



# Engaging German Influencers

Call for Action

Aspen Institute  Germany

Software Construction Visualization **Fake News** Publicity Trust  
Digital Information Opinion Under Communication Journalists  
Responsibility Analysis Event References Knowledge International  
Democracy Education Traditions Google Context Fake Media  
**Technology** Fake News Propaganda Future Data Flow Innovation  
Opportunities Digital Agenda Hardware Security **Data** Influence  
Economy Policy Leak Hate Discussion Online Marketing Provider  
Fake News Web 2.0 Virtual Reality Digital Information Knowledge Construction

# Action Report

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# STRATEGIES TO COMBAT DISINFORMATION AND HATE SPEECH ON THE INTERNET



More and more people obtain information and news via social media platforms. This applies, in particular, to younger generations. Time spent on social media platforms is increasing, and the reach of shared content is growing steadily. Whether it is Facebook, Instagram, Twitter, YouTube, or TikTok – it is impossible to imagine everyday life without social media platforms and the part they play in shaping public opinion.

As a result, so-called “influencers” are becoming increasingly important. These are people who enjoy a high level of credibility and high reputation among their followers. Influencers are very active on social media and have many followers, likes, shares, and downloads. Consequently, they exert considerable influence on users of social media platforms and contribute to shaping public opinion and agenda setting.

Today, influencers are no longer solely relevant in the communication and marketing strategies of companies but are also gaining importance in the political information ecosystem. With this comes a growing responsibility. In addition to the many positive aspects of social media platforms, they also have some serious downsides. False, inaccurate, or misleading information – so-called disinformation (commonly referred to as “fake news”) – can significantly damage the political opinion-forming process and thus pose a threat to democracy as well as free and open societies. This also applies to conspiracy theories, filter bubbles, and echo chambers.

Influencers can consciously or subconsciously reinforce this phenomenon. On the other hand, they can help to alleviate

the above-mentioned problems. It is all the more important to take a closer look at the role social media and influencers play in the process of political opinion and will formation. The following recommendations are directed towards policy-makers, social media platforms, and influencers.



# RECOMMENDATIONS

## Recommendations to Policy-Makers

- Effectively implementing the Coalition Agreement of the new German government regarding disinformation and hate speech
- Raising awareness among politicians and political decision-makers for their own role and multiplier effect online
- Modernizing the digital communication strategy of the federal government
- Bundling and optimizing existing resources for media literacy through a superordinate entity
- Reducing “gray zone content” by fostering awareness
- More effective regulation of social media platforms to combat misinformation and hate speech
- Creating platform councils which represent the civil society
- Discussing possibilities of a public social media platform, regulated under public law
- Curbing hate speech and identity theft
- Creating a regulatory body to monitor disinformation
- Creating a government agency for the monitoring of foreign disinformation
- Introducing a traffic light system to indicate the transparency of platform providers
- Strengthening media literacy
- Strengthening of the European External Action Service

## Recommendations to Social Media Platforms

- Formulating guidelines and providing training for influencers
- Acting consistently and punishing the breaking of rules regarding disinformation and hate speech
- Editing algorithms – defeating bias
- Constructively addressing gaps in the law
- Establishing a stricter and more transparent approach to younger age groups
- Involving influencers more systematically

## Recommendations to Influencers

- Taking responsibility and developing an ethics code
- Complying with the legal framework
- Preventing the spread of disinformation and hate speech
- Reflecting on and understanding current social-economic developments
- Raising awareness through discussion and reflection





# INFLUENCERS AND THEIR RESPONSIBILITY



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# THE ROLE OF SOCIAL MEDIA

The Internet, and social media platforms in particular, enjoy a growing influence in today's society. The role they play in shaping the opinions and political will of their users can hardly be compared with the role the Internet played in the 1990s and early 2000s. According to a survey by the business federation Bitkom, 300 billion short messages were sent in 2021 in Germany alone. The study shows that around 61 million people over the age of 16 in Germany own a cell or smartphone.<sup>1</sup> In 2021, 67 million people in Germany used the Internet: 100 percent of the people under the age of 50, 95 percent of people between the age of 50 and 69, and 77 percent of people aged 70 and over.<sup>2</sup>

Young people in particular are increasingly obtaining news via social media.

The use of social media plays a paramount role in this context. While 59 percent of the population rarely use social media platforms, 47 percent frequent them at least once a week, and 31 percent claim to spend time on them daily. Across all age groups, the most relevant activities on the networks include posting, sharing, and liking content, as well as viewing the news feed or timeline. The most important platforms with regular, meaning weekly use, are Facebook (28 %) and Instagram (26 %).<sup>3</sup> According to the Digital 2021 Global Overview Report, Germans are spending more and more time on social platforms: in 2020, the average amounted to 84 minutes a day.<sup>4</sup>

The growing influence of social media platforms has diverse causes. The trend can be attributed to the growing number of users as well as to the type of content that is consumed on them. Social media platforms increasingly serve as a source of information for news. According to the Reuters Institute Digital News Report 2021, 31 percent of respondents in Germany occasionally obtain news via social media (2013: 18 %).<sup>5</sup>

Especially younger generations tend to use the Internet, and social media in particular, as their main source of news. This was the conclusion of the Reuters Institute Digital News Report 2021, according to which the Internet was the most important news source for 70 percent of the 18- to 24-year-olds surveyed in Germany. From all online information sources, social media served as the main news source for 25 percent of this age group (2019: 22%). In comparison, this share amounted to only ten percent among all online consumers surveyed. Eight percent of the 18- to 24-year-olds surveyed in Germany attained news exclusively via social media (2019: 5%).<sup>6</sup>

Social media creates a new level of communication encompassing elements of traditional print, radio, and television media, as well as direct communication and interpersonal interaction. Users operate simultaneously as senders and receivers, creating, sharing, and consuming information. According to the Reuters Institute Digital News Report 2021, 19 percent of German respondents share news via social media, messenger services, or email.

<sup>1</sup> Felix Lange, Corona-Jahr 2021: 300 Milliarden Kurznachrichten in Deutschland, Bitkom Research, April 19, 2021, <https://www.bitkom-research.de/de/pressemitteilung/corona-jahr-2021-300-milliarden-kurznachrichten-deutschland> (accessed January 7, 2022).

<sup>2</sup> 25 Jahre ARD/ZDF-Onlinestudie: Nach Corona-Tief steigt die Unterwegsnutzung wieder, Streaming und die Mediatheken sorgen weiter für mehr Mediennutzung im Internet, ARD/ZDF-Onlinestudie, November 9, 2021, <https://www.ard-zdf-onlinestudie.de/ardzdf-onlinestudie/pressemitteilung/> (accessed January 7, 2022).

