

DISINFORMATION AND 2022 ELECTIONS IN BRAZIL: LESSONS LEARNED FROM A SOUTH-TO-SOUTH CONTEXT

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<u>Support:</u> National Institute of Science and Technology on Information Disputes and Sovereignty (INCT.

DSI), Federal University of Pelotas, Catholic University of Rio de Janeiro, Federal University of Maranhao,

University of Toronto and the National Council for Scientific and Technological Development (CNPq) grants

number 406504/2022-9, 405965/2021-4, 310780/2022-5 & 302489/2022-3.

Acknowledgments

This report is part of the project "Global Democracy Frontliners: Transnational Research Coalition for Tech Accountability and Democratic Innovations Centering Communities in the Margins" led by Jonathan Corpus Ong (PI) in the GloTech Lab at University of Massachusetts Amherst and supported by National Institute of Science and Technology on Information Disputes and Sovereignty (INCT.DSI) and the National Council for Scientific and Technological Development (CNPq) grants number 406504/2022-9 and 405965/2021-4. This report is part of a broader comparative project on civil society responses to disinformation in Brazil and the Philippines, aimed at generating South-to-South knowledge exchanges by comparing lessons learned from previous elections. You can read an earlier writeup comparing post-election narratives in the two countries here. We would also like to thank Jonathan Corpus Ong and Jose Mari Hall Lanuza from the University of Massachusetts Amherst, and independent researcher Dean Jackson, for their insights and support that helped make this report possible.

How to cite this report

Alves, M., Grohmann, R., Recuero, R.; Tavares. C. (2023). Disinformation and 2022 elections in Brazil: lessons learned from South-to-South context. INCT em Disputas e Soberanias Informacionais. https:// inctdsi.uff.br/2023/11/15/disinformation-and-2022-elections-in-brazil-lessons-learned-from-a-south-to-south-context/

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TABLE OF CONTENTS

Introduction	6
Cey findings	7
 Brazilian political context and disinformation narratives 	9
2. Responses to disinformation: key players and strategies	15
3. What can be learned from Brazil?	25

List of Box Texts

Box Text 1. What Are The Future Challenges In Fighting Disinformation?

Box Text 2. Learn more about NetLab!

Introduction

This report presents some lessons learned from the Brazilian experience in the 2022 presidential election in relation to combating disinformation. The 2022 election in Brazil, won by Lula da Silva against former President Jair Bolsonaro, was the most balanced in terms of voting numbers between two candidates in the country's recent history. In another dimension, this election represented the even bigger radicalization of the extreme right in terms of hate speech and circulation of disinformation.

These lessons learned are shared in the context of South-to-South dialogues. This means that we are not looking for magic solutions or inspirations imported from the North to the South. From a majority-world perspective, we consider it impossible to transport local experiences from one place to another without considering the proper contexts. It is not possible to "import" solutions against disinformation in a normative way. Instead, South-to-South dialogues mean understanding how different countries can learn from other contexts by sharing different perspectives. This implies that one country's solutions will not necessarily work for another. But these learnings can help understand other countries' situations and strategies through shared contexts. They can be put into perspective and these dialogues can help adapt and connect different learnings to the particular contexts of the South.

These dialogues started with a report analyzing the Philippines, entitled Parallel Public Spheres: Influence Operations in the 2022 Philippine Elections. This report focuses on Brazil: the main disinformation narratives, key players and strategies around combating disinformation, and the main lessons learned. We hope other countries' stakeholders - including media organizations, policymakers, governments, and civil-society actors - can learn from the Brazilian context in order to share knowledge between majority world realities.

What can be learned from Brazil?

Disinformation narratives used to "set the field" for claims of fraud and a possible coup - The major disinformation narratives focused on the historical revisionism of the Brazilian dictatorship period and the idealization of a military government as the "only solution" against the leftist institutional corruption and the fraudulent election, as well as rhetoric alleging that institutions such as the Electoral Supreme Court and the electronic ballot box were corrupted by communism or socialism and should not be trusted. These and other disinformation narratives reinforced fears that an election victory for the left, represented by Lula da Silva, would represent calamity for conservative ideas such as morality and religion. These narratives were used to support the idea of a military coup if Bolsonaro lost and spread widely among his supporters. They show that disinformation was used to "prepare the field" for a possible coup, creating distrust in the democratic process and institutions, accusing them of corruption and revisioning the dictatorship's history to create support for the "defense of the country".

Brazilian responses to disinformation - While fact-checking efforts have received significant exposure in Western media, in reality Brazilian civil society worked with a wide range of partners and approaches. On the one hand, the Brazilian electoral court played a central role; on the other hand, key disinformation coalitions emerged and included stakeholders such as policy makers, social movements, researchers, journalists, and social media platforms. These players and coalitions were key to help erode Bolsonaro's support and create the conditions to counter-disinformation efforts. As influencers, politicians and other players who weren't connected to the left emerged to criticize Bolsonaro, these messages circulated beyond Lula's closest cluster and helped create an "anti-Bolsonaro" feeling.

Institutional centrality of the judiciary's role - Brazilian Supreme
 Court took action to force social media platforms to reduce and mark
 disinformation content, particularly on the days before each of the two
 rounds. The ministers of the court met the platform's representatives
 and made extensive preparations to deal with disinformation. The
 absence of regulation about platforms and disinformation, provided

stricter guidelines for implementation of these measures, which led the judiciary to expand their power to act on what could discredit the whole process and bring the country into turmoil. One of the consequences of this was the unilateral expansion of judicial power, even if temporary, in the sanction and exclusion of content. On this topic, the positive point is that the expansion of judicial power serves as the last line of defense when accountability fails.

