

The Solutions Review:

### Fighting Fake News, Misinformation, and Disinformation

Volume I | 2023





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The Solutions Review is a publication of the Konrad-Adenauer-Stiftung (KAS) Philippines, which features a collection of think pieces from scholars, experts, and important stakeholders reflecting the discussions and solutions arising from the Solutions Conference.

KAS Philippines hopes The Solutions Review will serve as invaluable reference material and reach more passionate individuals and groups who can facilitate wider, informed discussions and initiatives on the thematic issue that will drive positive and meaningful change in our society.

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The Solutions Conference is an annual event organized by the Konrad-Adenauer-Stiftung (KAS) Philippines that aims to serve as an avenue for experts, scholars, key stakeholders, and the public to engage in discussions on possible solutions to democracy's most pressing issues.

With profound awareness about the far-reaching dangers and consequences posed by a post-truth society, KAS Philippines initiated the first-ever Solutions Conference with the theme "Fighting Fake News, Misinformation, and Disinformation" last 29 November 2022 at the Makati Diamond Residences, Makati City, Philippines. Atty. Leonor "Leni" Gerona Robredo, Chairperson of Angat Pinas Inc. and the 14th Vice President of the Philippines, gave the keynote speech. Mr. Christian Esguerra of Facts First served as the event's host.

The Conference featured four (4) engaging parallel breakout sessions:

- "#HoldTheLine: Expanding the Audience of Fact-Checks and Building a Support System for Fact-Checking and Facts-Based Reporting in the Philippines" in partnership with MovePH and #FactsFirstPH
- "Fighting Misinformation through Smart Communications" in partnership with Evident Integrated Marketing and PR
- "Ethics in the Infodemic Era: Assessing Ethical Data Culture" in partnership with Data Ethics PH
- "Finding Legal Remedies for Fake News" in partnership with the Office of the Senate Minority Leader
   Senator Aquilino "Koko" Pimentel III

Within each parallel breakout session, the resource speakers and participants joined forces to explore and discuss the different facets of fake news, misinformation, and disinformation, with a collective aim of generating possible solutions that can address this problem and its challenges.

## The Solutions Review: Fighting Fake News, Misinformation, and Disinformation

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### **Foreword**

Among the challenges that our society faces in the 21st century, fewer perils pose a greater threat to democracy than the proliferation of fake news, misinformation, and disinformation.

In the Philippine context, recent key events such as the 2022 Presidential Elections and the COVID-19 infodemic serve as glaring examples that highlight the detrimental and far-reaching impact of fake news, misinformation, and disinformation on society. The dangers that arise are multifaceted: from the unbridled and unscrupulous manipulation of public opinion, the distortion of society's perception of facts and truth, and the erosion of the public's trust in democratic institutions and processes. Ultimately, this phenomenon undermines and significantly threatens the very essence and core of democracy – a society capable of making collective and rational decisions in pursuit of justice and the common good. But when the fundamental right to information and freedom of expression is jeopardized, it becomes a society where the public interest and welfare are severely compromised and set aside.

Acknowledging the urgency of the present situation, it was with great zeal that KAS Philippines chose the theme "Fighting Fake News, Misinformation, and Disinformation" for the inaugural Solutions Conference held in Makati City, Philippines on 29 November 2022.

The conference's resounding success proves the relevance and immediate importance of the issue. The overwhelmingly positive reception and unparalleled enthusiasm of the public for the effort is concrete evidence that this challenge is a shared concern that not only defines our present but also carries profound implications for our future as a nation and as Filipinos. It actualizes a common commitment to acquire deeper understanding, to seek effective solutions, and to take collaborative and decisive action to address the pervasive challenges and ills brought by fake news, misinformation, and disinformation.

What we witnessed was profoundly inspiring and motivating. It compelled us to extend the reach of these ideas and energy to a broader audience. In line with this vision, we take immense pleasure in presenting "Fighting Fake News, Misinformation, and Disinformation" – the inaugural volume of The Solutions Review. This compilation of short articles captures the essence of ideas, questions, conversations, and solutions that took root during the 2022 KAS Solutions Conference. The Solutions Review features a variety of perspectives from different disciplines such as the social sciences, law, communications, and even science and technology. This range of expertise ensures its suitability for general readership.

As you delve into the reading, you will encounter several instances wherein the contributors present differing approaches to the issue. This, of course, is indicative of the problem's complexity as well as the ongoing and evolving nature of the discourse surrounding it. However, amidst these nuances, a powerful and unifying theme becomes apparent in every article, that is, the paramount importance of respecting and safeguarding our fundamental human rights and freedoms especially the freedom of expression, the freedom of the press, and the freedom to information. It is our sincere hope that as we navigate the intricacies of fake news, misinformation, and disinformation, we all see these fundamental rights and freedoms not as mere abstractions or ideals but as the essential foundations, pillars, and guiding force of our efforts to realize a more equitable and just society grounded on the truth.

I want to express my deepest gratitude to our esteemed contributors and the dedicated members of the editorial team who devoted their time and energy to making this publication a reality. Their expertise, commitment, and unwavering support have been invaluable in shaping this volume and advancing our mission.

We at KAS Philippines hope that this publication will foster an evolving discussion and lead to more collaborative efforts that can help address the wicked problems posed by this issue, leaving no stone unturned in our collective quest for solutions.

Together, let us navigate the challenges of fake news, misinformation, and disinformation and strive for a society that upholds the truth, cherishes and thrives in democratic values, and champions good governance.

#### Sophiya Navarro

Managing Editor, The KAS Solutions Review Program Manager for Security and Innovation, KAS Philippines



Image via Esquiremag.ph

### Baseline: Defining Fake News, Misinformation, and Disinformation

In March 2023, an article in the Washington Post titled, "An Al-generated 'Balenciaga pope' fooled us all" perfectly captures one of the most fundamental realities of our society in recent years – it is becoming more difficult than ever to differentiate the truth from a lie, or rather, from what is fake. For the most part, the image can be seen simply as a product of imagination, curiosity, or harmless fun. However, this incident also sheds light on a potentially darker side wherein seemingly innocuous content generated by powerful tools such as artificial intelligence or Al can contribute to the propagation of misinformation and disinformation. It is also a prompt for reflection and a warning about the possible uses of false information and its serious consequences to our society, primarily when it is used deliberately for harmful propaganda to earn money, deceive, or influence how we think, act, or even vote.

It was only in the run-up to the 2016 US elections that the term fake news became mainstream and used in the story about young people from a small town in Macedonia who got involved in the lucrative business of creating outlandish and entirely false stories and publishing them in more than 140 fake news websites.<sup>2</sup> Since then, the terms fake news, disinformation or misinformation, have been used to refer to one of the main threats to our democracy. These tools have been used politically, like when former US president Donald Trump repeatedly accused CNN journalists of being "fake news" and his counsellor Kellyanne Conway infamously coined the phrase "alternative facts" when speaking of a falsehood uttered by Donald Trump's speaker on his first day in office.<sup>3</sup> They are used too, even ruthlessly during warfare, when shortly after the massacres of Bucha, Russian sources claimed falsely that Ukraine itself had staged the massacre, intentionally misinterpreting videos and pictures.<sup>4</sup>

The terms fake news, misinformation, and disinformation are often used interchangeably. However, they do have different meanings.

In her book "Fake News: Understanding Media and Misinformation in the Digital Age", Melissa Zimdars explains that the term fake news has recently been subject to a growingly diverse use. While "fake news" was initially mainly considered to be satirical (making fun of actual news), the term now comprises "false news"

created for economic purposes, propaganda designed to push a political narrative, or biased commentary that intentionally provides false context around facts. "Fake news," as she puts it, "is used to label conspiracies, junk science presented with clickbait-style headlines, content aggregators circulating misleading gossip, and even national news organizations."<sup>5</sup>

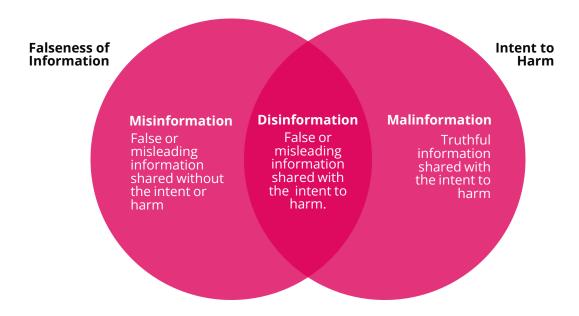
Hence, given such a vast definition, Bitesize, the BBC's online service for younger audiences, considers misinformation and disinformation mere subcategories of the somewhat diffuse concept of fake news, differentiating it according to the utterer's intent.

Misinformation is created or shared by mistake without an intent to deliberately deceive, for example, mistakenly inaccurate numbers or context in a report.

Disinformation, on the other hand, is the deliberate dissemination of knowingly false information, such as rumors, propaganda, or conspiracy theories, to manipulate its receiver.<sup>6</sup>

These definitions are backed by Dr. Claire Wardle who has been analyzing the subject for the last two decades. In a publication for First Draft, she describes disinformation as "content that is intentionally false and designed to cause harm". This content may, in time, turn into misinformation when shared by a person who does not realize its falseness.

Lastly, there is the phenomenon of malinformation which is truthful information that is purposefully published to cause harm. This is often done by leaks that reveal compromising or reputation-damaging information.<sup>7</sup>



Research by: Julius Niewisch

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Leni Robredo during the 2022 KAS Solutions Conference.

# Disinformation and Influence Operations in the Philippines: How We Got Here and How to Move Forward

#### Leni Robredo

Many people from around the world have shown particular interest in disinformation and influence operations in the Philippines. We have even received the unfortunate distinction of being widely considered "patient zero" in the global disinformation epidemic. Some consider us a petri dish for those who weaponize social media to spread lies, control the flow of information, erode our trust in each other and in our institutions, polarize society, and dismantle the structures for meaningful public discourse.

Two groundbreaking studies are relevant to understanding the genesis of the Philippine disinformation crisis.

The first study, titled "Architects of Networked Disinformation: Behind the Scenes of Troll Accounts and Fake News in the Philippines" unmasked an entire industry that has exploited high unemployment, a weak regulatory regime for online content, and a population poorly equipped to distinguish between real and fake news to push forward political agendas. This industry operates within a hierarchy composed of:

- 1. Some advertising and public relations (PR) executives of boutique PR consulting firms engaged with political actors;
- 2. Mid-level operators, who execute strategies and distill them into central messages;
- 3. A rank-and-file army of trolls, each with several fake accounts who apply their creative energies to distributing these messages across the online space.

These trolls have infiltrated communities, pages, and groups in the Philippines. They are organized. They have set strategies and objectives. They are well-funded. And they have shattered social media as a space for political discourse in the Philippines. Unfortunately, they are not yet done.