<sup>3</sup> Natalie Beisch und Wolfgang Koch, "Aktuelle Aspekte der Internetnutzung in Deutschland: 25 Jahre ARD/ZDF-Onlinestudie: Unterwegsnutzung steigt wieder und Streaming/Mediatheken sind weiterhin Treiber des medialen Internets", in: Media Perspektiven, Oktober 2021, pp. 498-500, (accessed January 7, 2022).

<sup>4</sup> GWI, Social. GWI's Flagship Report on the Latest Trends in Social Media, 2021, p. 15, <https://www.gwi.com/reports/social> (accessed January 7, 2022).

<sup>5</sup> Nic Newman et. al, Digital News Report 2021, Reuters Institute for the Study of Journalism, 2021, p. 80, [https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2021-06/Digital\\_News\\_Report\\_2021\\_FINAL.pdf](https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2021-06/Digital_News_Report_2021_FINAL.pdf) (accessed December 20, 2021).

<sup>6</sup> Sascha Hölzig und Julia Behre, Befunde aus dem Reuters Institute Digital News Survey 2021 – Aktuelle Entwicklungen bei der Nachrichtennutzung in Deutschland, Leibniz Institute for Media Research, November 2021, pp. 577-580, [https://www.ard-media.de/fileadmin/user\\_upload/media-perspektiven/pdf/2021/2111\\_Hoelig\\_Behre\\_Korr\\_21-12-14.pdf](https://www.ard-media.de/fileadmin/user_upload/media-perspektiven/pdf/2021/2111_Hoelig_Behre_Korr_21-12-14.pdf) (accessed February 11, 2022); Sascha Hölzig und Uwe Hasebrik, Reuters Institute Digital News Report 2019 – Ergebnisse für Deutschland, Leibniz Institute for Media Research, June 2019, p. 5, [https://www.hans-bredow-institut.de/uploads/media/default/cms/media/os943xm\\_AP47\\_RDNR19\\_Deutschland.pdf](https://www.hans-bredow-institut.de/uploads/media/default/cms/media/os943xm_AP47_RDNR19_Deutschland.pdf) (accessed January 11, 2022).



## Disinformation and Fake News

The terms “disinformation” and “fake news” are often misunderstood or used incorrectly. In some countries, the term fake news is even instrumentalized by politicians to discredit or verbally attack journalists. For this reason, defining both terms precisely is crucial.



### Definition according to the organization First Draft News

According to First Draft News, a leading non-profit organization, disinformation is a subcomponent of fake news. Fake news can be categorized into different types of information based on three elements, namely:

1. the different types of content that are created and shared,
2. the motivations of those who create the content, and
3. the way the content is disseminated.

Based on these elements, the content can be labeled as disinformation, misinformation, or malinformation:

- Disinformation is false or misleading information which is intentionally disseminated with the intent to cause harm.
- Misinformation is false or misleading information that is spread by a person or institution unaware of their error and therefore not disseminated with the intent of causing harm.
- Malinformation describes information that is shared or disseminated for personal or corporate interests, to intentionally cause harm.

Source: Claire Wardle, Fake News – Es ist kompliziert, First Draft, March 17, 2017, <https://de.firstdraftnews.org/fake-news-es-ist-kompliziert/> (accessed January 7, 2022).

According to the organization Democracy Reporting International, a further category could be added to this distinction: half-truths. These, too, pose a significant threat to democracies.

Source: Finn Klebe, Michael Meyer-Resende, Jesse Lehrke, Madeline Brady, Lena-Maria Böswald, and Prihesh Ratnayake, What’s #BTW21 Got to Do With It? Eine Bestandsaufnahme des Online-Diskurses rund um die Bundestagswahl, Democracy Reporting International, December 2021, <https://democracy-reporting.org/uploads/publication/15247/document/de-abschlussbericht-zur-bundestagsw-61af7a86b4c71.pdf> (accessed February 2, 2022).

### Definition according to the European Commission

The terms disinformation and fake news are used synonymously by the European Commission. According to the Commission, disinformation is “verifiably false or misleading information that is created, presented and disseminated for economic gain or to intentionally deceive the public, and may cause public harm.” “Public harm” includes threats to democracies, the formation process of political will, as well as the security of European Union (EU) citizens, or the environment.

Source: European Commission, Tackling online disinformation: a European Concept, April 26, 2018, <https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A52018DC0236> (accessed January 12, 2022); European Commission, Tackling the Spread of Disinformation Online, <https://www.disinfoobservatory.org/wp-content/uploads/2018/11/FactsheetTacklingthespreadofdisinformationonline.pdf> (accessed January 12, 2022).





Social media has a growing influence on political dialog and the opinion-forming process in society. Correspondingly, the responsibility of social media platforms has extended far beyond the sphere of communication and information.

The COVID-19 pandemic fortified this development. It massively accelerated digitization and the growth of online communication. It also added a toxic element to the Ger-

man information ecosystem. According to a study by the think tank Stiftung Neue Verantwortung, disinformation refers to the dissemination of false or misleading content with the strategic purpose of harming a person, organization, or institution. Disinformation and conspiracy theories are not new phenomena.<sup>7</sup> However, both have significantly gained traction during the COVID-19 pandemic. Conspiracy theories such as the claim

## Echo Chamber

The term echo chamber originally referred to a room in a recording studio. This type of room can reflect and reverberate sound in a way that generates an echo. In the context of social media platforms, the term describes the common phenomenon of people surrounding themselves with other people who are of the same opinion. This reaffirms them in their own opinion and reflects it back to them like an “echo.” By individuals not reflecting on and simultaneously reaffirming each other in their beliefs, echo chambers bear the risk of increased radicalization. While the term is often used in reference to the digital space, they are prevalent “offline” as well.

Source: Das Netz, Definition: Echokammer, <https://www.das-netz.de/glossar/echokammer> (accessed January 11, 2022).

that the coronavirus supposedly does not exist or that the government is merely stirring up panic to gain legitimacy to restrict basic rights, are circulating frequently. Many social subculture groups – including the far-right “Reichsbürger” and “Selbstverwalter” – capitalize on the protests against COVID-19 measures to propagate their own agenda.

Tedros Adhanom Ghebreyesus, Director-General of the World Health Organization (WHO) warned in February 2020, “[W]e’re

not just fighting an epidemic; we’re fighting an infodemic.” He continued, “Fake news spread faster and more easily than this virus, and is just as dangerous.”<sup>8</sup> The infodemic refers to an information ecosystem that, due to an overwhelming amount of disinformation, can no longer function as a trustworthy source of information.

## Filter Bubble

The term “filter bubble” originates from the book of the same title by author Eli Pariser. It refers to the filter algorithms of search engines and social platforms. These algorithms show the individual user similar posts to those they have already viewed. Although they are primarily used for marketing purposes and to enhance the use of services, the algorithms stifle the range of information available to individual users. This “information space” is described as a filter bubble. These can cause rigid views of politics and society, which, in the worst case, can lead to echo chambers.