- Establishment of diverse coalitions with the courts, civil society,
 political organizations, businesses, universities and others These coalitions were key to circulate fact-checking and to help the
 Electoral Court to prepare for the election amidst disinformation.
 They also helped educate the public and debate disinformation
 narratives.
- Importance of influencers and key players on counter-attacking
 disinformation and questioning Bolsonaro's claims about fraud Influencers from several fields, from journalists to online gamers, as
 well as artists and members of the society stepped up to discredit
 disinformation and to fact-check disinformative content published
 by Bolsonaro's campaign. Because these influencers weren't
 traditionally aligned with the left, they helped this type of content to
 spread to other groups and networks.
- Legacy Media claimed attention to disinformation narratives The
 main Brazilian vehicles highlighted disinformation and the role of
 the Supreme Court to combat it in the past election. The actions of
 the Court were supported by the legacy media, but the newspapers
 demonstrated concerns about the limits of its power in some
 decisions. Nevertheless, the vehicles played an important part in
 approaching the theme, denying what was false content, and putting
 it into debate.
- Political Coalition against Bolsonaro Lula da Silva was a candidate representing several parties (from left to moderate right), in what was called "Coalition for Democracy". While still a representative from the left, this support from other moderate parties helped his campaign to reach out to people who wouldn't normally vote for the left. This was key to the spread of fact-checking information to other sectors and players beyond the leftist circle, as these different politicians had other audiences.

1. Brazilian political context and disinformation narratives

To better understand how and why some strategies worked in Brazil, we need to first examine the political context and the disinformation narratives that circulate during the 2023 election. They help understand what was at stake and how coalitions emerged to fight disinformation.

1.1 Context

Brazil is a relatively young democracy. The country suffered a military coup in 1964, which further led to 30 years of a violent military dictatorship. The country had its first free election in 1989, with the right to vote being assured to all Brazilians over 16 years of age. Since then, Brazil has been a democratic republic, with an elected congress and elected president and governors. Also, **the country was one of the first to use the electronic ballot box,** which started being used for voting in 1996 which has been part of all Brazilian elections since.

From 1994 until 2016, the electoral arena in the presidential campaign was divided basically by two parties: Brazilian Social Democracy Party (*Partido da Social Democracia Brasileira*, hereafter PSDB) and the Workers' Party (*Partido dos Trabalhadores*, hereafter PT). PSDB governed Brazil between 1995-2002 and PT between 2003-2016. In 2014, PT candidate Dilma Rousseff defeated the candidate from PSDB, who then appealed to the Superior Electoral Court (*Tribunal Superior Eleitoral*, hereater TSE) to audit the results of the election. TSE authorized, but the party didn't find any evidence of fraud on the voting machine system. The Court "emphasized that the document confirms that no evidence was verified that there was tampering with programs, votes or even any indication of violation of the secrecy of the vote" in that election. Rousseff was reelected, but, in 2016, she was removed from the presidency in a process with many legal controversies. Recently, the accusation which led Rousseff to be removed from office was archived by the Brazilian Justice. The effects of the impeachment led us to the eight presidential campaigns, in 2018.

The eighth presidential campaign after redemocratization was marked by a high level of distrust in the political system. This paved the way for the rise of a competitive third-party candidate for the first time since 1994, represented by Jair Bolsonaro (until then, a radical, but inexpressive deputy) from the Social Liberal Party (*Partido Social Liberal*, hereafter PSL). In 2018, Lula da Silva, then presidential candidate from the Worker's Party, was arrested, accused

of corruption in the operation dubbed "Car Wash", creating turmoil for the campaign. He was substituted by Fernando Haddad. The 2018 election, then. happened amidst strong polarization between Bolsonaro and Haddad. While Bolsonaro represented a new radical far-right who was gaining traction in the country, Haddad only entered the election after Lula da Silva – the official candidate – was arrested due to corruption accusations. Lula's imprisonment also gave strength to the anti-worker's party feeling that gave Bolsonaro support.

Bolsonaro won the election (55.1% of the valid votes) and the media coverage in the campaign hasn't changed during his government. Since the campaign, Bolsonaro and his supporters' were accused of disinformation against the electoral ballot box (with claims of electoral fraud) and the PT. It didn't change during his government; he often relied on disinformation to support his views on social media platforms.

In 2019, Lula da Silva was cleared of the corruption accusations and subsequently freed. He then became Bolsonaro's main political adversary until the 2022 presidential elections. So, in 2022 Bolsonaro ran under the Liberal Party (*Partido Liberal*, hereafter PL) and Lula da Silva under the PT. During the entire campaign, Bolsonaro accused the Superior Electoral Court and the Brazilian Supreme Court of corruption, claiming the election was tainted and the ballot box would be fraudulent. Some of his supporters even publicly claimed for a military coup to "save the country".

Lula won the election by a small margin (50.9% of the valid votes), **igniting several protests among Bolsonaro's supporters.** This was the first time in Brazilian history that a candidate running for re-election failed to be re-elected. Bolsonaro never recognized Lula's victory and his supporters expected the military would back him with a coup d'etat. His supporters also believed, as Bolsonaro many times claimed, the Army would take action. Many of them camped in front of several Army's barracks protesting for an intervention, **others closed highways and access to cities**, and there were also **terrorist attacks against the country's power supplies**. The Brazilian Supreme Court acted ordering the police to free these blockages. However, the atmosphere remained tense, with the army and the police taking weeks to free the roads.

On January 8th, a few days after da Silva took his oath and Bolsonaro left the country amidst rumors of a possible coup, <u>several Bolsonaro supporters</u> who had traveled to Brasilia and had been camping in front of the barracks protested against the "fraudulent elections", by invading the Congress, the presidential palace and the Supreme Court. Reminiscent of the January

6, 2021 United States Capitol attack, arrests were made and the governor of the Federal District was removed from his duties. These movements, while openly supported by few political actors, were a direct consequence of disinformation about the election process. The fact that the invaders didn't find any opposition by either the police or the army during the invasion was also strongly criticized in the aftermath, as this lack of action also indicated the protesters received indirect support by security forces.

The movements to discredit the Brazilian Presidential election were based on many narratives that gained traction during the campaign. They were often legitimized and spread through social media channels by Bolsonarists, public authorities, and supporters. These narratives created the scenery of instability and fuelled the polarization in the country, overflowing social media platforms and reaching the debate on legacy media. They were also part of the strategy of many political actors to shed doubts on the election results, if they didn't favor them.