In a recently released study, researchers have found that the intensity, volume, and sophistication of these operations have reached unprecedented heights. The study introduced a broader term for phenomenon: it is no longer just disinformation, but "influence operations" emphasizing the expansion of such operations from merely seeding and spreading lies to constructing entire ecosystems that manipulate perceptions, values, and belief systems. The platforms have also been expanded - from a heavily Facebook- and Youtube-oriented approach in the past years to the use of new social media applications such as TikTok and even hyperpartisan broadcast media, in what the authors describe as the "Fox News-ification" of Philippine media.2

The second research study points to two important concepts that have allowed the industry of disinformation and influence operations to thrive in the Philippines.

The first concept is algorithmic bias: What does each user get to see? What determines the order of priority? This bias, determined by algorithms, is encoded into the very DNA of social media platforms, and various actors have gamed it to serve political ends.

The second concept is net neutrality. Ideally, enforcing net neutrality means internet service providers should provide universal access to everything on the internet at the same cost and speed. However, there is no net neutrality in the Philippines. Most mobile internet service providers provide complimentary Facebook access to their subscription plans. This offer can seem like a good deal until one realizes that Facebook acquires a tremendous amount of control over what information people get to see since access to it is free and unlimited, unlike access to websites of mainstream media outlets and Google, which often requires additional costs. This process can ultimately marginalize legitimate media from the communications space. It grants influencers and trolls – who often thrive on sensationalized content and clickbait and whose loyalties lie with the highest bidder - more visibility than traditional sources of information: trained journalists bound by a code of ethics and accountability. Volume and virality become the name of the game rather than truth and reliability.

But most importantly, if we are to come up with truly long-term solutions, we must also understand the roots of the problem. Poverty and lack of access education remain widespread concerns. Frustration at a seeming lack of both accountability and responsiveness in government has created resentment. These vulnerabilities have been exploited by the architects of disinformation to magnify anger and promote polarization. In this context, meaningful conversations become almost impossible; facts, trust, and the sense that we are all in this situation together fall by the wayside. We come to view everyone as little more than supporters of one politician or the other - as "us or them." We stop being fellow citizens and simply become rival partisans. Professor Ong and his colleagues, therefore, conclude: The Philippines is now a nation split into camps and echo chambers. Segments of our society exist with their own "facts," their own "experts," their own narrative of Philippine history - separate realities that are seemingly impenetrable and impervious to logic, and resistant to the very idea of engagement with the "other" camp.3

Here, we arrive at a major thesis about disinformation that I would like to emphasize and which was also discussed in the research: These lies exist in a continuum with hate. They are intended to sow hatred of the "other" - those in a different political camp, those not part of "our tribe," or those who do not listen to the same influencers. Disinformation is not just about the information being spread; It is about the emotions elicited among those who consume the information. The polarities are not a mere byproduct of disinformation; they are part of the ultimate objective: to heighten social tension and erode the very practice of public discourse. When discussions of national importance cannot be had without degenerating into us-against-them shouting matches, then the populist-authoritarian leaders can swoop in. The landscape becomes one in which they thrive because polarities shall have eroded our common baselines of fact and truth.

It is important to teach the general population to distinguish between credible, truthful information and lies, to default towards a healthy skepticism as regards the news they consume, and to incorporate authentication into their media consumption habits. But the most important way forward has less to do with the information itself and more with

how to rebuild the structures of meaningful public discourse that have been eroded.

For a more strategic approach, we have our own Filipino Nobel laureate Maria Ressa, who, with fellow Nobel laureate Dmitry Muratov published a 10-point agenda to rally people to the counter-disinformation cause. She calls for "cutting off disinformation" upstream" and disallowing



The 2021 Nobel Peace Prize winners Maria Ressa (L) and Dmitry Muratov (R). Image from the NobelPrize.org.

"exemptions or carve-outs." The agenda is a clear challenge to uphold net neutrality and make the marketplace of ideas fairer so that information can be subjected to scrutiny and the truth might come out on top. Among her more important points are: viewing disinformation as having an impact on human rights; protecting data privacy; and banning surveillance advertising or the practice of tracking online activities to generate information used to predict behavior and create hyper-targeted ads.

It is also evident that reforms have to be implemented by the platforms themselves. We see news of Facebook cracking down on fake accounts and what they call "organized inauthentic behavior" - and these efforts are very much welcome - but the problem is not just that the people game the system, but that the system can be gamed at all. The platforms, hopefully with the help of governments and regulators, must begin to see social media as part of the public works ecosystem and thus must be oriented not towards profit but the public good. This is perhaps among the most difficult tasks and will encounter much resistance, but a conversation must be had to make algorithms less prone to manipulation by bad actors. No one wants to hand over to any single entity the power censor some information while allowing others to proliferate or to determine what is true or not. But at the very least, platforms must take responsibility and come together with others to find a solution.

Over in Europe, the European Union has introduced two important laws that aim to protect users and give them better control over how their personal data are used: The Digital Services and Digital Markets Acts. Under the Digital Services Act, internet service providers and digital platforms are responsible for transparency in algorithms; the removal of illegal products, services, and other content after being reported; the creation of a reporting mechanism for users to flag illegal content; and a ban on targeted advertising for minors and of sensitive data. Its partner law, the Digital Markets Act, concentrates on the digital economy to protect consumers and sellers from abuses by large service providers. Through this, the users' personal data cannot be used for targeted advertising without consent.

In the Obama Foundation's Democracy Forum last 2022, I found myself sharing the stage with a Pulitzer Prize-winning journalist, a tech company CEO, and academics to talk about democracy and disinformation.<sup>5</sup> We spent some time going into the technicalities of the problem such as how algorithms change behaviors and the possible dangers in the recent shakeup at Twitter, among others. But amidst all the challenges posed by technology, we shared one common view: That there is a need to restore public spaces where ideas, especially lies, are challenged, where debates are healthy, and where courtesy and understanding thrive despite disagreements. We all agreed that it is crucial to reclaim meaningful conversations, ones that are rooted in respect, openness, and wisdom. The key, we all agreed, was community: the willingness to work together towards that common goal, heedless of political colors and other equally divisive labels, putting the greater good above all else.

To put it simply: If the grand strategy of disinformation actors is to stop us from talking to each other as citizens of goodwill, then the goal of the counter-disinformation agent must be to have people talk to each other again, with an awareness that we all share one country and one world. If disinformation wants to prevent consensus and has eroded the spaces that allow for such consensus to be built, then we must either repair those spaces or build new ones.

We find glimmers of hope in different parts of the world. Take, for example, the strategy of Turkish opposition to rise above hate and fear with "Radical Love." The "Radical Love" strategy implemented by the opposition, the Republican People's Party (CHP), during the Istanbul mayoral elections in 2019 aimed to counter polarization and appeal to voters across political camps. It focused on inclusiveness, respect towards opponents, and addressing shared concerns. This approach defused polarization and directly challenged the divisive tactics of the populist Turkish President Recep Tayyip Erdogan, leading to a significant victory for the opposition and exposing a weakness in the populist playbook. The strategy demonstrated that promoting unity and understanding could effectively counteract polarization and secure electoral success. The playbook proposes "more patient and sincere forms of communication" while emphasizing economic over identity issues. Its cardinal principle: "Ignore Erdogan, but love those who love him."

We adopted this playbook when we launched our Presidential campaign in 2022, emphasizing kindness and cultivating a culture of volunteerism among supporters. "Radical Love" is expressed in many different ways: from community outreach initiatives to different forms of art. In our People's Campaign, "Radical Love" inspired a movement built on volunteerism, kindness, creativity, joy, and the spirit of generosity and taking responsibility for each other. As we drew bigger crowds, we saw a sense of community.

Halfway through the campaign, we launched the initiative "Tao sa Tao, Puso sa Puso" (in English: person to person, heart to heart), through which we mobilized volunteers across the country to conduct door-to-door campaigns. This was considered rare on a national scale, but we did it in a bid to begin conversations, listen actively, and reach across the



Volunteers for Leni Robredo doing a house-to-house campaign during the 2022 presidential elections. Image from Philstar.com.

political divide. Thus did we see our supporters extend their hand, even to those who supported other candidates, and I am confident that given more time, this would have achieved greater success.

We must resist the impulse to work in silos and instead build a broader, more strategic coalition that can push for meaningful regulation.

We must go beyond social media, build new communities, or expand existing ones so that we may establish new spaces where people can talk with each other with trust and goodwill.

It is my hope that through discussions such as this, we can move towards rebuilding the structures for meaningful public discourse. After all, at the heart of the challenges in today's age of information is the creeping sentiment of being unmoored. We must, therefore, take it upon ourselves to establish a sense of certainty over what is perhaps the most important, most human truth of all: That none of us is ever alone. Together, we must keep faith that kindness, love, and community, strengthened by collective, strategic actions, will propel us towards the shared horizon of reclaiming spaces for ideas and truths.

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The candidates for president during the 2022 Philippine National Elections. Image from Rappler.

# Rethinking Strategies Against Disinformation: The Case of Philippine Elections and Troll Networks

#### **Christian Esguerra**

The past three electoral cycles in the Philippines have shown how disinformation could influence public perception and, consequently, outcomes both big and small. While it is difficult to quantify how much a candidate's chances of winning were eroded by fake and malicious information propagated against them with alarming efficiency, it is undeniable how an effective narrative can help bring them to victory.

The parent company of controversial data firm Cambridge Analytica claimed credit for the victory of Rodrigo Duterte in 2016. It cited how the company rebranded Duterte's public image, moving away from one seen as "kind and honorable" to a candidate with "toughness and decisiveness," based on data research.¹ Whether the "credit grab" was justified or grossly exaggerated, such were Duterte's image-building and public messaging eventually seen across social media platforms. Proof of this was how he successfully put the issue of illegal drugs and corruption front and center during the campaign.

Duterte eventually won with more than 16 million votes, the most by any Philippine president then. Later, his campaign's social media manager claimed to budget only around PHP10 million for these online strategies.<sup>2</sup> The figure is difficult to ascertain. But to be sure, Duterte's come-from-behind victory showed that henceforth, social media could not be ignored in any election campaign. It had become the new battlefield.

Campaign insiders acknowledge the necessity of "social media teams." These teams can be a regular group of platform-savvy individuals promoting candidates online or offering a list of services that are not necessarily legal or ethical.

Line troll networks (LTNs), commonly known as "troll farms," have emerged as an industry spreading massive disinformation online. Disinformation here is two-way, one aimed at promoting a false image about the client candidate and the other propagating vicious lies about target opponents.

Situated in offices under the guise of call centers, LTNs are usually a group of 50 individuals working under a moderator. Using "wraith" accounts, they lurk across social media platforms where their clients may be the subject of unfavorable reporting, impressions, or vilification. They are also used to unleash attacks on specific targets. In both cases, the moderators craft the talking points and narratives. Wraith accounts involve a variety of online personas, which are used as appropriate in specific walls or threads. A troll, for instance, may use his "learned" persona, posting in impeccable English, in pushing narratives on news platforms frequented by socio-economic classes A and B. But he may use his Filipino "everyman" account (say, a factory worker) to troll people on other conversation threads.

