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Campaigning for Europe

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(3) Delivering great campaigns: inspire and engage
8 November, JDE53

Speakers: Paul Nemitz (Principal Advisor, Directorate-General for Justice and Consumers, European Commission), Brendan Tobin (Head of Growth, Ecanvasser, Cork, Ireland), Natalija Bitiukova (Human Rights Monitoring Institute, Vilnius, Lithuania)

Moderator: Giuseppe Porcaro (Head of Communications and Events, Bruegel, Belgium)

In the wake of Cambridge Analytica's involvement in the 2016 Brexit referendum and the US presidential elections, terms like 'data' and 'analytics' have become buzzwords for politicians and communication professionals seeking to use artificial intelligence more effectively in campaigns. Coincidentally, 2016 also saw the European Parliament and Council adopt the General Data Protection Regulation (GDPR). The GDPR has the potential to reshape how AI is used in political campaigns. After these introductory remarks, the moderator **Giuseppe Porcaro** asked the audience, using a Slido poll, whether the GDPR was making campaign and communication work easier or harder. To his surprise, 51% answered that the regulation was having a positive impact on their work. After all, it requires a rethink of every established practice, right down to sending newsletters – it requires going back to the drawing board, so to speak.

The first speaker, **Paul Nemitz**, argued that critics of the GDPR don't realise that, without it, political parties would be able to do total profiling in a completely commercialised sector. He outlined how an engineering-based mentality gravely endangers democracy. Analysing Silicon Valley's response to the GDPR, **Nemitz** described how tech entrepreneurs mistakenly apply the logic of coding to laws. In other words, legislation must be 'perfect, smooth and user-friendly', otherwise it should not be obeyed. Yet in reality, drafting laws is always an exercise in compromise, as the European Parliament's 4 000 amendments to the draft GDPR show. **Nemitz** concluded by explaining how the GDPR's already broad definition of personal data will only continue to expand as AI develops. In other words, future ways of identifying and monitoring people will naturally develop in line with the regulation.

The second speaker, **Natalija Bitiukova**, explained how a variety of public interpretations had emerged from the Cambridge Analytica scandal. Naturally, harvesting of the data of 87 million Facebook users, largely by the Republican Party in the US and Leave.EU in the UK, comes to mind. Yet this tactic is not limited to the right of the political spectrum. Giving an example from her native Lithuania, **Bitiukova** described how a liberal party recently asked Cambridge Analytica to devise a strategy for digital canvassing, although the agreement was

never finalised. She then pointed out that, given the US and the UK are essentially two-party countries, it is much harder to target voters using data profiling than in multi-party countries. Despite the extent of Cambridge Analytica's operation, **Bitiukova** claimed that they ultimately over-promised on what they could deliver, as there is currently no clear research to illustrate how many voters actually made the switch from left to right. Nonetheless, a huge amount of personal data is currently being traded and sold to the highest bidder, with parties using technology that has long been available to commercial advertisers. Emphasising the importance of accountability, **Bitiukova** showed how an EU regulation from 2005 already covered profiling. Yet this scandal occurred because regulators failed to act. She concluded by saying that data protection alone would not prevent similar incidents in the future, but must be backed by updated member state laws and adequately resourced authorities.

The third speaker, **Brendan Tobin**, began by detailing how his company Ecanvasser teaches parties to comply with the GDPR and conduct digital campaigning. He argued that the regulation is very much salvation rather than damnation, as it allows political groups to build a transparent and trustful relationship with voters. As parties will not only lose funding, but also suffer reputational damage for breaching the GDPR, **Tobin** argued that it is in their interest to use grassroots strategies to build a credible voter base. By getting explicit consent from citizens, a party can use AI to analyse its database of potential voters in a far more ethical and accurate way than profiling. Describing the GDPR as 'Age Zero', **Tobin** said that no mainstream political party would even consider using Cambridge Analytica-style profiling now. He concluded that parties must return to the canvassing tactics of the 60s and 70s, whereby campaigners talk to citizens in person to ascertain their views and create policies based on 'human intelligence'. In Tobin's words, AI cannot capture 'thousands of conversations with voters'.

During the Q&A, the audience asked **Nemitz** whether the GDPR's fines would really deter the world's biggest tech companies from unethical practices, since they make such huge profits. Highlighting the strong opposition of tech companies to the GDPR during the drafting process, he pointed out that such lobbying did not prevent the regulation from coming into force. For **Nemitz**, the culture of compliance begins at a young age. Describing how entrepreneurs are taught to see themselves as disruptors, he argued that this endangers democracy and undermines the purpose of lawmaking.

An audience member then pointed out that their communications team had received more subscriptions since the GDPR came into force. Now that users know what will happen to their data, and may unsubscribe at any time, a new area of trust has been created.

Asked whether the GDPR prohibits citizens from viewing government data, **Bitiukova** replied that one of the major myths about the GDPR is that it simply makes it harder for everyone to access information. In reality, the regulation's entire purpose is to set out procedures for all sectors of society to follow. Data in the public domain is still protected and accompanying privacy policies set out what rights citizens have in relation to it.

Porcaro concluded on a note of optimism: **GDPR will allow parties to regain the trust of voters through grassroots campaigning and future analytics that comply with GDPR may even make the regulation more effective.**