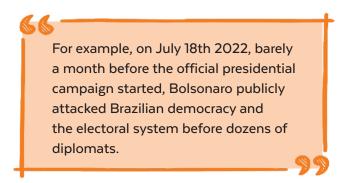
1.2 Disinformation Narratives

For this report, disinformation narratives are the posts/stories that circulated on Twitter or Facebook, and that were based on content labeled as false by fact-checking agencies or news. Brazil had a severe problem with disinformation during this election, with a strong action from the Superior Electoral Court to contain these narratives. In this case, disinformation was key to support the idea defended by the then president Jair Bolsonaro and his supporters that the election was going to be frauded and spiked the revolt among this part of the voters against the election of Lula da Silva. These narratives were the most frequent in these

1) Brazilian military dictatorship never happened - This type of historical revisionism was frequently supported by the ex-president and supporters and quickly spread on social media. In this case, Brazil never lived through 30 years of military dictatorship (1964-1984), but rather a "military government" that protected the country's values against "the communism". These narratives focused on sanitizing the human rights violations that happened in this period, by claiming these crimes were a fabrication from the leftists and tried to paint the military as the lone protector of democracy. This idea supported the "patriotic" view of Bolsonarism that the Republic, the congress and the courts were corrupt and the election was fraudulent, thus requiring militarist intervention in public governance. It is important to point out that during the Brazilian Military Dictatorship, over 2 thousand people

were imprisoned and tortured and hundreds, killed or disappeared. To investigate these crimes, Brazilian government created, in 1995, the "Special Commission on Political Deaths and Disappearances", and further the "National Truth Comission" to expose the barbarities of the regimen, which was responsible even for the torture of children. Several documents from many institutional committees exist today to show these crimes.

2) The Brazilian electronic ballot box was fraudulent and a military intervention was needed to guarantee democracy - It was probably the most utilized disinformation narrative which had been appearing on social media posts since before 2018, gaining more attention during the presidential election in that year. This narrative was frequently mentioned by Bolsonaro and his supporters. Under this narrative, disinformation actors claimed that the Brazilian electronic ballot box was prone to fraud, and that Brazilans thus needed alternatives. He and his supporters defended the "printed ballot", as a means to avoid electoral fraud. For example, on July 18th 2022, barely a month before the official presidential campaign started, Bolsonaro publicly attacked Brazilian democracy and the electoral system before dozens of **diplomats.** He argued the system was vulnerable and prone to frauds. He claimed the military should audit the elections and pushed for the electoral authorities to accept a parallel vote count by them. Much of this argument was based on the idea that the Electoral Court didn't allow anyone to check on the ballot box (which is untrue, since there are public tests every year and promote several other measures of auditability). In an attempt to calm down these rumors, the Electoral Court allowed a "parallel verification" of the votes by the military in 2023. They didn't find any evidence of deception.



3) Polls were untrustworthy and fraudulent - There was also a frequent discredit to the polls and research institutes that put Bolsonaro in second place without any evidence or support. The ex-president himself often claimed the polls were mistaken or implied they were fraudulent and thus, untrustful. His approach to discredit polls was not new, but this time the criticism was connected to a supposed failure of institutions in protecting the democracy allowing the fraud. These allegations became stronger after the first round, when the vote difference between the two candidates was less than polls forecasted. Bolsonaro also used this as evidence of how the institutions were trying to create an environment for fraudulent elections and often false polls with him ahead of Lula circulated online. After the first round, Bolsonaro's supporters in the National Congress threatened to vote for a law forbidding polls, based on the claims that polls were false and used to manipulate the election, which gave more attention to these disinformation claims.

- 4) The Superior Electoral Court was corrupted and tainted by the Left -During the entire campaign, Bolsonaro's supporters and himself attacked the Supreme Court, the Superior Electoral Court and his head, minister Alexandre de Moraes. This was a key discourse to discredit also the election, as they argued the court was supporting fraud by censoring them (as they ordered disinformation to be taken out by platforms) and allowing the "left" to take over the country. One example is how, by the end of the second round, Bolsonaro's campaign presented to the Superior Electoral Court a report with allegations of fraud in the electoral propaganda. According to this report, some radios were prioritizing the propaganda campaign of Lula da Silva, and not showing the Bolsonaro one (which is illegal). These allegations were unproved and remained so even though they served as base to Bolsonaro threat to defy Lula's victory. However, they fuelled the allegations of electoral fraud in the final week of the campaign and was a strong motivation for Bolsonarists to not accept the results of the election.
- 5) If the left won the election, it would represent the destruction of morality and traditional values, such as religion, family and morality -During the campaign, Bolsonaro and his supporters frequently accused da Silva and the Workers' Party of moral corruption, claiming that if they win they would close churches and persecute christians and legalize criminal behaviors such as pedophilia because Lula defended LGBT rights.

Most of the disinformation found was associated with Jair Bolsonaro's (PL) campaign and supporters. While there was also disinformation on Lula da Silva (PT) campaign and supporters, in general, these contents were less impactful than Bolsonaro's and very often didn't get replicated enough to create a pattern over the time. Thus, these narratives contributed very strongly to the

idea that the results of the election couldn't be accepted by Bolsonaro and his supporters. They also set a context of distrust and fear of a "communist" conspiracy through Bolsonaro's supporters.

1.3 Fire against Fire

During the 2022 presidential campaign, and particularly, during the second round, Lula's supporters, led by the deputy Andre Janones decided to fight "fire against fire" and started creating and spreading disinformation about Bolsonaro. The majority of this content was focused on spreading similar false accusations made by Bolsonaro's campaign to Lula da Silva, but this time, directed to Bolsonaro. Part of these contents had some "parody" tone and were widespread by the left (for example, Bolsonaro as a satanist), while circulated very little among Bolsonaro's real supporters. These disinformation contents were also directed to specific types of Bolsonaro supporters, such as the evangelical ones. This movement was called "Janonism" as it was led by the federal deputy Andre Janones (AVANTE). While these actions could, effectively, reach some people and create doubts about Bolsonaro, this strategy probably created more informative chaos than solved the disinformation problem. We can also argue that using disinformation to combat disinformation can create conditions for widespread distrust in democratic institutions and more rapidly corrode both the electoral process and democracy itself.