According to campaign insiders interviewed by the author, a person working under an LTN earns around US\$ 360.00 monthly and the moderator gets around US\$ 900.00 during the same period.<sup>3</sup> Costs vary regarding hiring LTNs depending on the timing, length of service, and services needed. To be sure, the amount can run in millions of pesos, especially for national campaigns.

LTNs are the most suspicious and easily noticeable when discussing disinformation. But over the years, strategies have been getting more complicated, from micro-targeting and private messaging apps to social media influencers and "meta-partisan news ecosystems." They continue to evolve for the worse, making the battle against disinformation even more challenging.

In the Philippines, combating disinformation involves efforts such as (1) fact-checking, (2) civic education, (3) platform accountability, and (4) legislation.

#### Fact-checking

Fact-checking is considered the first line of defense against disinformation. First, Tsek.ph pioneered



Image from Fact Check Philippines' Facebook page.

collaborative fact-checking among media practitioners, academicians, and other advocates. Then, a Google-funded initiative, #FactsFirstPH, came into the picture.

The International Fact-Checking Network (IFCN) has accredited Vera Files, Rappler, PressOne.PH, and Mindanews, to its umbrella of around 100 members worldwide.<sup>5</sup> Accreditation allows more training and resources, especially for Vera Files, PressOne.PH, and Mindanews which do not enjoy as much means and clout as Rappler. The IFCN accreditation does not mean that other news organizations cannot do fact-checking. They still do, and the more fact-checkers there are, the more inroads are expected.

Fact-checking is the go-to response when one joins the fight against disinformation. When a lie pops up online, it has to be corrected. But the complicated nature of disinformation requires sophisticated approaches. Purveyors of disinformation have weaponized algorithms for maximum reach and impact, identifying spaces online where audiences are most susceptible to certain narratives. Messages are curated to suit specific demographics.

Meanwhile, fact-checking has been demonized and associated with the "opposition." This impression has rendered legitimate fact-checkers more vulnerable. When a news organization, for instance, posts a fact-check about a Malacañang statement, pro-administration accounts, whether real or bots, can label it as opposition propaganda and bully the organization.

One must also consider the reach and efficacy of fact-checking in the Philippine context. The fear is that fact-check articles or posts are confined to audiences who trust the news organization that produced them. Others who are less trusting may steer clear of such fact-checks and dismiss them as anti-government propaganda. This fundamental credibility issue makes it more difficult for news organizations to reach their intended audiences. They may be effectively promoting advocacy limited to their information bubble. Preaching to the choir can only go so much to help the cause.

However, fact-checking can still be effective and useful. It has its use as a front line in this pandemic of disinformation. But, it requires a more nuanced approach, sophisticated strategy, and realistic outcomes using data research.

Argentina's Chequeado was well aware of such challenges and doubts to fact-checking. It commissioned a study on whether its fact-checking worked during the Argentine presidential campaign in 2019. The study found that "people don't necessarily change their opinions when Chequeado says something is wrong, but they do change their behavior." The "intervention reduces the incentive to share content that is misinformative or divorced from evidence."

A similarly extensive study is needed in the Philippines to determine successful strategies and areas of improvement in the fact-checking effort. Limited resources naturally allow small-staffed news organizations to look for misleading or outright disinformation within their online purview. With data scientists on board, the search for lies can be made more efficient and effective. Fact-checkers can go where much of the lies thrive and craft better strategies to deal with them.

Disinformation is best hidden in plain sight. Then, it appears as a fact or truth. In the past, purveyors of fake or malicious information copied the color and branding of established news organizations with their own quote cards or social media collateral. Later, using the same materials but with twisted content proved easier to spread lies.

Assuming that fact-checkers catch these fake pieces of information, there is no assurance that the online consumer will buy the correction. Worse is the response: "So what if you say it's fake? I believe

it." This reaction raises the question: Do Filipinos care about facts? The decision depends mainly on the nature of the points under scrutiny. Political issues are highly partisan and difficult to settle, even with hard facts. Political public discourse is the perfect playground for disinformation spreaders.

#### **Civic education**

The success of any effort against disinformation still rests on civic education. At the heart of it is developing critical thinking among the people, preferably at an early age, much like the Finland model where lessons in basic disinformation detection are discussed in primary schools as part of a more considerable media and information literacy campaign.<sup>7</sup> In the Philippines, the Presidential Communications Office announced a nationwide plan to combat disinformation.8 A preliminary study is set this year to identify vulnerable groups and communities, and sources of disinformation or the so-called fake news peddlers. Such efforts are welcome given the worsening problem of disinformation, but context is essential.

The Malacañang-led initiative against fake news is viewed by many as hypocritical, considering how President Ferdinand Marcos Jr. benefited from massive disinformation online on his way to election victory in 2022. He is seen as the last person to launch a credible campaign against fake and malicious information or to educate the public about it. The idea of the government identifying spreaders of disinformation can also be weaponized to crack down on critics or individuals or groups legitimately battling the problem. It can be a way for the government to claim ownership of a noble initiative with disastrous consequences.

In Congress, bills have been filed to institutionalize media and information literacy in primary education.

Integrating information literacy programs within the school curricula can work if the programs are evidence-based and carefully crafted to suit students across year levels. Adequately trained teachers are also crucial. Such programs must also contend with the growing "learning poverty." The term refers to the percentage of Filipino children aged ten who find difficulty understanding an ageappropriate text.<sup>9</sup> Filipino students also ranked last

in reading comprehension based on a 2018 study.<sup>10</sup> The problem gets even worse if one considers those who are not part of the school system. Around 3.5 million Filipinos between 6 and 24 years old were out of school, based on a 2017 study.<sup>11</sup> Schools are laboratories for critical thinking. Imagine how critical thinking can be developed among those out of school. This dire situation confronting students and out-of-school youth is compounded by the reality that disinformation spreads more easily through online videos. Put in the general lack of a reading culture among Filipinos, and then we see an information disaster that will only worsen.

Nevertheless, civic education is the long game running parallel to other efforts against disinformation.

#### **Platform Accountability**

Underlying the disinformation problem are social media platforms where fake and malicious information spreads at a mind-boggling pace. Over the years, these platforms have been called out for amplifying online hate, gender-based violence, discrimination, and disinformation, with varying success.

The Philippines was late in the game regarding holding Facebook, YouTube, and Twitter accountable over the spread of malicious information on their platforms. Much of the focus had been on fact-checking. The idea that the "truth shall set us free" was often romanticized. However, companies behind social media platforms were well aware that they were not simply private entities running a business. At the heart of the enterprise was the flow of information affecting people across boundaries. Later, under pressure from governments and stakeholders, social media platforms refined internal protocols and opened themselves for greater transparency.

In the Philippines, platform representatives have engaged with journalists, members of the academe, and other stakeholders to combat fake information and promote information literacy. However, it is not enough. The effort requires even more transparency in how information is amplified and why. The problem of disinformation cannot be left to the supposedly politically agnostic algorithms. How are they gamed? Platforms cannot always hide behind the veil of freedom of speech when private

corporations have responsibilities to their users, which is the public at large. They cannot be left to decide whether to be more transparent. Pressure should come in the form of more media reports, with the help of tech experts and other stakeholders.



#### Legislation

In the Philippines' bicameral Congress, at least six bills were filed to penalize the spread of fake news.

Those filed by Senators Jinggoy Estrada and Ramon Bong Revilla Jr. were the same, defining "fake news" as those referring to "misinformation and disinformation of stories, facts, and news, which is presented as fact, the veracity of which cannot be confirmed, with the purpose of distorting the truth and misleading its audience."

Such is also the definition adopted in separate House bills filed by Representatives Gus Tambunting, and spouses Josephine Lacson-Noel and Florencio Noel. Meanwhile, the version filed by Representative Michael Romero is more dangerously vague in seeking to penalize "all forms of fake/false news." Unlike in the other versions, the Romero bill provided no definition.

Senator Grace Poe's bill is more nuanced as it seeks to amend the Code of Conduct and Ethical Standards for Public Officials and Employees. Her proposed "Anti-Fake News Act" will go after those public officials and employees who would "publish or disseminate... false news or information on any platform."

These bills are all dangerous. They raise more questions than answers and can lead to unintended consequences in the battle against disinformation.

The definition used in the House versions lacks a deeper understanding of the crucial difference between misinformation and disinformation, which has more to do with the motive of the person spreading it. Poe's move to punish "false news" is just as problematic. Despite strict editorial standards, portions of a news story can turn out to be false in the face of new and incontrovertible evidence. So, to punish someone who "spread" it would be dangerous.

But the bigger problem is who would determine if a news story is fake. The bills do not say, but they teem with penal provisions. To leave the determination to an agency of government would be to provide it with yet another weapon to go after critics, the media, or just about anybody. The danger is real.

Thus, legislation in its current form in the Philippine Congress should not be entertained. Instead, discussions should shift to how platforms can be more transparent and accountable and how citizens can be better equipped to detect and minimize the spread of disinformation.

As disinformation further drives a wedge in a highly polarized political discourse in the Philippines, it becomes more apparent that addressing it will significantly lessen gaps and bring people closer to spaces for civil conversations.

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## **Diving into the Political Psychology of Fake News**

#### Marie Antoinette de Jesus

Within the fake news ecosystem, a symbiotic relationship exists between believing in and disseminating fake news, which impairs judgment and decision-making. What factors contribute to individuals believing, liking, and sharing fake news, particularly in politics? Are certain individuals, such as those with strong political affiliations, pre-existing biases, or limited knowledge and attention, more prone to fake news? What interventions are necessary for individuals to prioritize and uphold truth in the political domain? The article attempts to address these inquiries by utilizing political psychology concepts and drawing upon anecdotal evidence from the Philippine context, all within the scope of politics.

In the first section of the article, the author examines anecdotal evidence from the Philippine political landscape to explore the phenomenon of fake news, employing political psychology as an analytical framework to assess the potential rationale of the pervasiveness of fake news. In the subsequent section, the author explores how political psychology – the very field utilized to comprehend the proliferation and persistence of fake news – and its concepts can offer potential strategies and solutions for combating its impact.

Note that the article primarily focuses on fake news originating from social media platforms, although it acknowledges that fake news can also surface in mainstream media and other formats. The emphasis on social media arises from the medium's significant role in spreading fake news, particularly during the COVID-19 pandemic. The prevalence of fake news can be attributed to the transmission mode because information channels play a crucial role.<sup>1</sup>

Political psychology serves as a field that sheds light on various aspects of politics. Furthermore, emerging evidence indicates that the relationship can be reciprocal, with politics influencing the understanding of political psychology.<sup>2</sup> While political psychology explores political elites, personalities, beliefs, motivations, decision-making processes, and leadership styles, it is also pertinent in understanding the potential "rationality" behind the emergence and dissemination of fake news, since political psychology examines political behaviors and dynamics, including mass political behavior. Political psychology is highly relevant, considering the prevalent role of politics in discussions regarding fake news, particularly in the Philippines.

