve the visibility and usability of the reporting mechanism by placing it close to the content (especially for [Google Search](#) and [Bing](#)), and on all versions of the service (especially for the mobile versions of [TikTok](#) and [YouTube](#)).
- ❖ **Recommendation 5:** within reporting mechanisms, provide clear and sufficiently precise types and sub-types of reasons for reporting content related to manipulation of information (or equivalent concept) (especially for [Twitter](#), [Jeuxvideo.com](#), [LinkedIn](#) and [YouTube](#)). These reasons should also cover information manipulation of a kind likely to pose public order issues or adversely affect the fairness of an election.
- ❖ **Recommendation 6:** better inform users who have reported content, and the users who posted it, of progress made in handling with reports in progress, and notify them of the outcome within a reasonable period of time, giving reasons.
- ❖ **Recommendation 7:** allow users who have reported content and users affected by a moderation decision to appeal and provide them with clear information about any appeal options when they are notified of the decision taken.

Regarding the transparency of algorithms

- ❖ **Recommendation 8:** improve transparency around the processes and resources dedicated to evaluate automatic tools by regularly publishing, in a specific area, information about changes that have been made with the help of internal or external analyses.
- ❖ **Recommendation 9:** tell users about the criteria used for content recommendation, doing so in a personalised and context-dependent manner using tools and functionalities accessible directly on the service.

- ❖ **Recommendation 10:** increase the transparency of policies aimed at reducing content visibility.
- ❖ **Recommendation 11:** improve transparency to the general public about how content, account and behaviour detection tools used for moderation purposes operate, and provide the regulator with more information that can be used to assess their relevance.

Regarding the promotion of content from press companies, media agencies and audiovisual communication services

- ❖ **Recommendation 12:** establish specific mechanisms for identifying media that do not enjoy the necessary guarantees of editorial independence from the state that controls them, and apply those mechanisms in a consistent, transparent manner and according to objective criteria.
- ❖ **Recommendation 13:** implement mechanisms to add "friction" to the publication of potentially problematic content.
- ❖ **Recommendation 14:** develop the use of (i) fact-checking and (ii) highlighting of the resulting content, including outside election periods.

Regarding the fight against accounts that spread false information on a massive scale

- ❖ **Recommendation 15:** draw up a clear list of all the practices that undermine the integrity of their service in order to detail more clearly, with quantified indicators, the means and measures implemented in response. To this end, operators are encouraged to exchange with each other on the types of practices identified and to rely on the common typology which will be established by the signatories of the strengthened European Code of Practice on Disinformation.
- ❖ **Recommendation 16:** create a single, easily accessible space on the service listing the prohibitions on practices that undermine the integrity of the service, those identified and the decisions taken in response.
- ❖ **Recommendation 17:** work on the implementation of functionalities for informing users who are victims of certain manipulative practices, in an individualised and contextual manner.

Regarding measures to combat false information with respect to commercial communications and the promotion of information content relating to discussions of widespread interest

- ❖ **Recommendation 18:** all bidding models should be subject to enhanced transparency measures, such as independent third-party auditing, especially where they feature proprietary performance-based metrics that could be exploited for manipulation of information purposes.
- ❖ **Recommendation 19:** with a view to improving the transparency of advertising recommendation algorithms, context-based information mechanisms should include information on targeting (in an individualised manner) and configuration of advertising settings, and serve as a link to other more comprehensive information tools such as advertising libraries.

- ❖ **Recommendation 20:** boost efforts to check redirect links in commercial communications, as they can lead to third-party sites spreading disinformation.
- ❖ **Recommendation 21:** Arcom recalls that the presence of disinformation in commercial communications should be reportable by users via an easily accessible and visible mechanism.

Regarding media and information literacy, and relations with the world of research

- ❖ **Recommendation 22:** set up media and information literacy actions on the risks of manipulation of information linked to the use of their service and propose functionalities allowing users to take these risks into account when using their service.
- ❖ **Recommendation 23:** further develop the measurement and reporting of the real impact of operators' media and information literacy initiatives on users.
- ❖ **Recommendation 24:** cooperate more with civil society on joint initiatives for a better understanding of online phenomena, and especially with research organisations on improved access to data.