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This context shows how the disinformation narratives that circulated during the campaign were used to create distrust of democracy and democratic institutions. This distrust was instrumentalized by far-right politicians and supporters as the excuse for a possible coup-d-état. These threats happened frequently both by Bolsonaro and several supporters and led to many movements for democracy and coalitions to support fact-checking and help deconstruct these claims.

2. Responses to disinformation: key players and strategies

Disinformation is fought by many stakeholders including civil society, journalists, researchers, and policy makers. There is a complex picture of agents trying to intervene in this scenario, demonstrating that platforms alone are not the central actors in the process of combating disinformation.

In this section, we present the central role of the electoral court, movements towards advocacy for regulation, and the role of researchers, platforms and journalists in this scenario in Brazil, with a huge production on the subject in journals and reports, and some organizational and methodological innovations, as we will explain in this section.

Electoral Court

The electoral court played a central role in Brazilian elections regarding disinformation, something playing an educational role, and sometimes playing a more normative role. Armed with strong institutional power, it controlled requests for removal of disinformation content by platforms. In case of broadcasting disinformation content, the campaigns could be fined, and the court could determine that platforms should remove false content. Towards the end of the election's second round, when the amount of disinformation increased, the court took a polemic stand and decided the platforms had up to two hours to remove the content classified as disinformative. This was an unprecedented decision by Brazilian courts.

In terms of its educational role, during the elections, the electoral court coordinated a series of campaigns through the National Program to Combat **Disinformation**. This program was created in 2019, after the presidential election of 2018, where disinformation took a central role, and in 2021 it became part of the electoral court's permanent agenda. It aims to tackle disinformation about the electoral process and the electronic ballot on social media platforms, which are perceived as harmful to democracy and democratic process in the country.

The references for the program are joint declarations by the UN, OSCE and OAS; international research, almost all of which was from the United States and Europe; and Brazilian documents, especially from the Getulio Vargas

Foundation and the ITS Rio think tank. Currently, the program has 154 partners, including civil society associations, platforms, political parties, think tanks, foundations and universities.

The program has three sections: a) information – focusing on the dissemination of official, reliable, and quality information about the electoral process; b) training – focusing on media literacy in relation to disinformation and the electoral process; c) answers – to identify cases of disinformation and combat strategies, in terms of media monitoring. The first section includes campaigns, WhatsApp chatbots with answers to questions about elections, and dissemination of fact–checking in relation to the electoral process. The second section involves training different stakeholders in relation to disinformation and elections, prevention of mental health of collaborators from electoral justice – who deal directly with combating disinformation, dialogues with political parties to raise awareness of disinformation, cooperation, and support for other public institutions for actions to combat disinformation. Finally, the third section involves permanent coalition for fact-checking, reporting channel on disinformation regarding WhatsApp, permanent coalition for fact-checking, creation of monitoring network regarding disinformation, among others.

Some of the critics of the electoral court efforts say it falls under the information deficit model - that is, understanding the general audience as the receiver of information only. However, the electoral court participated in some **coalition efforts**, which were key to combat disinformation in the Brazilian context.

One of these coalitions was *Coalition for Checking*, a network formed by nine fact-checking agencies to check disinformation in relation to the elections. The fact-checking agencies are: Lupa, AFP, Aos Fatos, Boatos.org, UOL Confere, Estadao Verifica, Fato ou Fake, Comprova and E-Farsas. This action demonstrates that the electoral court achieved so much centrality that even the fact-checking agencies formed a strategic coalition in partnership with the judiciary.

Key Coalitions

Some strategies to combat disinformation in the Brazilian Elections were produced through partnerships and coalitions. This includes partnerships between stakeholders such as platforms, government - especially through electoral courts - fact checking agencies, political parties, researchers and NGOs. We will name them as **disinformation coalitions**. In this section, we present and discuss the three major coalitions in the Brazilian context: Room

Against the Disinformation, Coalition Rights on the Network and Democracia em Xeque.

One of the most important disinformation coalitions was the Room Against the Disinformation (in Portuguese, Sala de Articulação contra a Desinformação, SAD). It brings together civil society organizations and academic entities to discuss the context, prepare studies and articulate actions to foster increasingly safe, healthy and democratic digital spaces. In a collective effort, SAD monitored disinformation tactics employed in campaigns. The four main topics are: electoral integrity, political announcements, political violence in relation to race and gender, and environmental denialism.

In July 2022, 96 civil society organizations published the report "The role of digital platforms in protecting electoral integrity in 2022", with SAD playing a leading role. This document highlighted: 1) general guidelines on electoral integrity; 2) transparent rules to other countries regarding advertisements; 3) policies to combat political violence against women, people of color, indigenous people, and LGBTQIA+ people; 4) policies to combat disinformation that affects the Amazon, the climate crisis, the environment, indigenous people; 5) rules for guaranteeing user rights, and mitigating damages resulting from errors on the part of the platforms.

According to the document, the platforms must ensure the adequacy of policies to the Brazilian context, and establish management protocols for any large institutional crises, indicating the responsible contacts directly to the Electoral Court. Other highlights of the document state that "platforms should not give exception treatment to posts made by political actors". Also, "platforms must be transparent and make public information on how many people they have dedicated to the protection of electoral integrity who speak Portuguese and understand the local context; and what are the internal and external moderation mechanisms, including partnerships with checking agencies". Furthermore, messaging platforms should have clear and effective mechanisms for enforcing their policies against disinformation. Another request in the document is for the platforms to prohibit advertisements and campaigns that are not conducted by actors legitimized by the electoral law.

This document was collectively produced by dozens of civil society organizations. They reveal a more holistic view around disinformation, which points to possible future regulation. Thus, the discourse of organized civil society in the elections sets the stage for the discussion on platform regulation soon after the elections.