Taking a broad perspective, when examining the trajectory of an individual encountering fake news and following it through a complete cycle, a typical scenario might unfold as follows. When someone comes across fake news on social media, they examine its content and perceive it as potentially valid. This perception leads them to engage with the fake news by liking and even sharing it. Over time, they gradually internalize this misleading information, incorporating it into their knowledge base and subsequently integrating it into regular conversation.

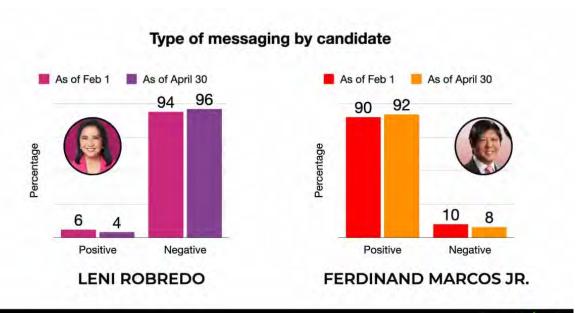
Political psychology offers insights into why individuals gravitate towards fake news, thereby contributing to its propagation. Here are several factors.

- 1. The perceived personal benefit derived from the "information" presented in the fake news.
- Pre-existing affinities, affiliations, or animosities towards the groups disseminating the fake news or those targeted by it.
- 3. Strong dedication to specific political values encapsulated within the fake news.
- 4. Unique cognitive processes and thinking patterns exhibited by the individual.<sup>3</sup>

It is remarkable how individuals persist in believing and adhering to fake news despite contradictory evidence. In the context of the Philippines, an enduring myth related to the late dictator Ferdinand Marcos, Sr. includes his alleged involvement in gold trading, serving as a supposed justification for his family's amassed illicit wealth. This myth consists of the notion that the Marcos family possesses vast quantities of gold, which they purportedly plan to distribute among the general populace once Ferdinand Marcos Jr.'s 2022 Presidential run becomes successful. The ubiquity of this myth predates the widespread use of social media in the Philippines and continues to thrive today. Despite contrary evidence, including recent denials by Marcos, Jr., the fake news retains its hold and circulates persistently, particularly among loyalists of the Marcos regime.<sup>4</sup>

Although it may initially appear contradictory, the coherence behind the belief in this fake news can be understood within political thought, which does not always adhere to strict rationality. One perspective from political psychology, known as motivated reasoning, sheds light on the concept of evaluative consistency. It suggests that attitudes toward specific political candidates, groups, and issues are often automatic and ingrained. As the presented fake news is noticeably extravagant and implausible, it tends to resonate primarily with existing positive dispositions toward the Marcoses. Consequently, the agreement of believers in this fake news is instinctive. This tendency can also be attributed to confirmation bias, where individuals focus on arguments that align with their preexisting beliefs, at the same time displaying disconfirmation bias, which manifests as a bias against ideas conflicting with their own.<sup>5</sup> Another perspective, heuristic usage, demonstrates that people rely on mental shortcuts that require minimal information to make political decisions. Therefore, political party affiliations, candidate traits, and the influence of well-known personalities are often sufficient for individuals to form beliefs, depending on the accessibility and perceived strength of the information.6

Moreover, further exacerbating the issue of belief in fake news are entrenched attitudes toward specific groups manifested in the labeling among opposing political factions. In Philippine politics, these labels carry negative connotations, such as *pulawans* (reds) for Marcos loyalists, *dilawans* (yellows) for anti-Marcos or pro-Aquino supporters, and *dutertards* (a combination of Duterte and the offensive term retard) for followers of former President Rodrigo Duterte. Individuals use these labels as insults for those belonging to different political affiliations. Being labeled a *pulawan* implies



Tsek.ph

Infographic from Tsek.ph.

being misinformed and morally corrupt; a dilawan is an elitist unwilling and unable to connect with the ordinary Filipino to spread true democracy and its fruits; and a dutertard is associated with being crude, unintelligent, and exhibiting a sheep-like mentality. While the accuracy of these negative assertions is more than questionable, the purpose behind the labeling and name-calling appears to be the shaming or humiliation of the "other." This practice has exploded on social media, especially during the 2022 Presidential elections, and has facilitated the formation and dissemination of specific narratives because they are deemed credible by individuals within the same group, especially when set against shared adversaries, regardless of veracity.

A notable trend observed in the Philippine political scene is the preponderance of fake news that often adopts a hostile and provocative tone. Maria Leonor "Leni" Gerona Robredo, the 14th Vice President of the Philippines, has been frequently targeted by the Marcoses, the Dutertes, and their supporters. This heightened focus on Robredo can be attributed to her victory over Marcos Jr. in the 2016 Vice-Presidential race, her candidacy against Marcos Jr. for President in the 2022 elections, and her perceived criticisms against the Duterte Administration and her affiliation with their purported antagonists. According to Tsek.ph, a fact-checking initiative in the country, Marcos Jr. benefited the most from fake news in the lead-up to

the 2022 Presidential elections, while Robredo endured the highest level of victimization, which is not surprising since she has been a target of fake news since she won the Vice-Presidency in 2016. Fake or misleading claims about Robredo circulate online through manipulated images or videos, portraying her as unintelligent, insincere, or being controlled by others. During the "2022 Konrad-Adenauer-Stiftung (KAS) Philippines Solutions Conference: Fighting Fake News, Misinformation, and Disinformation," Robredo herself accurately highlighted that these operations aimed to exert influence by relying not only on falsehoods but also on fostering hate.

Negativity can temporarily heighten an individual's impulse, leading them to believe, share, and develop persistent emotional attachments to the presented information. Research indicates that strong emotions like anger, fear, and anxiety profoundly mobilize individuals, disrupting their usual cognitive processes. This occurrence explains the popularity of such tactics in disseminating fake news within the Philippine context. By triggering these intense emotions, fake news generates a greater likelihood for individuals to engage with it, express support through likes and shares, and contribute to its perpetuation.

Digging even deeper, it is worth exploring why individuals continue to refer to or believe in sources that have been repeatedly proven to share fake

news. According to a Pulse Asia survey conducted on October 11, 2022, nearly 60% of Filipino respondents acknowledged social media influencers, vloggers, and bloggers disseminators of fake news related to government and politics. 10 Despite this acknowledgment, why do Filipinos still engage with such sources? The answer lies in the perceived credibility and likability of the sources, which can moderate the impact of the message they convey, even if they are not genuinely credible. 11 As long as individuals like or mistakenly perceive the source as credible, it is sufficient to maintain their trust and reliance on the fake news purveyor.

Furthermore, the impact of fake news via social media is influenced by systematic biases in information processing. An individual's emotional responses and interest in a piece of fake news depend on their attentiveness and knowledge about the subject matter. This explains why experts emphasize the severity of the education crisis in the Philippines, as it contributes to the escalation of the fake news pandemic in the country.

While political psychology provides valuable insights into people's inclination to believe and disseminate fake news, including its sources, understanding political psychology can also aid in countering fake news. By recognizing that information, regardless of its veracity, can elicit strong emotions such as anger, fear, and anxiety, individuals can be propelled toward genuine change and action. During the intense 2022 Philippine Presidential campaign, fake news targeting one of the daughters of presidential candidate Robredo circulated widely. Screenshots of manipulated Google search results were shared primarily by supporters of Marcos, Jr. and then President Duterte, whose daughter was running for Vice-President, via social media. In response to these malicious and reprehensible actions, supporters of Robredo passionately stood their ground. Eventually, multiple groups discredited the fake news, and the Robredo camp pursued legal action to address the issue. 13 14

To combat fake news effectively, truth advocates should understand the tactics employed by administrators of misinformation and disinformation. By acknowledging the role of emotions and utilizing this knowledge, they can

effectively address fake news and motivate individuals to take meaningful action. This approach may involve exposing malicious fake news or holding accountable those in positions of power or authority who disseminate false information. Moreover, since people are often more influenced by emotions than purely factual information, fact-checkers can employ emotional appeal while presenting evidence. However, this challenges fact-checkers, particularly journalists, who must present information objectively without impassioned bias. Nonetheless, those responsible for sharing facts can compellingly frame the truth to overcome this limitation. Implementing such strategies necessitates careful consideration and action.

In light of the widespread dissemination of fake news and the challenges associated with its containment, it is crucial to address the misconception that most individuals passively accept fake news. Research indicates a correlation between information selectivity and individual information consumption habits. For instance, people have shown the ability to seek out information that contradicts their existing beliefs, demonstrating a certain level of openness. While individuals may readily accept fake news that aligns with their beliefs, they do not necessarily actively avoid conflicting information.<sup>15</sup> This suggests opportunities to present the truth to individuals prone to quickly believing fake news. Therefore, it is essential for truth advocates and fact-checkers not to succumb to a sense of hopelessness within the complex environment of fake news. Even small shifts in the right direction can make a significant impact.

Similarly, reaching out across different ideological groups is a constructive approach to combating fake news. While remaining within one's social media echo chambers may be tempting and comfortable, it only exacerbates the problem. An online study by the American Psychological Association revealed that participants were less inclined to engage with their existing social connections if they did not share the same fake news. Those participants who were most likely to share the fake news demonstrated a greater concern for fitting in.<sup>16</sup> This study illustrates how a person can get trapped in a vicious cycle of liking, sharing, and believing fake news for fear of being excluded or ostracized by their social circle. And the

more that a message is repeated over and over and amplified in and by different social networks, the more likely it is to be believed.

A potential strategy for breaking individuals free from the cycle of fake news is to expand their social circles. By connecting with individuals across different perspectives, it is possible to mitigate the influence of fake news. Engaging in person-toperson interactions and reaching out across ideological divides can effectively counter fake news because face-to-face discussions often foster greater understanding and receptivity than online interactions, where anonymity can lead to less respectful communication. This approach is reminiscent of the Robredo camp's Presidential campaign, which involved direct engagement with voters through house-to-house visits and personal conversations. Although the campaign did not result in a victory for Robredo, it did contribute to improved support and increased awareness of her candidacy, albeit later in the campaign trail.

Regrettably, the persistence of fake news has become undeniable and a regular part of people's lives. However, recognizing its existence and ubiquitousness is the initial step in addressing this issue. The next step involves acknowledging that countering fake news is a meaningful endeavor. Ideally, the aim is to diminish the harmful cycle of fake news – from exposure, attention, belief, and transmission – so that individuals become less receptive to clearly false information, leading to a more discerning public. This plays a critical role in upholding the truth and safeguarding the integrity of the democratic system.

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Ms. Cecile Dominguez-Yujuico, CEO of Evident Integrated Marketing and PR, during the 2022 KAS Solutions Conference.

# Fighting Misinformation and Disinformation through Smart Communication

#### **Evident Integrated Marketing and PR**

False information is produced for various reasons. For one, political events, particularly the election season, prompt the proliferation of disinformation campaigns. Such campaigns attempt to influence voters and policymakers to support disinformation architects and promote political propaganda, and the effects of these efforts persist to this day. The same applies to key public health incidents, where false information creeps into the COVID-19 infodemic.