Source: Das Netz, Definition: Filterblase, <https://www.das-netz.de/glossar/filterblase> (accessed January 11, 2022).

<sup>7</sup> Wolf-Dieter Rühl, Measuring Fake News – Die Methode, Stiftung Neue Verantwortung, December 2017, p. 3, [https://www.stiftung-nv.de/sites/default/files/fake\\_news\\_methodenpapier\\_deutsch.pdf](https://www.stiftung-nv.de/sites/default/files/fake_news_methodenpapier_deutsch.pdf) (accessed December 20, 2021).

<sup>8</sup> Von der Pandemie zur Infodemie, faktencheck-gesundheitswerbung.de, October 25, 2021, <https://www.faktencheck-gesundheitswerbung.de/corona/von-der-pandemie-zur-infodemie-54483> (accessed December 1, 2021); World Health Organization, Munich Security Conference, February 15, 2020, <https://www.who.int/director-general/speeches/detail/munich-security-conference> (accessed February 14, 2022).



The amount of misleading and false information on the Internet has increased dramatically. According to Deloitte's Cyber Security Report 2021, 75 percent of the surveyed decision-makers from business and politics consider the manipulation of public opinion through disinformation to be a particular threat. In democratic societies, the media is tasked with contributing to the formation of opinion and will. However, many people find

it more and more challenging to distinguish between trustworthy and dubious sources on the Internet. Trust in social media in Germany is low, according to the Reuters Institute Digital News Report 2021. Only 14 percent of respondents trust news on social media.<sup>10</sup>

**Disinformation spreads faster than true content.**

Researchers have pointed at the risks, which social media platforms pose, for years. According to a study by the Massachusetts Institute of Technology (MIT) from 2017, truth took up to six times as long as falsehoods to reach an audience on Twitter and reached more people than true information.<sup>11</sup>

Spreading disinformation, conspiracy theories, hate speech, and discrimination on the Internet and social media platforms is simple. Given the enormous amounts of data and information that are shared on the Internet daily, social media platforms struggle to check the content for its accuracy and truthfulness.<sup>12</sup>

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## Hate Speech

The term hate speech generally encompasses both legally actionable and non-actionable forms of expression on the Internet and social media platforms. This includes statements that defame, attack, or incite violence or hatred against people. Such verbal attacks are often directed against vulnerable individuals or groups and are, among other things, racist, antisemitic, and/or sexist. The statements are guided by the notion that certain groups of people are worth less than others and that they should therefore be denied rights. In addition to appearing as comments on social media, hate speech can also be expressed through memes, images, or satire.

Sometimes hate speech is deliberately commissioned and people are paid to post certain comments to spread ideologies. These people are referred to as "haters" or "trolls". Statements can usually be identified based on a similar structure or pattern they follow.

Source: n.A., Was ist Hate Speech?, Amadeu Antonio Foundation, n.d., <https://www.amadeu-antonio-stiftung.de/digitale-zivilgesellschaft/was-ist-hate-speech/> (accessed January 07, 2022); n.A., Was ist Hate Speech?, Federal Agency for Civic Education (bpj), July 12, 2017, <https://www.bpb.de/252396/was-ist-hate-speech> (accessed January 07, 2022).

<sup>9</sup> Cyber Security Report 2021 Wahljahr 2021 – digitale Meinungsbildung ein Risiko, Deloitte Deutschland, 2021, 11, <https://www2.deloitte.com/content/dam/Deloitte/de/Documents/risk/Deloitte-Cyber-Security-Report-2021.pdf> (accessed December 20, 2021).

<sup>10</sup> Nic Newman et. al, Digital News Report 2021, Reuters Institute for the Study of Journalism, 2021, p. 80, [https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2021-06/Digital\\_News\\_Report\\_2021\\_FINAL.pdf](https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2021-06/Digital_News_Report_2021_FINAL.pdf) (accessed December 20, 2021).

<sup>11</sup> Soroush Vosoughi, Deb Roy, and Sinan Aral, The Spread of True and False News Online, MIT Initiative on the Digital Economy Research Brief, March 9, 2018, p. 2, <https://ide.mit.edu/wp-content/uploads/2018/12/2017-IDE-Research-Brief-False-News.pdf> (accessed December 20, 2021).

<sup>12</sup> Katharina Breyer, Annika Holderried, Alessa Schmid, and Bela Mutschler, Social Media und der Einfluss auf die politische Meinungsbildung, Ereignishorizont Digitalisierung, June 30, 2019, <https://ereignishorizont-digitalisierung.de/gesellschaftspolitik/social-media-und-der-einfluss-auf-die-politische-meinungsbildung/> (accessed December 20, 2021).

# INFLUENCERS AND THEIR IMPACT ON OPINION FORMATION

The role influencers play in the formation of opinion and political decision-making process is growing. They share or post political content, make recommendations for whom to vote, or even act on behalf of political parties. However, unlike news agencies, they are usually not obliged to report independently, nor are they required to check their information for accuracy or substantiate it. At the same time, influencers enjoy a considerable amount of trust among social media users.<sup>13</sup> 30 percent of 16- to 24-year-olds in the United Kingdom (UK), the United States, and Germany trust the recommendations of an influencer on YouTube more than those of a friend. Among 25- to 34-year-olds, the amount totals 35 percent, and 32 percent among 35- to 44-year-olds. This creates a conscious or subconscious potential to share one-sided information and spread disinformation. At the same time, influencers can contribute to containing this trend.

Since there is no professional designation for influencers, it is difficult to assess the exact number of influencers working in Germany and the industry they are active in. Most studies are based on surveys and estimates. The 2015 study “Markenempfehlungen in sozialen Medien” (English: “Brand Recommendations in Social Media”) by the advertising agency webguerillas and the Macro-media University of Applied Sciences found that among the 15.9 million online users in Germany, who regularly advertise products on social media, 4.6 million are considered influencers.<sup>14</sup>

According to a representative survey (2018) conducted on behalf of the business association Bitkom, one in five respondents (20 %) follows an influencer. Among 14- to 29-year-olds, this applied to almost every second person (44 %).<sup>15</sup>

## WHO IS AN INFLUENCER?

Opinion leaders and makers have always existed. The Austrian – US-American sociologist Paul Felix Lazarsfeld, for example, examined the significance of opinion leaders in a study published in 1944.<sup>16</sup> He concluded that they significantly influence the voting decisions of their fellow citizens.<sup>17</sup>

The term opinion leadership expresses the degree of influence one person has on another.<sup>18</sup> In the 1960s and 1970s, media effect models such as the Two-Step Flow of Com-

munication were developed in a further attempt to explain the concept of opinion leadership.<sup>19</sup> During this time, the main focus was on mass media, in particular print and radio, from which content was broadcasted to a rather passive part of society. Gradually, television also became a mass media that served the same purpose

However, the development and widespread use of the Internet and the emergence of social media fundamentally changed these dy-

<sup>13</sup> Realität im Influencer Marketing: TIKTOK und YouTube im Fokus, TAKUMI, May 2020, p. 5, <https://takumi.com/wp-content/uploads/research/The-Realities-of-Influencer-Marketing-DE.pdf> (accessed January 9, 2022).