Another example is the Coalition Rights on the Network (in Portuguese, "Coalizão Direitos na Rede"), which brings together 52 civil society organizations and advocates for a democratic platform regulation. They advocated universal access to telecommunications infrastructure, internet connectivity and the maintenance of net neutrality. The election project sought to engage with political stakeholders impaired in elections. During the process, it released documents such as a guide for the protection of rights in electoral campaigns, and a document called Commitment to Democracy and Digital Rights. This document connects disinformation and anti-democratic discourse to the need for platform regulation. According to the document, the fight against disinformation is related to the "establishment of obligations and rules on transparency and accountability, as well as parameters for moderating content that allow the fight against abuses without violating rights". It even highlights the importance of data protection and freedom of expression. The document also demands greater algorithmic transparency from platforms.

In October 2022, in the second round of elections, this coalition published a new document, with emergency recommendations for platforms to combat disinformation. Some of the recommendations were: 1) deprioritize in search engines and social media the contents published by pages that produce and circulate disinformation; 2) implement emergency measures in the case of the circulation of disinformation that clearly questions the outcome of the elections, as well as posts calling for acts of violence against the electoral system and the Brazilian democratic system.

Another important anti-disinformation coalition was *Democracia em Xeque* (DX), which worked in partnership with the electoral court. DX served as a hub for academics, political activists, and advocacy groups to undertake a variety of initiatives to combat disinformation. The project has the following lines of action: a) intelligence: a wide network of research that combines digital methods to investigate digital platforms and qualitative focal groups to test messages and gain deep insights into political behavior; b) content creation: development of campaigns such as national young voter registration and the network of Youtubers for Democracy; c) strategic litigation: informing legal action against political violence and democratic threats; d) political organizing and advocacy: participating in debates pressing for more platform accountability in electoral and national laws.

The actions of these disinformation coalitions reveal both the struggle for practical and immediate measures on the part of platforms and policy makers in relation to combating disinformation, as well as being related to broader

disputes around platform regulation. This context helped create greater pressure for platform regulation since Lula won the elections in October 2022, and contributed to an important debate at the beginning of his government. These coalitions were also important players, as their reports and documents became also an important source for the tribunals and politicians to base their actions on.

Legacy Media

Legacy media players were also important in this context. In 2022, the disinformation spreaded during the electoral campaign claimed attention for the Brazilian newspapers and they acted as a players to put it on debate. The three most important newspapers in the country - Folha de S. Paulo, O Estado de S. Paulo and O Globo - had published editorial pieces discussing mainly the lower quality of the discussion presented by the candidates, especially Bolsonaro and Lula, such as Folha de S. Paulo, in an editorial, and the performance of the Electoral Court on that matter.

Looking for disinformation phenomena, the newspapers had an important role in addressing the theme in their editorials. All the vehicles supported the Supreme Court and the programs to fight disinformation; however, they complained about the limits of its power. O Estado de S. Paulo remembers that Bolsonaro and his followers inaugurated "the modern and digital era of fake news and hate speech as an official strategy" but consider that they renew their tactics meanwhile the PT appears to go in the same direction in that election. One of the most prominent agents on the PT side was the federal deputy André Janones, as we discussed previously.

O Globo starts putting the disinformation in debate with the editorial "Bolsonaro's lies are a campaign act". In this piece, the vehicle says that Bolsonaro lies because needs to create a "speech that guarantees the survival of his political group in the face of a probable defeat (OG, July 7, 2022). O Globo also condemned lies told by Bolsonaro himself and his supporters against the electronic voting machines and highlighted the performance of the Supreme Court.

Other vehicles also endorsed the actuation of TSE on the editorials. On the one hand, in "To the polls, citizens" and "Attacking fake news", Folha de S. Paulo recognizes the importance of the Supreme Court during the electoral period. The editorial piece said that the supreme court imposed the rules of the game, punished coup perpetrators and preserved the constitutional balance even when the president of the Chamber and the General Attorney

of the Republic shied away from their supervisory duty" (FSP, October 1, 2022). On the other hand, the newspaper went in the same path of criticism as *O Globo*, accusing the electoral court of censorship when its power was amplified. In "Electoral censor", the newspaper judges some decisions of the Court to obligate Brazilian vehicles as Jovem Pan, and social media platforms to retrieve contents that had imprecise or false information. The episode was framed in the same way by *O Estado de S. Paulo* in "TSE falls into the trap of Bolsonarism". Different from their concurrence, the newspaper claimed attention for the impression that the Electoral Court would be censoring communication vehicles in order to favor some candidate.

Media Innovators

Among the traditional vehicles, some media innovation projects were also relevant. One of the key media innovations combating disinformation in Brazil was the Desinformante organization. Desinformante is simultaneously a media organization focused on holistic, South-to-South coverage on disinformation (including African countries, India, Indonesia, etc.), and also a civil society actor contributing to discussions on disinformation with other civil society actors, the electoral court, policy makers, and NGOs spanning the digital rights sector to other sectors such as environmental activism. One of the challenges is connecting disinformation with people's everyday lives.

According to Nina Santos*, director of Desinformate, the organization "ended up facilitating the circulation of political readings and political strategies, with a stronger public voice based on articulation with other civil society entities, not only digital rights, but also human rights organizations, socio-environmental issues, etc. This helps us narrow the gap between 'digital' and 'non-digital', as this context affects all dimensions of our lives". She recognizes there is a double challenge, as well: both understanding the specificities of processes - such as platform regulation, Al regulation - as well as integrating this into a broader institutional debate.

This double role can be considered an organizational innovation in media and political terms, as this is not common in the Brazilian ecosystem, even in the leftist media during the last decades. Desinformante also produced a digital archive on the 2022 Elections, including data on disinformation in Brazil and actions taken by researchers, civil society actors, platforms, the Court, and other stakeholders.

BOX TEXT 1. What Are The Future Challenges In Fighting Disinformation?