Secondly, the production of misinformation and disinformation also enables creators to monetize false information. For example, satirists may use misinformation to make a point or entertain. However, some media channels widely used by the public are incentivized to perpetuate false information—oftentimes having real-world impacts frequently seen in issues related to health and politics.

Lastly, misinformation tends to persist due to the demands of a 24-hour news cycle, resulting in substandard writing that does not adhere to professional journalistic standards or ethics. Stories that are meant to provoke an emotional response or show a favorable point of view for one party may benefit from this. Spreading information by copying and pasting online has never been easier, thus making it more challenging to validate every single piece of information.

In terms of how fast false information spreads, MIT Sloan professors Sinan Aral and Deb Roy, and Soroush Vosoughi of the MIT Media Lab revealed that "falsehoods are 70% more likely to be retweeted on Twitter than the truth and reach their first 1,500 people six times faster". According to the researchers, one key reason behind this is that people are more drawn to "information that is novel and unusual, as false news often is" – otherwise known as the novel hypothesis.

Considering all the technological and behavioral factors that enable the spread of false information across audiences, it is no longer enough to take a reactive approach to fight misinformation and disinformation. The Organization for Economic Cooperation and Development (OECD) cites prevention as a good practice principle, especially in the context of the institutionalization of proactive communication approaches by governments. The OECD said "a focus on prevention requires governments to identify, monitor, and track problematic content and its sources; recognize and proactively fill information and data gaps to reduce susceptibility to speculation and rumors; understand and anticipate common disinformation tactics, vulnerabilities, and risks; and identify appropriate actions, such as pre-bunking.3

Building on the existing research and recommendations, the authors suggest these additional steps to create a **smart communication plan** that anticipates possible disinformation campaigns or false information that an institution, organization, or individual could face over a certain period of time.

Smart communication is derived from the popular SMART goals (Specific, Measurable, Achievable, Relevant, Time-bound) that communicators typically use when designing programs or campaigns to ensure success and maximize the project's impact. This can be widely applied across organizational and programmatic goals when communicating to both internal and external audiences.

#### **Smart communication strategies**

1. Put yourself in the shoes of false information spreaders. Know and understand their thoughts, habits or behaviors, motivations, communication touchpoints, and stakeholders or people they are most likely to convince that the false information they have is true. Creating an audience persona of stakeholders typically susceptible to consuming and sharing false information is a good practice and approach.

To make a comprehensive, evidence-based audience persona, gather information from relevant research or studies that illustrate behavioral or psychographic data gleaned from

similar stakeholders. Dig further into social media platforms where misinformation and disinformation happen, and look at the publicly available profiles of those who engage in discussions in the comments section. If time permits, conduct a focus group discussion (FGD) or in-depth interviews (IDI) of stakeholders with similar profiles.

Below is an example of an audience persona called "The Viber Tita" created from FGDs and IDIs with stakeholders with profiles similar to this audience category:

Objective: Develop a stakeholder profile of someone who is susceptible to consuming and sharing false information (mis- and disinformation) when it comes to public health issues or concerns:

Audience Persona: Marilou, The Viber Tita

Marilou is 54 years old, married, and has four children. She is a "plantita" (a term usually referring to an elderly female who enjoys caring for plants) managing her own plant business, Ang Tanim Yaman Mo. She sells plants on Facebook and has a regular livestream schedule for online selling. She also uses Viber to coordinate sameday orders and deliveries. She befriends a lot of her customers and now has over 2,982 friends on Facebook. She also gets invited to Viber groups by her friends in her village.

Consider that a well-crafted *audience persona* is essential in developing a *brand persona* for your campaign that audiences will find credible and authoritative enough to listen to, especially when disseminating truthful information that will counter misinformation and disinformation.

**2. Analyze stakeholders' media diet.** Audiences that consider social media as a source of news have risen to 72%.<sup>4</sup> This means that false information tends to spread faster through this platform, and studying the behaviors of individuals on social media will inform communication strategies.

When conducting audience research, embed questions or discussion points regarding their preferred communication platforms and stakeholders they think are credible enough to listen to. Ask them about

their preferred communication formats for information consumption.

For example, Marilou (The Viber Tita) identified Viber groups, Messenger chat, Facebook pages, and YouTube as her preferred communication platforms. She also said that she consumes "news" in the form of videos (on Facebook and YouTube) usually published by "doctor"-vloggers, and other "herbal medicine enthusiasts and experts," and that she would rather listen to them than the advice of the health department or the World Health Organization because she thinks that "they are not honest or truthful about the information that they share, and that they are withholding information." She also said that these "doctor"-vloggers and "herbal medicine enthusiasts and experts" publish Facebook posts and infographics that would commonly be shared in her closed Messenger and Viber group chats, where she and her friends would discuss the content of the infographics and videos. She would then share these materials with her family and other friends offline.

- 3. Equip yourself with knowledge about the six most common false information techniques and how to avoid them. Analyze the information that audiences consume from their preferred communication platforms by identifying the most common false information techniques they are exposed to. Concurrently note tools and strategies to vet content, as these will become part of the strategic communication plan. The Global Investigative Journalism Network shares detailed ways to analyze or vet six fake news techniques, which are summarized below:
  - i. For photo manipulation, the Google Reverse Image Search is a simple tool to check other similar or relevant photos. Pay attention to the image resolution, publication date, photo source, cropping, and editing. Lastly, read the captions and descriptions of the photos, as identical images can have different descriptions.
  - ii. For video manipulation, watching the video may hold evidence of discrepancies such as inaccurate gluing, distorted proportions, or strange moments. Verify the source and the date it was posted, and use online reverse search tools such as InVid to help verify videos on social media.

- iii. For news manipulation, checking the source and cross-checking the content with other, more credible sources is crucial. Read the whole article to determine whether the report is factual or merely an opinion, as replacing headlines with misleading information is a common fake news technique.
- iv. For expert assessment manipulation, conduct research about the individual claiming to be an expert on the topic. Pseudo-experts tend to twist other experts' statements or fake them altogether. Question the expert's reputation and credibility or their corresponding references.
- For manipulation of media messages, go to the referenced sources and evaluate their credibility. Additionally, basic searches can expose the falsity of some claims.
- vi. For manipulation with data, analyze the methodology cited, the respondent samples, statistical soundness, the researcher's reputation and legitimacy, and the research funder. Lastly, conduct further research for other relevant studies, data, and findings.<sup>5</sup>
- Write your communication 4. plan. Communication planning is a proactive activity where key decision-makers of an institution or organization can plan ahead for any anticipated communication efforts. More importantly, this also covers risk communication and crisis management, which include preventing the proliferation of and disinformation. misinformation organization that is typically bombarded with negative sentiments from the public, say a government agency's Facebook page, will greatly benefit from proactive planning by creating escalation matrices, a Frequently Asked Questions (FAQ) document, or a community management handbook, for example.

Communication planning is not a one-time activity but rather an evolving process, with a live document that will change as the trends and data on misinformation and disinformation campaigns evolve over time. It should cover not only the anticipation of misinformation and disinformation campaigns but also proactive, truthful communications. It should cover evergreen key and specific messages, and employ the hygiene-hubhero content marketing strategy, which is disseminated through a comprehensive distribution and amplification strategy.

The process and structure of good communication plans will depend on an organization's resources and data available. Hence, consider communication planning as a good investment that will help an organization save up on resources in the long run. Put this plan in place, instead of eventually hiring a crisis communications firm to fight the irreversible effects of misinformation and disinformation campaigns on the organization, which will cost a lot.

Below is a summary of the basic process and structure of a communication plan:



*Situation Analysis:* A comprehensive situation analysis looks at the position of the organization or an individual's SCOPE:

- i. Situation: Have we been successful in fulfilling our mandate? Have we grown more supporters or advocates, or are we more challenged to do our work?
- ii. Core competencies: What are our key communication strengths? What do we do best?
- iii. **O**bstacles: What are the key communication challenges we must overcome to address the problem or resolve our current situation? (This is where the problem of misinformation and disinformation campaigns come into play.)
- iv. **P**rospects: What opportunities can we take advantage of to make communications effective and impactful?
- v. **E**xpectations: What might happen in our environment or community that could influence how we communicate? How can this positively or negatively impact us?

Stakeholder Mapping: This is a process that seeks to understand target audiences' interests outside the focal issues, which can then help create a hook to be incorporated into communication strategies to engage stakeholders on a variety of issues. A stakeholder map helps an organization or individual identify their primary audiences or stakeholders and how they influence or impact the success or failure of their organization or campaign. It also outlines the behavior that audiences or should exhibit stakeholders to support organizational or communication objectives. Furthermore, it also tries to answer the following questions:

- i. Why are these individuals, groups, or institutions our stakeholders?
- ii. Among all these stakeholders, who would be the most efficient to target?
- iii. What are each stakeholder group's concerns?
- iv. What are the desired behavioral changes in each target stakeholder group?
- v. Who and what are these stakeholders influenced by?

Message Mapping: A message map outlines the most effective key and specific message for each stakeholder that will hopefully lead to the desired behavior change deemed most beneficial to the organization or campaign. This activity seeks to answer the following:

- i. What are the most common arguments against the organization, individual, or campaign that prevent it from attaining its objectives?
- ii. What are the most powerful arguments or messaging for the organization, individual, or campaign?
- iii. How much traction do these respective arguments have?

Creation of Strategies and Tactics: After assessing the situation, identifying stakeholders, and creating key messages per stakeholder category, determine the frequency, platform, and format of messages that will resonate the most. Pay attention to the tonality of messages and corresponding related imagery to make people curious and to make the overall content credible, relatable, and shareable. Social media algorithms typically determine what content gets the most likes, comments, or shares dominate most people's timelines and feeds. Consider the

following questions as well:

- i. Which target audiences are low-hanging fruits, given the resources available?
- ii. What paid, owned, and earned communication platforms are available?

Timeline: Specific to creating a crisis communications plan or a risk management plan, which may include an ongoing misinformation or disinformation campaign against an organization or individual, note that time is crucial in responding or not responding. Keep the following questions in mind:

- i. How long has it been since the disinformation content went out?
- ii. Should a response be made? How soon should the response be?

Measurement and Evaluation: It is important to create a monitoring and evaluation (M&E) framework during communication planning. An M&E framework ties together goals, objectives, strategies, and tactics into a comprehensive list of indicators, tools, and methodologies that will help determine whether a communication campaign has been successful. M&E activities may include social media analytics and reporting mechanisms, surveys, interviews, and social listening scans.

Crisis Communication Plan: The proactive creation of a crisis communication plan even before a crisis happens helps create a structured, comprehensive, and well-thought-out protocol for response. Every crisis starts as an issue. Every issue, if not properly monitored and addressed, has the potential to escalate into a crisis situation. When creating a crisis communication plan, consider the following steps to crisis engagement:

- i. Anticipate the risks.
- ii. Organize social and news monitoring tools, a trained crisis team, active and ready social media platforms, and media allies.
- iii. Implement fast.
- iv. Measure success or failure.