<sup>14</sup> Empfehlungen im Social Web: 4,6 Millionen sind ‘Influencer’, May 18, 2015, [https://www.markenartikel-magazin.de/\\_rubric/detail.php?rubric=marke-marketing&nr=17570&PHPSESSID=mt2abtme3mb7mh6nvsjkg5j43](https://www.markenartikel-magazin.de/_rubric/detail.php?rubric=marke-marketing&nr=17570&PHPSESSID=mt2abtme3mb7mh6nvsjkg5j43) (accessed January 5, 2022).

<sup>15</sup> Jeder Fünfte folgt Online-Stars in sozialen Netzwerken, Bitkom e.V., March 16, 2018, <https://www.bitkom.org/Presse/Presseinformation/Jeder-Fuenfte-folgt-Online-Stars-in-sozialen-Netzwerken.html> (accessed December 20, 2021).

<sup>16</sup> Paul Felix Lazarsfeld, Bernard Berelson, and Hazel Gaudet, “The People’s Choice. How the Voter Makes Up his Mind in a Presidential Campaign,” in Monika Taddicken (ed.), Schlüsselwerke der Medienforschung, Wiesbaden: Springer VS, 2016, pp. 25-36.

<sup>17</sup> Katharina Breyer, Annika Holderried, Alessa Schmid, and Bela Mutschler, Social Media und der Einfluss auf die politische Meinungsbildung, Ereignishorizont Digitalisierung, June 30, 2019, <https://ereignishorizont-digitalisierung.de/gesellschaftspolitik/social-media-und-der-einfluss-auf-die-politische-meinungsbildung/> (accessed December 20, 2021).

<sup>18</sup> Gerd Brüne, Meinungsführerschaft im Konsumgütermarketing: Theoretischer Erklärungsansatz und empirische Überprüfung, Heidelberg: Physica-Verlag, 1989, p. 12; Werner Kroeber-Riel and Peter Weinberg, Konsumentenverhalten, 8th, akt. and erg. Aufl., Munich: Franz Vahlen Munich, 2003, p. 518; Everett M. Rogers and David G. Cartano, “Methods of Measuring Opinion Leadership,” in: Public Opinion Quarterly, Art 26, No. 3, Fall 1962, p. 439.

<sup>19</sup> Matthias Dressler and Gina Telle, “Theorien und Konzepte in der Meinungsführerforschung“, in: Meinungsführer in der interdisziplinären Forschung: Bestandsaufnahme und kritische Würdigung, Wiesbaden: Gabler, 2009, pp. 52-163.





namics. Today, social media enables every citizen – to a much greater extent than in the past – to express their own opinion, actively shape the discourse, and influence debates. The former “one-to-many” communication of classic media thus evolved to a “many-to-many” discussion.<sup>20</sup> This means that many diverse participants communicate with each other on social media platforms and supply each other with information and news.

As a consequence, influencers and content creators are more and more assuming the function of former opinion leaders.<sup>21</sup> They are characterized by their considerable reputation among followers, a high level of attributed credibility, frequent activity on social media, as well as numerous followers, likes, shares, subscribers, and downloads.

## Influencers

Influencers – deriving from the verb “to influence” – are people who, due to their strong presence, reputation, and reach on social platforms, have a great influence on their “followers”. They “generate opinion”. Influencers publish content on their own accord at a high and regular frequency, thus evoking social interactions. Such opinion makers can be journalists, professionals, or experts; YouTubers, Instagrammers, celebrities, and politicians. In some cases, they may use their reach to promote products or lifestyles via social media channels such as Facebook, Instagram, YouTube, Snapchat, Twitter, or Telegram.

Source: (based on) Frank Deges, Influencer. Definition: Was ist „Influencer“?, in Gabler Wirtschaftslexikon, <https://wirtschaftslexikon.gabler.de/definition/influencer-100360> (accessed January 6, 2022).

## WHAT TYPES OF INFLUENCERS EXIST?

Influencers can be typologized in different ways. One way to distinguish them, for example, is according to the number of their followers. Nano-influencers have approximately 1,000 to 10,000 followers; micro-influencers 10,000 to 100,000 followers. Individuals with a range of 100,000 to one million followers are considered macro-influencers. Influencers with accounts that exceed this number in followers are classified as mega-influencers.<sup>22</sup>

However, since the number of followers can easily be manipulated, the so-called “engagement rate” is often used as additional parameter.<sup>23</sup> Other possible typologies are based on subdivisions according to target groups (e.g.

peer influencer, social influencer), motivation (entertainer, expert, corporate ambassador), or values, topics, main platform, and degree of professionalization.

A study by the Macromedia University of Applied Sciences and the agency Territory applies a typology that categorizes influencers based on their motives.<sup>24</sup> The motives are categorized as follows: the desire for attention, altruism, and empowerment, self-revelation, money, and justice. Based on their motives, influencers can be identified as either rationalists, extroverts, experts, idealists, or storytellers.

<sup>20</sup> Katharina Breyer, Annika Holderried, Alessa Schmid, and Bela Mutschler, Social Media und der Einfluss auf die politische Meinungsbildung, Ereignishorizont Digitalisierung, June 30, 2019, <https://ereignishorizont-digitalisierung.de/gesellschaftspolitik/social-media-und-der-einfluss-auf-die-politische-meinungsbildung/> (accessed December 20, 2021).

<sup>21</sup> Amelie Duckwitz, Influencer als digitale Meinungsführer: Wie Influencer in sozialen Medien den politischen Diskurs beeinflussen – und welche Folgen das für die demokratische Öffentlichkeit hat, 2019, Friedrich-Ebert-Stiftung Politische Akademie Medienpolitik, p. 3, <https://library.fes.de/pdf-files/akademie/15736-20200702.pdf> (accessed January 13, 2022).

<sup>22</sup> Hermann Litau, Mikro vs. Makro-Influencer? Wer ist effektiver?, ALL: AIRT, June 1, 2020, <https://allairt.com/insights/influencer-marketing/mikro-vs-makro-influencer-wer-ist-effektiver/> (accessed December 22, 2021).

<sup>23</sup> Cf. *ibid.*

<sup>24</sup> Influencer: Mehr Rationalisten als Idealisten, Territory, March 25, 2021, <https://territory.de/influencer-mehr-rationalisten-als-idealisten/> (accessed January 5, 2022).