Nina Santos: The first and most obvious challenge is the issue of platform regulation. This is a huge challenge, which is already being disputed and addressed by different stakeholders. But there is a significant part of the issue that will not be resolved by regulation. Disinformation and the circulation of information in digital media is not just a digital issue, and therefore, this will not be resolved with platform regulation alone. There are issues that are social and cultural that are

ingrained in our society. When we talk about hate speech and political violence, this relates both to internal mechanisms of platforms and to broader issues such as structural racism. This is a challenge to understand inequalities, how people get information, what center-periphery relations are like, how people are forming as citizens.

*In an interview conducted by one of the authors in 2023.

Research Groups

As we mentioned earlier, Brazil has many research networks and laboratories around the issue of disinformation and that worked during the election period with research projects and publications. This involved universities and NGOs, such as NetLab (UFRJ), Digital Humanities Lab (UFBA) and the National Network Against Disinformation. On the one hand, the large number of actors – perhaps one of the largest in the world – culminated in a large production of white papers, op-eds, media appearances, brief reports, digital tools, and some national journal articles. On the other hand, it is still not possible to measure the impact of these publications.

The central role of academic research in these Elections was the real articulation with relevant stakeholders - including electoral courts and policy makers. So the data from researchers could be used as an important source to understand strategies around combating disinformation.

The prominent role of universities in combating disinformation was also in building disinformation coalitions, in partnership with other stakeholders - such as the electoral court and social movements, for example.

Platforms

Digital platforms are an essential piece of the efforts to fight disinformation, considering that most of the falsehoods are spread on social media and messaging apps. Brazilian experience demonstrates, however, that if left solely to self-

BOX TEXT 2. Learn more about disinformation research in Brazil!

NetLab was one of the leading research labs to focus its efforts on understanding the disinformation funding and disinformation industry. Digital Humanities Lab led the efforts in relation to disinformation on Telegram, but looking at a broader platform ecosystem, especially connections between Telegram and Youtube.

Rose Marie Santini, director of NetLab**, explained that "the 2022 campaign was a very professional campaign, very well thought out to use all social media marketing tools. The accountability of the candidates shows that 80% of the campaign took place on the platforms. Campaigns used all micro-targeting tools, with narrative testing well in advance of elections. The campaign today starts two years earlier. Another important finding was in relation to the candidates' ads, and how platforms make money with disinformation against the electoral system. In the middle of the election, Facebook put in the terms of use that they were going to collaborate with democracy. But they kept approving ads against the electoral system.

In all the experiments we've done, it seems like it's pretty easy to make these ads. And the platforms completely ignore local laws. If we don't have transparency, we won't know the size of this problem. The core of the platform's business model is advertising. And this system is totally opaque. Advertising has to be completely transparent. Everyone has to account for how much they paid and to whom. And that the platforms ignore".

Leonardo Fernandes Nascimento, Paulo Cesar Fonseca e Leticia Cesarino, researchers of Digital **Humanities Lab**** demonstrated that Telegram is also a space for boosting Youtube. "We observed that some users who were very active were also those who shared the most Youtube links, and were concerned about advertising their own channel: 'look at my channel' dozens of times per video. Telegram was a promotional space for an effectively monetized platform, which is YouTube. YouTube is a central platform for disinformation. A place of mediator between several layers in the ecology of far-right disinformation. On the surface, there is a more moderate audience, but the moderate and the extremist are not disconnected. What unites them is precisely YouTube".

regulation companies mostly fail to design and apply content moderation policies to contain disinformation and political violence. In the absence of a strong framework of co-regulation, the Supreme Electoral Court developed agreement mechanisms and principles to foster more active involvement of digital platforms in fighting disinformation.

Even though the participation was not mandatory, all major social media and messaging application companies have signed the Supreme Court Program

^{**}In an interview conducted by one of the authors in 2023.

for Fighting Disinformation. This collaboration was not without resistance from companies such as Telegram, but it demonstrates the institutional central power of the Brazilian Judiciary branch.

The agreements provide a comprehensive set of efforts to combat disinformation in four categories: a) strengthening authoritative election information; b) capacity building and internal staff training in the Brazilian electoral process and procedures; c) disinformation removal and demotion; and d) data openness about political advertising throughout the election. A full descriptive brief of the platform's response can be reviewed in the Disinformation Pulse report issued by Instituto Igarapé.

Progress has been observed in capacity-building activities, as well as in ongoing communication with civil society organizations. The case of Telegram serves as a pertinent example in this context. Prior to signing the agreement, the company openly disregarded the Brazilian Supreme Court. TSE's president at the time, Edson Fachin, imposed a fine of BRL 1.2 million reais on Telegram and cautioned that the platform risked a complete ban from the country if it continued to defy judicial judgments. In late March, Telegram signed the program, partnered with the electoral court, and appointed a national liaison. Subsequent to these initial challenges, Telegram consented to suspend communications and user accounts in compliance with ensuing judicial orders.

Even so, the responses of digital platforms to the widespread electoral disinformation were found to be delayed and ineffectual. The removal of disinformation, political violence and hate speech by digital platforms during the election was deemed a "disaster" by the president of the Superior Electoral Court Alexandre de Moraes. As this report demonstrated, the campaign was riddled with several high-visibility disinformation campaigns before, during and after the citizens casted their ballots. The moderation policies were insufficient to account for multiple types of misleading information, specifically the anti-democratic claims and calls to military intervention or coup d'etat. Only after the storm of the public buildings in Brasilia, digital platforms announced they would remove insurrectionist publications.

The urgent situation led to an unprecedented and temporary expansion of the power of the electoral court to unilaterally sanction and effectively take down content, profiles and whole groups on digital platforms. This tactic has elicited a mix of temporary support and concerns about judicial intrusion in free expression. Far-right parties and the incumbent candidate, Bolsonaro, have explicitly said that the Supreme Court has overreached its authority by illegally interfering with free speech in the country, contributing to a growing division of public opinion towards the judiciary.