Ultimately, institutions and organizations cannot fully eradicate false information about them. However, risk mitigation strategies, capacity-building efforts, and the mindfulness of one's own biases are fundamental to curbing the spread of misinformation and disinformation. It is also important to imbibe a mindset that "we are all broadcasters and distributors, with an ethical responsibility to limit the spread of fake news." 6

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### **Building an Ethical Data Culture**

#### **Dominic Ligot**

The introduction and advancements of technology pursuant to the Fourth Industrial Revolution significantly elevated the risks and challenges associated with managing the potential unethical and malicious adoption or usage of data. This predicament is more pronounced today with the growing recognition of big data as the key to achieving growth in artificial intelligence amidst the various ethical challenges which manifest at the different stages of the data value chain. Data privacy concerns arise during data collection. Data ownership becomes an issue during data storage. Data discrimination must be considered when developing algorithms and predictive models, and data liabilities need to be managed for every data-driven decision and intervention. These issues, under various technologies and spectrums, are all related to data ethics. Thus, building an ethical data culture is more important than ever before.

#### **Data Ethics Issues Spectrum**

Data ethics covers the moral obligations related to the ethical use of data and technology following the data value chain or the journey of data from source to intervention. While data privacy and security are often at the forefront of data ethics discussions, especially within public and private organizations aiming to institute a responsible and ethical data culture, there are many other pressing concerns that we continue to track and identify.



Figure 1. Data Ethics Issues Spectrum<sup>1</sup>

Data poverty refers to the difficulty in accessing information due to firewalls, paywalls, or lack of availability. On a more fundamental level, data quality is of significant importance as data can be unreliable due to gaps or improper collection. If data on hand cannot be trusted, it can have serious consequences. Another key issue is determining who owns the data. As personal information is increasingly shared online, it is essential to understand who has control over that data and how it is being used. Similarly, there is a need to address the issue of discrimination by artificial intelligence (AI), which can perpetuate biases and harm certain groups of people. Liability is also a crucial problem, particularly in cases where automated systems are involved. If something goes wrong, who is responsible, and how is blame or liability assigned?

Circumstances of Waze usage mishaps where ungoverned data quality contributed to the loss of life are cases that highlight the importance of data quality and algorithmic liability.

For instance, in 2015, a couple, during their vacation in Brazil, was misguided by their Waze navigation app to an unexpected and dangerous location instead of a tourist-friendly avenue in Niteroi, a large city across the bay from Rio de Janeiro. The app directed them to a street with the same name in one of Niteroi's most dangerous slums. Tragically, the woman lost her life when they unexpectedly got caught in a slum shootout. The underlying cause of the incident is still unclear to the authorities, but the prevalence of drug gangs in the neighborhood has been mentioned.<sup>2</sup>

In 2016, another Waze mishap involved Israeli soldiers who were misled into a Palestinian refugee camp in an attempt to rescue two soldiers. A pair of Israeli soldiers inadvertently entered the Qalandia refugee camp allegedly due to misguided directions from the Waze app, sparking violent confrontations that resulted in the death of a Palestinian man and injuries to several others. The app notably has a feature to bypass routes leading to Palestinian-controlled territories, which the soldiers failed to activate, and they also deviated from the proposed route. Waze's spokesperson emphasized that despite their continuous efforts to minimize such incidents in collaboration with relevant authorities, driver discretion plays a critical role.<sup>3</sup>

Within the realm of misinformation and disinformation, the social media news feed has become the world's largest echo chamber where an individual sees only what they want to see, and contents are curated to suit their views.<sup>4</sup>

In another jurisdiction, the use of facial recognition has yielded examples of potential data-driven discrimination. Bad training data could lead to potential bias against minorities or certain racial features, as was the case in New Zealand, where facial recognition technology employed for passport photo checking led to discriminatory outcomes, mainly affecting people of color.<sup>5</sup>

The rise of *deepfake* technology has sparked ethical concerns in various domains including, data privacy and security, digital ownership, and algorithmic liabilities. *Deepfake* is a combination of

the terms "deep" learning and "fake" video, an artificial intelligence technology that fabricates persuasive images, audio, and video hoaxes. It uses deep learning to either replace one person with another in existing content or generate entirely new content, portraying someone doing or saying things they never did or said.<sup>51</sup> One of the major concerns in this technology is identity theft, where a person's likeness is replicated without their consent, leading to potential harm to their reputation and privacy. Another issue is misrepresentation, where deepfakes can be used to spread false information, leading to cyber libel and slander. Such concerns also raise questions about the ownership of data and the responsibility of platforms to monitor and regulate content. The challenge of balancing fake news and creative freedom also arises, where deepfake technology can be used to create compelling but fabricated content that can mislead the public. It is important to address these ethical issues to ensure that deepfake technology is used responsibly and potential harm is mitigated.

Concerning algorithms, automating decision-making processes using data is common; however, considering data quality and consistency, it could pose ethical challenges with unforeseen consequences in other domains. In addition, long-term problems may arise due to model drift, brought about by the changes in data used by the model. Flawed processes lead to bad data and algorithms, highlighting the need for robust ethical frameworks for data-driven decision-making.

#### **Starter Questions for Data Ethics**

With the continued reliance on data-driven technologies, it is important for individuals and entities engaged with data to be equipped with knowledge and tools to effectively scrutinize the ethical implications of data and its transformation. There are several ways to assess this, but there are some starter questions that could cover data ethics considerations within organizations. One key question is how to determine if an algorithm is harmful. It is not always easy to determine, as algorithms can reinforce biases and perpetuate discrimination. Additionally, bad data can have a significant impact on the accuracy and effectiveness of algorithms, leading to further harm. The social costs of data-driven automation must also be considered, as they can result in job losses and contribute to inequality.

Furthermore, it is important to recognize that models can deteriorate over time as the datasets they rely on become outdated or irrelevant, commonly called model drift. The cost of a bad prediction can be significant, particularly in fields such as healthcare, where a misdiagnosis can have serious consequences. It is vital to continue monitoring and regulating data-driven technologies to ensure they cause no harm and to hold those responsible accountable when they do. In summary, here are the questions that should be asked:

- i. How can a harmful algorithm be identified?
- ii. What is the impact of bad data?
- iii. What are the social costs of data-driven automation?
- iv. Do models deteriorate?
- v. What is the cost of a bad prediction?

#### **Ethical Behavior Framework**

Ethical principles can be applied for a more proactive approach, allowing data to be viewed from three dimensions: consequentialist, duty, and virtue ethics. Consequentialist ethics focuses on the result or causality of an action, while duty ethics emphasizes observance of obligations and rules. Virtue ethics, on the other hand, focuses on an individual's sense of character and values. These three dimensions may not always agree, which is why ethical conversations are important. Therefore, finding an intersection between these dimensions is essential in ethical decision-making.<sup>7</sup>

A common use case where these principles must be observed would be in research, wherein the methodology and framework should be ethical to produce principled and reliable results. For

instance, there was a study by Allen et al. (2015) about ethical considerations in utilizing randomized controlled trials (RCTs) in environmental health research.<sup>8</sup>

In a consequentialist perspective, the outcomes of RCTs are dominant, considering that this perspective emphasizes potential benefits, such as discovering new treatments or interventions that can positively impact environmental health. It suggests that RCTs are ethical if there is genuine certainty about the effectiveness of an intervention, potentially leading to breakthroughs in the field. However, the risk to the participants and society should be minimal, with the overall benefit outweighing potential harm.

The duty-based perspective emphasizes the obligation to conduct trials in an inherently fair and equitable manner. Researchers should not provide inferior treatment to any participant if a more efficacious one has been identified, irrespective of the potential insights the research might gain. Moreover, researchers have a duty to avoid exploiting vulnerable populations which may otherwise be chosen based merely on their vulnerability.

The virtue ethics perspective highlights the importance of the character traits of researchers. In practical terms, researchers should clearly communicate that the study will not intentionally increase exposure to environmental hazards and ensure that the interventions tested are effective, feasible, and affordable in the local context. These actions reflect a commitment to the virtues of justice (ensuring fairness) and beneficence (doing good).

Table 1: Ethical Behavior Principles

	Consequentialist	Duty	Virtue
Thought Process	What outcomes should I produce?	What are my obligations and what should I never do?	What person should I be?
Conduct	Action that achieves the best consequences.	Always following one's duty.	What does a virtuous person do?
Motivation	Produce the most good.	Perform the right action.	Develop one's character.



#### **Paving The Way Forward**

In aiming to build and further advance an ethical data culture, organizations, communities, and even civil society can greatly benefit from implementing several approaches.

The first approach is to support data and disinformation research. Continuous research for awareness and better understanding of how data is used and could be used would equip society in practicing and building an ethical data culture. Some examples would be the development of conspiracy detection methods to identify and combat false or misleading information. Infodemic contact tracing is another strategy that involves tracking the spread of misinformation and identifying its sources. Measuring topic mutations can also be useful in detecting changes in the language and framing of false narratives. This information would help in promoting a more informed and knowledgeable society.

For instance, a paper focused on the growing issue of infodemics, or the spread of false information.<sup>9</sup> Using epidemiology as a lens, the paper introduced methods to measure the scale and progression of infodemics. The time-varying R was utilized to quantify infodemic infectiousness, topic modeling created topic clouds and similarity heat maps, and network analysis identified super-spreader and multiple carrier communities. Researchers identified 42 latent topics, with specific topics showing higher peaks than general misinformation. Network analysis revealed 385 groups and 804

connections within the misinformation posts on social media, the largest of which had 1,643 shares and over a million interactions in a year. The methodologies used not only help measure infodemic spread and identify potential superspreaders but also enable actions to counter misinformation and future infodemics. These techniques are also applicable to other infodemics like conspiracy theories, political disinformation, and climate change denial.

The second approach is to improve the quality and enforcement of data privacy and anti-cybercrime laws. Policymakers and lawmakers have an essential role to play in crafting more effective regulations, and it is imperative to strike a balance between protecting privacy and being overly restrictive. There should be regular monitoring of these laws to assess and evaluate if there is a need for amendment following the dynamic and constantly changing characteristics and capabilities of data. In addition, these should be complemented by efforts that enable society to better understand and adopt these laws.

In the Philippines, there is the Data Privacy Act of 2012 and the Anti-Cybercrime Law of 2012. However, these laws require revisions as many of the data ethics issues fall through the cracks. More recently, the SIM card registration law was passed to curtail online trolling. However, while the intention is to protect users, there are concerns about data privacy and who would be responsible for storing and protecting personal information. The risk of mass surveillance and government tracking is also a concern. Many other data-related bills are pending, including the implementation of a DNA database to track criminals. While these initiatives may have good intentions, it is important to carefully consider the potential consequences and risks associated with such databases.