## TOP 5 in Germany according to the ranking by Reachbird

(as of February 2022)

### Instagram

1. Toni Kroos – with a reach of 30.9 million followers on Instagram, the soccer player is one of the top influencers in Germany.
2. Lisa and Lena – the twins have 16.8 million followers on Instagram.
3. Pia Wurtzbach – the model and actress has 13.3 million followers on Instagram.
4. Pamela Reif – is a web video producer and influencer who is followed by 8.3 million people on Instagram.
5. Bianca Claßen – known for her lifestyle, fashion, and cosmetics videos, she has 7.8 million followers on Instagram.

### TikTok

1. Younes Zarou – is a German web producer and influencer and Germany's widest-reaching user of the TikTok platform with 44.2 million followers.
2. Christoph Brückner – the Austrian has 22.1 million followers on TikTok.
3. Avemoves – the dancer from Bremerhaven has 15.4 million followers on TikTok.
4. Nic Kaufmann – the TikTok star has 14.2 million followers on TikTok.
5. Lisa and Lena – the twins have 13.6 million followers on TikTok.

## TOP 5 in the German politics context according to the ranking by Focus

(as of January 2022)

1. Rezo – the YouTuber is followed by almost 1.6 million followers.
2. Louisa Dellert – she has 470,000 followers on Instagram.
3. Diana zur Löwen – the influencer has over one million followers on Instagram.
4. Julien Bam – is followed by a total of 5.75 million followers on YouTube.
5. Felix von der Laden – the YouTuber has more than 3.2 million followers.

## TOP 5 worldwide according to the ranking by Influencer Packet Hub

(as of January 2022)

1. Cristiano Ronaldo – the soccer star has 389 million followers on Instagram.
2. Selena Gomez – a total of 289 million follow the actress and singer on Instagram.
3. Kylie Jenner – the reality TV star is followed by 301 million followers on Instagram.
4. Lionel Messi – the soccer star has over 300 million followers on Instagram.
5. Kendall Jenner – the model has more than 212 million followers on Instagram.

Sources: Reachbird, February 2022, <https://www.reachbird.io/de/> (provided prior to the publication on January 13, 2022).

Werner Geyser, Top Instagram Influencer in 2022 I + kostenloses Suchwerkzeug. Influencer Marketing Hub, December 14, 2021, <https://influencermarketinghub.com/de/top-instagram-influencer/> (accessed January 13, 2022).

Sara Sievert. Diese Influencer (die meisten weiblich) könnten die nächste Bundestagswahl entscheiden. Focus Magazin Online. Politik Ressort, February 14, 2020, [https://www.focus.de/politik/deutschland/politik-diese-influencer-die-meisten-weiblich-koennten-die-naechste-bundestagswahl-entscheiden\\_id\\_11639947.html](https://www.focus.de/politik/deutschland/politik-diese-influencer-die-meisten-weiblich-koennten-die-naechste-bundestagswahl-entscheiden_id_11639947.html) (accessed January 13, 2022).



Of the approximately 47,000 influencers surveyed worldwide, the rationalists represented the largest group of influencers at just under 30 percent. They were primarily monetarily motivated. Their preferred channels were Instagram, TikTok, and YouTube. Extroverts comprised the second largest group at just under 23 percent. They were motivated by a need for recognition and participation. Three out of four extroverts said they sought to share their experiences to support a product they are satisfied with. Their preferred platforms tended to emphasize visual content (Instagram, Snapchat, and Pinterest).

The third category which consists of experts seemed to be the most relevant for political communication. They made up just under 20 percent. Experts address the target group in a similar fashion as political parties do. Overall, 88 percent demonstrated their professional expertise on the web, while 92 percent of the experts also stated that they would like to influence the general improvements of a brand or product. Their preferred platforms of communication were broad – ranging from Instagram, Twitter, and YouTube to LinkedIn. In comparison to the experts, the

fourth group of influencers, the idealists, defined themselves by their sense of responsibility. 92 percent of them sought to help “good brands” succeed if they were convinced of their contents or products. Idealists tried to bring about change out of conviction and often addressed topics of social relevance. After Instagram, Twitch was their preferred channel.

**The impact of influencers heavily depends on their authenticity.**

Whether and how impactful an influencer is depends on various factors, including authenticity. Another relevant factor is the quality of the communicated content, according to Hellenkemper.<sup>25</sup> Equally important is the individual’s reputation. Influencers often have a large network in the scene and surround themselves with other reputable influencers that are active in the same industry. Finally, the so-called “brand fit”, the influencer’s credibility in relation to the brand, matters greatly.

## INFLUENCERS IN CORPORATE COMMUNICATIONS

Influencers play a paramount role in the communication and marketing strategies of various companies.<sup>26</sup>

In this context, a distinction can be made between “influencer marketing” and “influencer relations”.<sup>27</sup> Influencers in marketing are focused on engaging with a target group in a profit-oriented manner. The strategy of “influencer marketing” seeks to integrate a product, brand, or company into the content of a social media opinion leader. This strategy intends to positively influence the consumer behavior of the target group. Influencer marketing is thus focused on the sales market.

“Influencer relations”, on the other hand, follow a stakeholder-approach. The aim here is to foster long-term relationships with influencers to boost the image and reputation of a company or to convey certain information and opinions. Although influencer relations are often advertised as purely idealistically remunerated jobs, the influencers involved are often monetarily compensated as well.

In both cases, corporate communications witness a change in their modus operandi as a result. Choosing to communicate through influencers can be the key to unlocking the door to the digital generation.

<sup>25</sup> Mona Hellenkemper, „The Perfect Fit: Wie jedes Unternehmen passgenaue und hochwertige Influencer identifiziert“, in: Annika Schach and Timo Lommatzsch (eds.), *Influencer Relations: Marketing und PR mit digitalen Meinungsführern*, Wiesbaden, Springer Gabler, 2018, pp. 201 ff.

<sup>26</sup> Annika Schach, *Botschafter, Blogger, Influencer: Eine definitorische Einordnung aus der Perspektive der Public Relations*, in: Timo Lommatzsch (ed.), *Influencer Relations: Marketing und PR mit digitalen Meinungsführern*, Wiesbaden: Springer Gabler, 2018, pp. 27-47; Peter J. Fries, *Influencer-Marketing: Informationspflichten bei Werbung durch Meinungsführer in Social Media*, Wiesbaden: Springer Vieweg, 2019, p. 4.

<sup>27</sup> Timo Lommatzsch, *Begriffsklärung: Influencer Marketing vs. Influencer Relations*, in Annika Schach and Timo Lommatzsch (eds.), *Influencer Relations: Marketing und PR mit digitalen Meinungsführern*, Wiesbaden: Springer Gabler, 2018, pp. 23 ff.