Influencers

One of the major changes in Brazilian electoral scenarios since 2018 to 2022 were the new agents getting in the political arena on social media. Besides political actors who contribute to spread content and debunk disinformation discourse on social media, such as Simone Tebet (who ran for presidency and support Lula in the second term), other Brazilian personalities were important too. They declared their votes on social media and tried to mobilize their audience. Even though the support for some candidates was not a new phenomenon, we could say that the way they engaged with the campaign was different from the past. The last election was unique for gathering so many people with different political views stand by the same candidate - Lula. Artists like Anitta, Caetano Veloso, Gilberto Gil, Chico Buarque and Gal Costa; influencers like Felipe Neto and Casimiro; journalists from different vehicles (including from TV Globo); and former ex-presidents like Fernando Henrique Cardoso e José Sarney declared vote in Lula/PT for the democracy.

Many of those people not only declared their vote but also engaged themselves in the campaign. Others were able to shake social media only by making a statement endorsing Lula's candidacy. Casimiro - a journalist and Youtube influencer - received more than 1 million likes in a tweet denying false information from one of Bolsonaro's sons and upholding Lula.

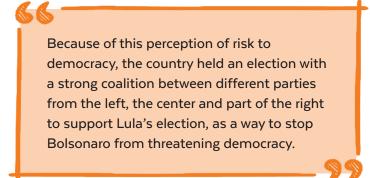
In this scenario, a key figure in the Brazilian electoral campaign was the influencer Felipe Neto. Neto endorsed the impeachment of the former president Dilma Rousseff (PT) and he was once one of the greatest critics of the PT, but changed his mind and became one of the most important supporters of Lula's candidacy. He also acted as an important debunker of fake news during the 2022 election. In the second term, his videos fighting against electoral disinformation achieved 100 million views on different platforms, such as Twitter, Tiktok, and Instagram. He also encouraged younger people to register to vote to defeat Bolsonaro.

In February 2023, Neto was invited to participate in a UNESCO world forum that discussed proposals to regulate social networks and combat disinformation and fake news. In July, the Municipal Chamber of Rio de Janeiro gave him an award for his effort to combat disinformation.

3. What can be learned from Brazil?

Brazil represents a case where political discourse and the fight against disinformation to preserve democracy are united. In this section, we discuss some aspects of those efforts that, in our view, presented interesting results and can be useful to other countries. Those actions were important to minimize the effects of anti-democratic discourses and movements that had tried to attack the system in general. In particular, we refer to coalitions to fight disinformation involving political parties, institutions, media, influencers, research groups, and civil society organizations.

In this particular case, most of the disinformation spread during the campaign came from the far-right, and particularly, by Jair Bolsonaro's supporters. Also, it is important to point out that these narratives were clearly used to support the incentive to a coup-de-état in case the left won the election in the country. Because of this perception of **risk to democracy**, the country held an election with a strong coalition between different parties from the left, the center and part of the right to support Lula's election, as a way to stop Bolsonaro from threatening democracy. This "Democratic Coalition" was the key, first of all, to help spread counter-disinformation efforts from the leftist bubble to other sectors of society who are not usually aligned with the Workers' Party. These different parties and supporters helped to reinforce criticism of Bolsonaro's anit-democratic words and deeds to audiences across the political spectrum and Brazilian society.

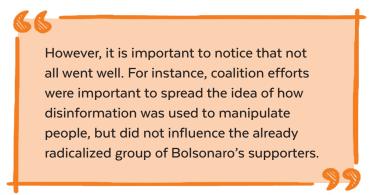


Given this context, other coalitions emerged to create a stronger front against disinformation. The coalitions between researchers and the Electoral **Supreme Court**, for example, were very important to train agents and to inform players about key disinformation narratives that could influence the

debates and the public perception of the election and the electronic ballot box. The research groups were able to feed the Courts with information that helped important decisions, such as quickly taking out problematic content.

Legacy media also played an important part, not only calling out disinformation from Bolsonaro's campaign, but also, showing how this disinformation was false. It is important to notice that all major newspapers and media channels - such as TV Globo, in some way, presented editorials and content fact-checking disinformation from the campaign, which didn't happen before. They also exposed the lies told by Bolsonaro in interviews and debates on TV, not only in social media. It is also important to notice that the concept of disinformation was much more popular and the media also played a role in informing people about it and about social media disinformation in particular.

However, it is important to notice that not all went well. For instance, coalition efforts were important to spread the idea of how disinformation was used to manipulate people, but did not influence the already radicalized group of Bolsonaro's supporters. In this case, these groups became more and more radicalized as they noticed the lack of support to their claims of fraud in institutions and the media. Because of this, these groups became more extreme as they perceived a "national conspiracy" against their ideas. This led to dissatisfaction and revolt against the election of Lula da Silva, perceived as fraudulent. These groups then organized several protests trying to close the roads in the country, camped in front of city's barracks to claim for a military coup and even tried terrorist attacks against energy towers. Later on, these groups invaded the Praça dos Três Poderes in Brasília, an event very similar to the invasion of the capitol in the US.



Although institutional efforts to forge partnerships and establish cooperation protocols with digital platforms can yield mutual agreements, their efficacy is arguably circumscribed in the absence of robust national regulatory mechanism. Several meetings were held during the campaign to discuss elections and evaluate anti-disinformation tactics. Digital platforms received a diverse range of interest groups advocating for digital rights, democracy, journalism, minorities and hate speech. They also convened with Brazilian research groups that investigated the spread of disinformation on digital media to assess shortcomings. Yet, frequent dialogues and an open channel of information were insufficient to build a genuine listening process with meaningful repercussions on digital platforms policies. During the meetings with researchers, the digital platforms either gave superficial explanations of their electoral risk-mitigation plans or behaved defensively to downplay culpability for problems that arose. The Program for Fighting Disinformation, which was signed by internet platforms in collaboration with the Superior Electoral Court, was not being legally enforceable. Although that collaboration was also the subject of Google and Meta advertising campaigns to promote the image of combating disinformation, genuine compliance and enforcement of the requirements were subject to various forms of pressure exerted by civil society organizations since the program did not result in a legislative framework authorized by the National Congress to specifically oversee platform behavior during the election.