With a specific focus on enabling society to embrace data ethics, empathy mapping is recommended to help understand the impact of these issues and challenges on various stakeholders. For instance, journalists must reinvent journalism and explore new platforms while reviewing monetization incentives in social media platforms. Another approach is for academia and the government to promote new data skills and provide training in algorithms to police disinformation. Governments and civil society must also review access to funding

and resources to fight the adverse effects presented in the data issues spectrum.

Finally, it is important for each individual, entity, or stakeholder to note the ethical imperative for data ethics. This includes various considerations such as transparency, ethical standards, human rights, automation and job replacement, data security and access, autonomy, intentionality, responsibility, human bias, accountability, and democracy. With the increasing use of data in decision-making, it is crucial to ensure that these ethical principles are upheld to prevent harmful consequences. Implementing transparent data practices, considering human rights issues, addressing biases in algorithms, and ensuring accountability for data-driven decisions can all help promote ethical data practices.

In conclusion, it is essential to take a proactive approach to tackling the challenges posed by the use of data in various sectors. Hopefully, by adopting these recommendations, data-driven decision-making in a responsible and ethical manner can be ensured, benefiting society as a whole.

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In 2018, Meta (then Facebook, Inc.) CEO Mark Zuckerberg testified before the US Senate about Facebook's involvement with Cambridge Analytica.

# Beyond Censorship: How Should We Legislate Against Misinformation and Disinformation?

#### **Sophiya Navarro**

The emergence of social media and the internet has revolutionized the ways we access, digest, and share information, and this phenomenon will only continue to evolve alongside advances in technology such as Artificial Intelligence or AI. For the most part, the benefits outweigh the cons. However, it did not take long for malicious actors to exploit the vast and immediate reach of these groundbreaking tools, exposing the dangers of a post-truth world struggling to distinguish between facts, opinions, and propaganda.

Today, the internet and social media have become fertile grounds and the main battleground in the fight against fake news, misinformation, and disinformation. As a result, many governments have intensely debated the matter of adopting a hardline stance with legislation or a softer approach characterized by self-regulation and digital literacy efforts. Nevertheless, calls to adopt or strengthen laws against fake news, misinformation, and disinformation have become more urgent in recent years in the face of two major events.

The 2018 Facebook-Cambridge Analytica scandal was the first defining moment of the post-truth era. It exposed how data generated through online and social media activity is vulnerable to third-party access and can be used to create tailored and targeted advertisements with the power to influence even major world events. Some notable examples of this scenario are the Brexit Referendum and the 2016 U.S. Presidential elections that saw the populist Donald Trump's rise to power despite a highly controversial, polarizing, and sometimes violent campaign. The incident sparked significant international outrage. It also led to extensive, top-level inquiries within governments as to the status of data privacy, data security, the ethics of data mining, potential national security risks resulting from possible foreign interference in domestic affairs, and the role

of technology and social media in influencing politics and public trust toward institutions and authorities.

Two years after Cambridge Analytica, COVID-19 triggered not only a global pandemic but also a new wave of medical misinformation and disinformation specifically related to the disease. This trend was global in scale and led to endangerment and loss of lives, similar to the effects of the anti-vax movement. This phenomenon led authorities to coin the term "COVID-19 infodemic," and many governments were driven to swiftly impose strict penalties and fines upon offenders in an attempt to control the situation and protect the public.<sup>2</sup>

As one of the world's social media capitals, the Philippines was not spared from the adverse effects of these events.

Following the exposé on Facebook and Cambridge Analytica, several articles insinuated that former President Rodrigo Duterte may have had ties with and benefitted from the illegal activities of the now-defunct political consulting firm.<sup>3</sup> The former chief executive has since denied these allegations.<sup>4</sup> Regardless, in an exclusive interview, Cambridge Analytica's whistleblower Christopher Wylie expounded on the country's history with the British firm, explaining that the Philippines provided the perfect environment to develop further and advance Cambridge Analytica's operations since the Philippines is one of Facebook's top markets while data and technology regulations in the country remain relatively underdeveloped.<sup>5</sup>



Christopher Wylie testifies against Cambridge Analytica before the US Senate in May 16, 2018. Source: newsweek.com.

During the COVID-19 pandemic, Filipinos also raised many concerns about the possible mishandling and malicious use of contact tracing data.<sup>6</sup> False information also threatened public health and

safety during the pandemic. A popular incident of COVID-19 misinformation is of Congressman Mike Defensor, who, primarily through Facebook, recommended using the animal anti-parasitic drug *ivermectin* as a possible cure for COVID-19. However, Philippine medical authorities cautioned the public on using *ivermectin* as a COVID-19 cure, citing insufficient evidence and inconclusive studies on the matter. Subsequently, the lawmaker's post and several accounts were taken down by the social media platform for violations against its community standards.<sup>7</sup>

Given the scale and frequency of fake news, misinformation, and disinformation in the Philippines, lawmakers have been keen to pass legislation that will help address this growing concern.

To combat the COVID-19 infodemic, Congress mandated fines on individuals or groups found guilty of the creation and/or proliferation of COVID-19 misinformation, disinformation, and fraud through Section 6(f) of Republic Act (R.A.) No. 11469 or the Bayanihan to Heal as One Act.

Lawmakers also filed several bills specifically tackling fake news, misinformation, and disinformation. Currently, the following bills remain pending and for deliberation by Congress:

- 1. Senate Bill No. 1492 authored by Senator Joel Villanueva aims "to penalize any person who maliciously offer, publish, distribute, circulate and spread false news or information or cause the publication, distribution, circulation, or spreading of the same in print, broadcast or online media." The bill also seeks to impose fines on "any mass media enterprise or social media platform that fails, neglects or refuses to remove false news or information within a reasonable period after having knowledge of, or having reasonable grounds to believe, its falsity."
- Senate Bill No. 9 or the "Anti-False Content Act" introduced by Senator Vicente "Tito" Sotto III proposes to criminalize the creation and publication, as well as the act of providing services and funding, whether by individuals, entities, or platforms toward the creation or publication of false or misleading content. In terms of

penalties, the bill seeks to impose both the penalty of fines and imprisonment on those found guilty. Furthermore, the proposed legislation aims to expand the authority of the Department of Justice (DOJ) Office of Cybercrime when it comes to counteractive measures.

- 3. Senate Bill No. 1296 introduced by Senator linggoy Estrada seeks to amend R.A. No. 10175 or the Cybercrime Prevention Act of 2012 by including the creation and dissemination of fake news as a punishable act under the said law. Following this, the bill also proposes a definition for fake news to be added to the Cybercrime Law. Counterpart bills were also filed in the House of Representatives. These are House Bill No. 5794 filed by Representative Gus S. Tambunting and House Bill No. 2971 jointly introduced by Representative Josephine Veronique "Jaye" Lacson-Noel and Representative Florencio Gabriel G. Noel.
- 4. House Bill No. 862 titled "An Act Penalizing All Forms of Fake/False News, and for other purposes" was also filed by Representative Michael L. Romero, Ph.D. This act authorizes the Philippine National Police (PNP) and the National Bureau of Investigation (NBI) to lead in carrying out this proposed law, including by drafting this law's Implementing Rules and Regulations (IRR) and by assisting in "finding and persecuting" any person violating the act.
- 5. Senate Bill No. 547 introduced by Senator Grace Poe proposes to amend R.A. No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees. The amendment intends to explicitly prohibit public officials from publishing or disseminating false news or information or being the cause or source for such actions.

To be clear, the Philippines has enough to go on and establish the case of why it needs stronger and more decisive measures to effectively combat the spread of fake news, misinformation, and disinformation. A September 2022 opinion poll conducted by Pulse Asia likewise revealed that 9 out of 10 Filipinos see "fake news" as a prevalent

problem in our society.<sup>8</sup> However, it will still be difficult for these bills to become laws and to generate enough public support despite their good intentions, given the glaring flaws in the current bills filed as well as the Philippine government's poor track record in respecting civil liberties and human rights. Such concerns are neither unprecedented nor unfounded.

Although the Philippines remains a vibrant democracy characterized by free speech, an active civil society, and an independent press, it cannot be denied that the state of democracy, human rights, and public discourse in the country have deteriorated under Duterte. Throughout his term, the populist president consistently enjoyed overwhelming support and approval, as shown in trust surveys. This unparalleled support is a big part of what enabled him, his government, and his followers to ruthlessly attack critical media, individuals, and other entities without much resistance and backlash. His popularity also translated into a "supermajority" in Congress that supported his administration's agenda, such as the passage of The Anti-Terrorism Act of 2020 and the denial of a renewed franchise to ABS-CBN, one of the country's leading media networks. These legislative actions are clear manifestations of how laws can be weaponized, whether directly or indirectly, to stifle political opposition, dissent, and civil liberties, especially the freedom of expression and the press. Under such circumstances where distrust for the agenda of law-making institutions prevails, it will be a tall order to convince Filipinos to



A protest of support for ABS-CBN and its workers following its shutdown in 2020. Image from opentablemcc.ph.

allow more power to the government to solve this issue through legislation at the risk of jeopardizing their own rights, security, and privacy.

Laws can also be limited when addressing emerging issues such as fake news, misinformation, and disinformation. One such limitation is that definitions can be quickly outdated, given the rapid rate at which technologies evolve and can influence changes in behavior. Another limitation is the sheer size of the internet and the information ecosystem, which can make prosecution or mere surveillance of each case extremely difficult or almost impossible, given the scale and frequency of the possible misconducts.

However, it is evident that fake news, misinformation, and disinformation – often peddled by trolls and framed in simplistic, emotional, and sensationalized terms – have further complicated the current political climate. Malicious actors are now actively using such tools to divert attention and diminish the quality of discussions and debates by turning arguments into personal attacks, insults, or matters of opinion rather than logic and facts. Therefore, it is crucial to decisively address the issue as it is a looming threat to democracy with potentially devastating consequences.

In this regard, advocates often stress the importance of media and digital literacy as the primary solution to guard the public against the perils of fake news, misinformation, and disinformation without the risks of diminishing constitutionally guaranteed rights and freedoms in the way that legislation can do. Nevertheless, it is crucial to acknowledge that legislative action may be necessary in certain areas, such as to establish responsible and ethical business practices. The reality is that there will be times when entities engaged in the business of social media, content creation, and advertising, for example, will prioritize monetizing content over simply reporting the truth. As such, relying solely on self-regulation and selfeducation, even though it is the ideal solution, may not always be effective in safeguarding the public interest. The presence of adequate legal safety nets could help deter and protect the public from the predatory behaviors surrounding the fake news, misinformation, and disinformation ecosystem while also providing the option for victims to easily seek accountability and justice.