## POLITICAL INFLUENCERS

Influencers are no longer just brand ambassadors. They use their platforms more and more for political purposes. A number of initially rather apolitical influencers (e.g. from the music, fashion, or beauty industry) now likewise address topics such as sustainability, climate protection, lifestyle issues, and/or so-

cial justice. The shift from sharing content with a mere entertainment to a politically motivated purpose by numerous influencers has contributed significantly to the emergence of a new dynamic on social media.



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# POLITICS ON THE INTERNET



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## POLITICIANS AND SOCIAL PLATFORMS

Political parties in Germany discovered the advantages of addressing younger voter groups via social media platforms as early as during the 2009 federal election campaign. These platforms offer low-threshold opportunities for participation and require a lower degree of formalization than other means. However, the results of online election campaign strategies were modest, as content was not tailored in a fashion that appealed to diverse groups of voters. Since then, the parties' election campaigns on social media platforms have expanded and been significantly professionalized.

Social media played a much greater role in the 2021 German federal elections than in the past, despite just under 40 percent of all candidates having had professional social media accounts on the major platforms.<sup>28</sup> The growing importance of social media can in part be attributed to the COVID-19 pandemic.<sup>29</sup> Due to existing contact and event restrictions, many traditional formats, which would have usually been held in person, could not be carried out or were restricted. This limited the opportunities for live discussion rounds, door-to-door campaigning, and election parties. Large platforms, in particular Facebook, Twitter, YouTube, and Telegram, were used as alternatives.

### Social Media is gaining importance in election campaigns.

A survey conducted by the Tagesspiegel together with Democracy Reporting International found that there were considerable differences in the impact political parties have offline and online.<sup>30</sup> The candidates of the largest parties, for example, were not the candidates with the highest number of followers on social media. While Christian

Linder, from the Free Democratic Party (FDP), was in first place regarding the number of followers on Instagram, the leading candidate from the Christian Democratic Union (CDU), Armin Laschet, only came in fifth place. Jürgen Todenhöfer, founder of the "Team Todenhöfer" party, which was listed under "Others" on the ballot, had the most followers of all the candidates on Facebook.<sup>31</sup>

One aspect that explains this phenomenon is the diverging use of social platforms by different voter groups. While younger voters increasingly use social media to inform themselves, older voters tend to use traditional media for this purpose.<sup>32</sup> In addition, the opinions of the users play a greater role on social media. Social media offers parties the opportunities to target individuals and groups more specifically and engage them in respectively tailored discussions.

However, as the use of social media increases, so does the risk of abuse. In the period leading up to the 2017 German federal election, for example, social bots were responsible for up to 20 percent of messages on Twitter concerning the election. Fake profiles created a seemingly larger group of followers for the parties. A study from 2017 measured that 38 percent of followers of the Christian Social Union party in Bavaria (CSU) on Twitter had shared no information or pictures of themselves, nor had posted any tweets. This suggests that the respective accounts were likely fake. The figure in this regard totaled 36 percent for the FDP on Twitter, and 25 percent for the Alternative for Germany (AfD).<sup>33</sup>

Comparable data on the 2021 election campaign is not yet available. It is, however, evident that disinformation on social media once again posed a significant problem.

<sup>28</sup> Wie der Wahlkampf 2021 auf Social Media geführt wurde, Tagesspiegel and Democracy Reporting International, November 16, 2021, <https://interaktiv.tagesspiegel.de/lab/social-media-dashboard-bundestagswahl-2021/> (accessed January 9, 2022).

<sup>29</sup> Vincent Hofmann and Matthias C. Kettemann (eds.), Plattformregulierung im Superwahljahr 2021: Ergebnisse rechtswissenschaftlicher, sozialwissenschaftlicher und datenwissenschaftlicher Studien zu Parteien und Plattformen im Bundestagswahlkampf, in Arbeitspapiere des Hans-Bredow-Institut, Projektergebnisse No. 61, December 2021, p. 6, [https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt87561\\_AP61Superwahljahr.pdf](https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt87561_AP61Superwahljahr.pdf) (accessed January 5, 2022).

<sup>30</sup> Wie der Wahlkampf 2021 auf Social Media geführt wurde, Tagesspiegel and Democracy Reporting International, November 16, 2021, <https://interaktiv.tagesspiegel.de/lab/social-media-dashboard-bundestagswahl-2021/> (accessed January 9, 2022).

<sup>31</sup> Cf. *ibid.*

<sup>32</sup> Natalie Beisch and Wolfgang Koch, Aktuelle Aspekte der Internetnutzung in Deutschland: 25 Years of ARD/ZDF-Onlinestudie: Unterwegsnutzung steigt wieder und Streaming/Mediatheken sind weiterhin Treiber des medialen Internets, in Media Perspektiven, October 2021, 491, [https://www.ard-zdf-onlinestudie.de/files/2021/Beisch\\_Koch.pdf](https://www.ard-zdf-onlinestudie.de/files/2021/Beisch_Koch.pdf) (accessed January 7, 2022).

<sup>33</sup> Digital Nachlese zur Bundestagswahl 2017, Grimme Lab, October 1, 2017, <https://www.grimme-lab.de/2017/10/02/digitale-nachlese-zur-bundestagswahl-2017/> (accessed January 9, 2022).



The Institute for Strategic Dialogue examined digital hate and disinformation campaigns directed against the three leading candidates of the CDU/CSU, Social Democratic Party (SPD) and The Greens party (Bündnis 90/Die Grünen) on Facebook and Telegram in the run-up to the Bundestag (Germany's lower chamber of parliament) elections. The study demonstrates that Annalena Baerbock (Bündnis 90/Die Grünen) was exposed to significantly more hostility and disinformation campaigns than Olaf Scholz (SPD) and Armin Laschet (CDU).<sup>34</sup>

The non-governmental organization AAVAZ analyzed around 900 fact-checks from

Agence France-Presse (AFP), Deutsche Presse-Agentur (dpa), and Correctiv from January 1 to September 27, 2021, after the Bundestag elections. While the authors of the study found that most of the false news related to the coronavirus, they also identified over 90 disinformation narratives concerning German politicians. Annalena Baerbock, the Greens' candidate for chancellor, was in first place on the list of the top ten politicians who were the main target of disinformation. Overall, politicians from centrist parties (The Greens (44%), CDU/CSU (36%) and SPD (17%)) were particularly affected by disinformation.<sup>35</sup>

## Social Bots

The term is derived from the abbreviation “bot” for robot and refers to computer programs that administer certain actions. On social media platforms, they are often used to intensify debates, circulate topics, spread disinformation, or fabricate a large number of users. Since it is difficult to distinguish them from regular users, they often succeed in achieving their goals. Bots can imitate the behavior of regular users, such as following accounts, sending friend requests, posting, and commenting. Artificial intelligence is not necessary for the bots to carry out such actions. They do not function in a self-determined manner, but act based on predefined chains of action. For this purpose, posts on social platforms are automatically searched for keywords or hashtags. Certain keywords will activate the bot to execute its programmed actions. While simple bots can only reproduce predefined posts, more complex bots are able to compile individual statements from other posts.