> The disinformation coalitions created the perfect storm so that, right after the elections, there was strong pressure for platform regulation against disinformation.

The disinformation coalitions created the perfect storm so that, right after the elections, there was strong pressure for platform regulation against disinformation. Right at the beginning of the Lula government, in January 2023, at least two secretaries were appointed to fight disinformation - in the Ministries of Justice and Social Communication. At the same time, there was the resumption of a bill focused on platform regulation, having as one of its focal points the fight against misinformation. This mobilized key stakeholders - such as civil society organizations against disinformation and researchers to press for the approval of the bill.

At the time of writing this report, no bill has yet been passed regarding platform regulation. However, the Brazilian scenario shows ongoing efforts for structural measures against disinformation, starting from several stakeholders. However, even though Brazil has a series of gaps related both to the role of platforms - such as governance and content moderation - and in relation providing visibility to efforts of combating the disinformation industry, election results and the ultimate prevention of a coup d'etat provide some glimpses of success that could point way forward to other nations.

The precarious preservation of democratic order and power succession in Brazil, which was secured only by a slim margin and after violent riots, exemplifies the high-stakes interplay between institutional mechanisms and civil society mobilization. In this particular socio-political context, the outcome was contingent upon an informal equilibrium, maintained by both formal institutional power and vigorous civic activism. This near-critical state of affairs underscores the vital role that resilient democratic institutions and an engaged civil society perform in fortifying the democratic process. Yet it also brings into light the inadequacies and vulnerabilities inherent in the current regulatory system, highlighting the urgency of implementing more robust and effective governance structures, both in the realm of digital platforms and in the broader socio-political landscape.

Gaps

The problem of disinformation is far from over after the elections in Brazil. On the contrary, there are a series of issues to be addressed by researchers, civil society, platforms and policy makers. Here we list some gaps and future directions.

Disinformation Narratives and Political Participation

One key question is how much the disinformation narratives about elections, voting or politicians are actually able to influence political participation. Can disinformation influence, for example, voting behavior? Can disinformation create barriers for political participation? There is evidence that these narratives influence both mobilization and political radicalization. However, how much disinformation plays a role in this is also yet to be explored. Does radicalization help the spread of disinformation or does disinformation increase adicalization?

The effects of disinformation narratives on trust in democratic systems is another important issue that deserves further research. There is some evidence pointing that disinformation may erode trust, but more evidence is needed. If disinformation can actually corrupt democracy, it implicates serious risks for contemporary democracies and, particularly, to the countries with less solid institutions. Countries from the Global South, for instance, and Latin American countries, which experience dictatorships and have relatively

young democracies may be more at risk if there is more historical revisionism supporting different ideas on what democracy is and how it is connected to electoral participation. Furthermore, what is the actual responsibility of social media platforms as they provide the means to the erosion of democracy through lack of participation and distrust? Other studies need to address these issues, particularly to inform policy makers and governments.

Platform Governance and Content Moderation

This report has evidenced that institutional configurations, and more notably, the proactive role of the Brazilian Superior Electoral Court, have advanced initiatives to curtail disinformation and political violence during the general elections and the subsequent events leading up to January 8, 2023. Despite all major digital platforms in the country endorsing the Program for Fighting Disinformation, our findings underscore a remarkable deficiency and inaccuracy in content moderation.

Primarily, our study indicates that self-regulation is unequivocally inadequate to tackle the formidable challenge of managing far-right movements and leaders with substantial support who openly contest electoral results and engender democratic breakdowns. The dearth of regulatory oversight was partially offset by ancillary actions or infralegal measures, which do not possess the same impact as a robust legislative framework governing platform operations.

This regulatory void engendered a precarious situation, wherein digital platform companies autonomously formulated the rules and procedures of content moderation, neglecting to account for specific local contexts. Notably, in the case of Brazil, these companies failed to acknowledge the nation's longstanding history of military dictatorship and its recent regulations criminalizing attempts against democratic institutions.

Secondly, there are growing concerns about the diminished availability of multiple data sources, which are vital for academics and investigative journalists conducting crucial independent examinations into the dissemination of disinformation across digital platforms. The transparency reports released by these companies fail to provide comprehensive insight into the intricate nature of problematic content circulation. Moreover, direct access to raw data is becoming increasingly challenging and limited.

In light of these observations, we posit that it is paramount for regulatory measures to mandate specialized access to a diverse range of qualified

datasets in a prompt and detailed manner. Crucially, we argue that legal guarantees should ensure access to specific programmatic interface endpoints, such as frequently recommended content, reasons for content and user removal, flagging or labeling, and monetization. By ensuring such access, regulation can foster a more transparent and accountable digital ecosystem, enabling a deeper understanding of disinformation dynamics and thereby informing more effective interventions and strategies.

Thirdly, our analysis reveals a systemic gap in understanding the direct and indirect financial incentives associated with the proliferation of disinformation across digital platforms. The governance of monetization programs is solely under the purview of the companies that facilitate the infrastructure for programmatic transactions of advertising on disinformation websites.

Given this, it is incumbent upon legislative bodies and policymakers to establish specific regulations aimed at enforcing transparency in programmatic advertising. Such regulatory measures should also articulate stringent rules of conduct to preempt the monetization of criminal activities online. The financial dimensions of disinformation spread and exploitation are critical aspects in tackling this complex issue, and as such, must be fully integrated into the broader regulatory framework governing digital platforms.

Lastly, we would argue that a reassessment of the prevailing model of intermediary liability for third-party content on digital platforms is imperative. While we are not advocating for a comprehensive overhaul of Article 19 of the Internet Civil Act, we propose that civil liabilities and fines could be potentially applicable to digital platforms in cases of systemic failures to prevent their technologies from being exploited for criminal activities. Such instances include protests for military intervention and calls for violent coups against democratic institutions. This nuanced reinterpretation of intermediary liability would serve to further hold digital platforms accountable, particularly in cases where their inaction or ineffective moderation may have permitted or indirectly facilitated harmful activities.

All these gaps and future directions could inform next research and responses from the civil society regarding combating disinformation from the Global South perspectives.