At present, limited legal remedies can be found in the following statutes:

- Article 154 of the Revised Penal Code as amended by Republic Act (R.A.) 10951, on the unlawful use of means of publication and unlawful utterances;
- ii. Article 353 of the Revised Penal Code on lihel:
- iii. Article 33 of the New Civil Code of the Philippines in cases of defamation;
- iv. R.A. No. 10173 or the Data Privacy Act of 2012; and
- v. R.A. No. 10175 or the Cybercrime Prevention Act of 2012.9

However, it is clear that these statutes are limited in application and may even need reforms. As such, how should we move forward in the agenda to legislate against fake news, misinformation, and disinformation?

Any law targeted at misinformation and disinformation should be grounded upon the genuine need to preserve and promote a healthy, free, safe, and responsible environment for public discourse. As such, any proposed legislation should emphasize accountability and empowerment as well as avoid measures that result in vague and sweeping definitions or categorizations, greater government discretion and surveillance, and the blanket imposition of penalties. Toward this objective, the author proposes several ideas aimed at addressing policy gaps through legislation while upholding the protection of free speech and the free flow of information:

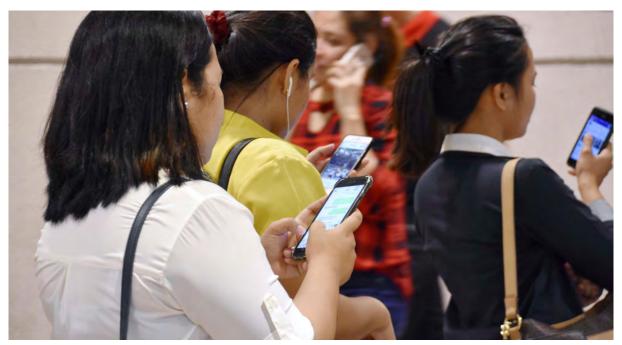


Image from CNN.ph

- responsibility 1. Define and demand accountability. Legislation should focus on demanding accountability from information and platforms rather criminalizing intent and a wide range of actions without due distinction between sources of information and end users. Therefore, legislation should aid in identifying the different responsibilities vis-à-vis the rights of primary and secondary sources of information, platforms, and end users in ways appropriate to their roles and context. This process should also emphasize and take advantage of a multidisciplinary and multisector perspective on the issue.
- 2. Mandate ethical and responsible business practices. Media organizers, platforms, and other similar entities may be required to have independent fact-checkers to regularly review and help them flag false or misleading information or content. These entities may also be required to institutionalize and strengthen internal mechanisms that enable users or clientele to report false or misleading content. Another option is to require notification mechanisms that can immediately inform those who may have been victimized by false or misleading content and what has been done, or even when information has simply been updated, similar to how users

- are immediately notified about copyright infringement takedowns.
- 3. Address data poverty through neutrality. Enabling people to have access to quality and credible information and websites will help effectively reduce the influence and reach of fake news, misinformation, and disinformation among the public. One concrete way to realize this is to enforce net neutrality, which will remove the barriers and limitations often imposed by internet service providers and enable users to have inclusive and unbiased access to online content and services as long as they have an internet connection. A practical application of this principle is prohibiting internet service providers from bundling mobile data subscriptions with specific applications or websites.
- 4. Ensure transparency. Laws should require entities involved in the news, media, advertising, content creation, and other similar entities to be transparent about their sources of funding and better enforcement of this must be observed. This can help the public to identify sources or content with a clear bias or agenda.
- **5. Ensure historical accuracy amidst the use of a creative license.** Laws should promote accuracy in the dissemination of historical

information with measures like peer review and expert fact-checking. In the case of creative interpretations, opinions, or works employing creative license when depicting historical content, for example, the source should clearly identify such content and inform the end users with an appropriate disclaimer.

**6. Act as safety nets.** Laws should clearly inform the public of their rights and what legal remedies they are entitled to.

By focusing on behaviors rather than content, legislation can help address the problem of fake news, misinformation, and disinformation without compromising fundamental rights and freedoms or being limited by the rapid evolution of technology. Ultimately, the goal should be to develop a legal framework that perpetuates a culture of trust and independence grounded on accountability and empowerment, where the public can feel confident that they have access to quality and credible resources they need to make informed decisions and discourse with others.

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# **Author Profiles**



**Leni Robredo**14th Vice President of the Philippines and Chairperson,
Angat Pinas, Inc.

Leni Robredo was the 14th Vice President of the Philippines, serving from 2016 to 2022. During her term, she reinvented the Vice President's office into an advocacy-centered organization, through Angat Buhay, a flagship poverty alleviation program that thrived on private-public partnerships. Angat Buhay (which means "uplifting lives") brought much-needed interventions on education, health, nutrition and food security, rural development, women empowerment, and housing and resettlement. Her work in politics was heavily inspired by her years as a human rights lawyer. After serving in government, she set up the non-profit Angat Pinas, Inc., which now carries the Angat Buhay program. It strives to empower volunteers across the country in the collective mission to uplift Filipino lives. She has also been sharing her insights and experiences with academic institutions, think tanks, and different organizations in the Philippines and overseas. For Fall Term 2022, she joined the Harvard community as one of its Kennedy School's Hauser Leaders, where she provided perspective, particularly on the impact of disinformation and influence operations in the Philippines.



Christian Esguerra Journalist and Host, Facts First

Christian Esguerra is a political journalist and an educator. He hosts "Facts First," a political podcast streamed live on Mondays, Wednesdays, and Fridays. It tackles burning issues on politics and governance, and is devoted to combating disinformation. He is the former anchor and managing editor of the hard-hitting political talk program "After the Fact" on the ABS-CBN News Channel. He began his career as a reporter with the Philippine Daily Inquirer in 2000, then joined ABS-CBN as a news correspondent and anchor in 2015. He teaches political reporting and journalism ethics at the University of Santo Tomas, where he is also a researcher at the Research Center for Culture, Arts, and Humanities. In 2019, he received the Award of Distinction from the Center for Media Freedom and Responsibility and the Titus Brandsma Award for Emergent Leadership in Journalism. He was also awarded the Marshall McLuhan Fellowship in 2020.



Marie Antoinette "Tonette" de Jesus

Senior Program Manager for Governance and Foreign Relations, KAS Philippines

Marie Antoinette "Tonette" de Jesus is the Senior Program Manager for Governance and Foreign Relations at the Konrad-Adenauer-Stiftung (KAS) Philippines. Prior to her work at KAS, she was a Political Economy Consultant for the Philippine Governance Advisory Team at the World Bank Office in the Philippines, Program Manager for the Asian Development Bank-Asian Institute of Management Knowledge Hub, and Research Officer at the International Rice Research Institute. She has authored chapters for and edited international and regional security publications. Her opinion pieces as an international development practitioner have been featured in Rappler. After earning her Bachelor's degree in Management Economics (Merit Scholar) from the Ateneo de Manila University and a brief stint in the corporate world, she pursued her master's degree in International Political Economy and Development, specializing in International and Development Economics, from Fordham University, where she received the Matteo Ricci Award for Outstanding Scholastic Achievement.



**Dominic "Doc" Ligot**Founder, CirroLytix Research Services and Data Ethics PH

Doc Ligot is a data analyst, researcher, software developer, entrepreneur, technologist, and advocate for data literacy, AI ethics, data ethics, and social impact from data. His current work focuses on human rights, public health, food security, political risk, and fighting disinformation and infodemics through computational social science, social listening, remote sensing, artificial intelligence, and data engineering. He is the founder of CirroLytix, a social impact Al company, and Data Ethics PH, an online community focused on social issues such as data privacy, data security, Al-driven discrimination, data liabilities, data ownership rights, and data poverty. Doc coauthored the Masters in Applied Business Analytics degree of the University of Asia and the Pacific and led the development of the nationwide data science education program – Project SPARTA. He also co-founded the Analytics Association of the Philippines (AAP) and is a Board of Trustees member of the Philippine Center for Investigative Journalism (PCIJ). He is passionate about using big data and AI to make a positive difference in the world and create a better future for society as it transitions through the Fourth Industrial Revolution.



**Sophiya Navarro**Program Manager for Security and Innovation, KAS Philippines

Sophiya M. Navarro is the Program Manager for Security and Innovation at the Konrad-Adenauer-Stiftung (KAS) Philippines. Prior to working with KAS, she was a research and international cooperation specialist at the Philippine Space Agency (PhilSA) under the Office of the Director General, and later at PhilSA's Space International Cooperation Division. From 2018 to 2020, she worked as a Program Coordinator and Research Assistant for the inclusive democracy and international relations programs of the Ateneo Policy Center. Her professional career has led to a vast experience in program and stakeholder management and cooperation as well as in policy work with various international organizations such as KAS, USAID, the EU, and the UN, among others. She obtained her Bachelor's degree in Diplomacy and International Relations with a specialization in East and Southeast Asian Studies as well as a Minor in Literature (English) from the Ateneo de Manila University in 2018, graduating with honors. Her areas of interest primarily revolve around international and public policy, specifically focusing on traditional and non-traditional security.



Julius Niewisch Intern, KAS Philippines

Julius Niewisch holds a Bachelor's degree in French and German law at the University of Potsdam (Germany) and the Paris Nanterre University (France). He also interned for the KAS Philippines Office from June 2023 to July 2023. He has been engaged in politics for several years, focusing mainly on foreign affairs..



### **Evident Integrated Marketing and PR**

#### Leading Purpose Marketing Firm in the Philippines

Evident is the country's leading purpose marketing firm based in Makati City, Philippines. The firm prioritizes putting its clients' purpose at the core of their marketing and communications and helps them strike a balance between making a profit and doing good for the stakeholders they serve. Evident creates real-world impact through purpose-driven strategies, creative content, and sound advisory. Evident specializes in six practice areas: 1) advocacy communications, 2) corporate and public affairs, 3) brand strategy and digital marketing, 4) training and workshops, 5) sports, gaming and entertainment, and 6) consumer and lifestyle PR. Through these, the firm thrives in projects that see the intersection of technology, communications, and human behavior. Evident integrates this in the fundamental communication processes of organizations and communities to achieve positive social impact.

## The Konrad-Adenauer-Stiftung (KAS)

KAS is a political foundation, closely associated with the Christian Democratic Union of Germany (CDU). As co-founder of the CDU and the first Chancellor of the Federal Republic of Germany, Konrad Adenauer (1876-1967) united Christian-social, conservative and liberal traditions. His name is synonymous with the democratic reconstruction of Germany, the firm alignment of foreign policy with the trans-Atlantic community of values, the vision of a unified Europe and an orientation towards the social market economy. His intellectual heritage continues to serve both as our aim as well as our obligation today.

KAS has been active in the Philippines since 1964. It is the oldest KAS Office in Asia. Ever since 1998, the main activities of the KAS in the Philippines have focused on the social market economy, institutional and political reform, and peace and development in Mindanao. In recent years, KAS Philippines' activities have expanded towards youth empowerment, foreign relations, security, and innovation.

We cooperate with governmental institutions, political parties, civil society organizations, experts, and key stakeholders, building strong partnerships along the way. Together with our partners we make a contribution to the creation of an international order that enables every country to develop in freedom and under its own responsibility.

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