Bots can make users mistakenly think that certain statements or individuals are receiving a lot of support. However, it is difficult to determine how many bots exist and how much influence they exert on the process of forming political will.

Source: Federal Agency for Civic Education (bpb), Was sind Social Bots?, July 14, 2017, <https://www.bpb.de/252585/was-sind-social-bots> (accessed January 12, 2022).

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<sup>34</sup> Julia Smirnova, Hannah Winter, Nora Mathelemuse, Mauritius Dorn, and Helena Schwertheim, Digitale Gewalt und Desinformation gegen Spitzenkandidat:innen vor der Bundestagswahl 2021, Institute for Strategic Dialogue, <https://www.isdglobal.org/isd-publications/digitale-gewalt-und-desinformation-gegen-spitzenkandidatinnen-vor-der-bundestagswahl-2021/> September 2021 (accessed February 2, 2022).

<sup>35</sup> AAVAZ, Deutschlands Desinformations-Dilemma 2021, September 6, 2021, 2, [https://avaazimages.avaaz.org/bundestagswahl\\_2021\\_final\\_version.pdf](https://avaazimages.avaaz.org/bundestagswahl_2021_final_version.pdf) (accessed January 9, 2022).

## INFLUENCERS AND POLITICAL WORK



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In recent years, influencers have also become important in the work of political parties. The most prominent examples are the well-known German YouTuber LeFloid, who interviewed Chancellor Merkel in 2015, followed by Lisa Sophie Laurent, Mirko Drotschmann (“MrWissen2go”), Ishtar Isik, and Alexander Böhm (“AlexiBexi”). They also each interviewed Chancellor Merkel and her political opponent Martin Schulz in the run-up to the 2017 federal election.<sup>36</sup>

In the context of the 2019 European Parliament elections, several German influencers campaigned for higher voter turnout under the hashtag “diesmalwähleich” (English : “this time I am voting”), including influencers Diana zur Löwen and video producer Alexander Böhm (“AlexiBexi”).<sup>37</sup> During the 2021 German federal elections influencers also reported on and directly or indirectly

shared voting recommendations. Influencer Louisa Dellert mainly educated about topics in the field of sustainability, feminism, and environmentally conscious living on Instagram and YouTube, while YouTuber Marvin Neumann presented alternatives to the major parties.<sup>38</sup> There were no major official interview formats between influencers and potential chancellor candidates during the 2021 federal election campaign. However, the influencer Fabian Walter (“Steuerfabi”) conducted an interview with Christian Lindner, the FDP’s leading candidate.<sup>39</sup>

The disruptive power of influencers became particularly evident in a video that YouTuber Rezo published in May 2019, just days before the European elections. The video was titled “Die Zerstörung der CDU” (English: “The Destruction of the CDU”). His statements on the unfulfilled promises of established parties concerning topics such as social justice, climate change, technology policy, and Germany’s role in NATO struck a nerve among young German voters.<sup>40</sup> The video, which was viewed more than 19 million times, triggered a crisis within the CDU and sparked an intense debate about the role of influencers in elections. It also called the degree of professionalization of political officeholders and elected officials regarding their communication strategies on social platforms into question.<sup>41</sup>

With the importance of influencers in the digital information ecosystem growing, so does their ethical and social responsibility. This responsibility reaches far beyond mere purchase and product recommendations.

<sup>36</sup> Amelie Duckwitz, *Influencer als digitale Meinungsführer: Wie Influencer in sozialen Medien den politischen Diskurs beeinflussen – und welche Folgen das für die demokratische Öffentlichkeit hat*, Bonn: Friedrich-Ebert-Stiftung, 2019, p. 4, <https://library.fes.de/pdf-files/akademie/15736-20200702.pdf> (accessed on January 12, 2022).

<sup>37</sup> Amelie Duckwitz, *Influencer als digitale Meinungsführer: Wie Influencer in sozialen Medien den politischen Diskurs beeinflussen – und welche Folgen das für die demokratische Öffentlichkeit hat*, Bonn: Friedrich-Ebert-Stiftung, 2019, p. 4, <https://library.fes.de/pdf-files/akademie/15736-20200702.pdf> (accessed on January 12, 2022).

<sup>38</sup> Cf. *ibid.*

<sup>39</sup> Lukas Gottschick, Fabian Walter aka. Steuerfabi live with Christian Lindner, *bank-verbundung.de*, May 19, 2021, <https://www.bank-verbundung.de/2021/05/19/fabian-walter-aka-steuerfabi-live-mit-christian-lindner/> (accessed January 17, 2022).

<sup>40</sup> Jesse Lehrke and Finn Klebe, *Election Monitor Germany 2021 – Research Brief #3*, September 2021, Democracy Reporting International, <https://democracy-reporting.org/en/office/EU/news/election-monitor-germany-2021-research-brief-3> (accessed January 5, 2022).

<sup>41</sup> Valentin Dander, “Generation Youtube: Die Zerstörung der Politik oder die Fortsetzung von Politik mit anderen Mitteln”, in: *Medienimpulse*, Art 57, No. 3, September 2019, 85, [https://www.uibk.ac.at/iup/buch\\_pdfs/jugendliche\\_mediennutzung/10.1520399106-014-7-10.pdf](https://www.uibk.ac.at/iup/buch_pdfs/jugendliche_mediennutzung/10.1520399106-014-7-10.pdf) (accessed January 5, 2022).





# RECOMMENDATIONS TO POLICY-MAKERS



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## BACKGROUND: THE GERMAN AND EUROPEAN LEGAL SITUATION

The potential interference in the 2016 U.S. elections initiated a debate in society about social media and the phenomenon of disinformation. It played a significant role, both in Germany as well as in the EU in the run-up to the 2017 Bundestag and the 2019 European elections. The fear that disinformation would harm both election processes did not manifest itself. However, it became apparent that existing regulations and laws were no longer adequate to suit the needs of the digital age.<sup>42</sup>

This realization resulted in a gradual modification of existing laws as well as new initiatives being launched at the German and European level. These can be differentiated according to the addressee, meaning either a) a legal person, for example an influencer, or b) a tele-media service provider or an online platform. Regarding combating disinformation, a law in the case of a) could determine whether an influencer must check their own posts for truthfulness, while in the case of b) a platform could be obliged to inspect the content of the influencer for its truthfulness.

## REGULATION OF INFLUENCERS

Society perceives influencers as a professional group. Being an influencer, however, is not considered a profession in legal terms. They are, therefore, not subject to any profession-related regulations. Despite their ambiguous professional distinction, there are at least three fundamental rulings concerning influencer marketing, which require influencers identify advertising on social platforms.<sup>43</sup> In the case of combating disinformation, however, influencers continue to derive regulatory obligations from overarching legislation, such as the Interstate Broadcasting Treaty (RStV) or its successor, the Medienstaatsvertrag (MStV, English: “Interstate Media Treaty”). The latter has been in force since November 7, 2020.

Under the new MStV regulation, individuals who work in the journalistic-editorial field must follow due diligence when reporting regularly or on political news (according to Article 19 of the MStV).<sup>44</sup> This includes in-

specting news for its origin, content, and truth. In this context, freedom of the press and of expression must be weighed against the right to privacy. Compliance with the regulation is monitored by the Landesmedienanstalten, the media authorities of the federal states. They have the authority to issue warnings, impose fines and, if necessary, prevent the dissemination of false information.<sup>45</sup>

Publishing political contributions regularly requires influencers to practice due diligence. What amount of frequent activity constitutes the term “regularly” in this framework, remains to be assessed individually and thus often unclear.<sup>46</sup> Moreover, the term journalist is not protected legally in Germany and therefore remains a matter of interpretation.

<sup>42</sup> Vincent Hofmann and Matthias C. Kettemann (eds.), “Plattformregulierung im Superwahljahr 2021: Ergebnisse rechtswissenschaftlicher, sozialwissenschaftlicher und datenwissenschaftlicher Studien zu Parteien und Plattformen im Bundestagswahlkampf”, in: Arbeitspapiere of the Hans Bredow Institute, Project Results No. 61, December 2021, p. 8, [https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt8756l\\_AP61Superwahljahr.pdf](https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt8756l_AP61Superwahljahr.pdf) (accessed January 5, 2022).

<sup>43</sup> Press Release No. 170 / 2021: Bundesgerichtshof zur Pflicht von Influencerinnen, ihre Instagram-Beiträge als Werbung zu kennzeichnen, Federal Court of Justice, September 9, 2021, <https://www.bundesgerichtshof.de/SharedDocs/Pressemitteilungen/DE/2021/2021170.html> (accessed January 05, 2022).

<sup>44</sup> Staatsvertrag zur Modernisierung der Medienordnung in Deutschland, April 14, 2020, 19 (formerly Section 19 of the Interstate Broadcasting Treaty), <https://www.rlp.de/fileadmin/rlp-stk/pdf-Dateien/Medienpolitik/Medienstaatsvertrag.pdf> (accessed January 5, 2022).

<sup>45</sup> Frederik Ferreau, Neue Regeln für Online-Medien: Liebesgrüße von der Medienaufsicht, Legal Tribune Online, February 25, 2021, <https://www.lto.de/recht/hintergruende/h/online-medien-aufsicht-hinweisschreiben-medienanstalten-presserat-medienstaatsvertrag-verfassungsrecht/> (accessed January 5, 2022).

<sup>46</sup> Eva Flecken, Gergana Baeva, and Francesca Sotter, Transparenz als Mittel gegen die digitale Verbreitung von Desinformation, Bundeszentrale für politische Bildung, September 1, 2021, <https://www.bpb.de/gesellschaft/digitale-desinformation/339539/transparenz-als-mittel-gegen-die-digitale-verbreitung-von-desinformation> (accessed January 5, 2022).



## REGULATION OF PLATFORMS

Unlike in the case of influencers, specific laws and initiatives already apply to platforms to combat and curb disinformation.



### FEDERAL LEVEL

The Network Enforcement Act (NetzDG) aims to enforce legal requirements for social media and enables the removal of legally actionable content.<sup>47</sup> The regulation states that operators of social platforms must remove “clearly illicit content” within 24 hours of its disclosure (illicit content after seven days).

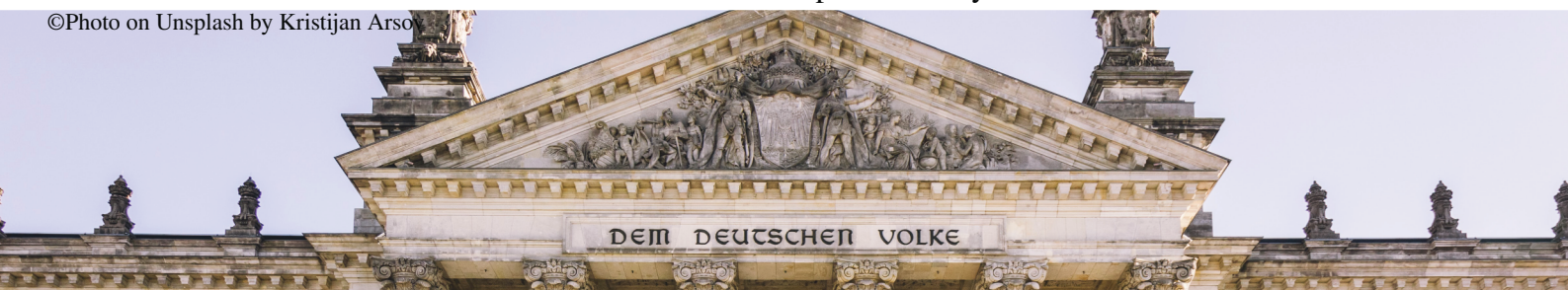
In addition, platforms must provide users with applications that allow them to file complaints and must issue regular reports on their activities concerning the removal of content.<sup>48</sup> Platforms are only obliged to remove criminal offenses that fall under Article 1 (3) of the NetzDG, such as the dissemination of symbols affiliated with anti-constitutional organizations. The ruling often does not apply to disinformation.<sup>49</sup>

The MStV has expanded the responsibilities of platforms. Platforms are obliged to ensure equal opportunity for communication in the media landscape. This requirement includes the disclosure of the platforms’ algorithms and prohibits baseless discrimination of individual content. Another requirement imposes the flagging of social bots.<sup>50</sup> These steps seek

to prevent disinformation from crowding out other forms of news reporting.

Since February 2022, the reformed NetzDG also requires the prosecution of legally actionable content on the Internet and social media. Social media platforms are obliged to not only remove such content, but also to report it to the public authorities. On February 1, 2022, the Zentrale Meldestelle für strafbare Inhalte im Internet (ZMI) at the Federal Criminal Police Office (BKA) began its work. The ZMI’s aim is to enable the law enforcement authorities to prosecute the authors and distributors of legally actionable content more effectively on the Internet and social media. In the future, social networks must report posts that incite hatred. The same applies to unconstitutional symbols such as the swastika. Until now, criminal content only had to be deleted from the platforms. Now users can report such content themselves. If the social networks consider this content to be criminal, it must be reported with the ZMI. According to a BKA spokesperson, 150,000 new criminal cases are expected each year.<sup>51</sup>

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<sup>47</sup> Vincent Hofmann and Matthias C. Kettemann (eds.), Plattformregulierung im Superwahljahr 2021: Ergebnisse rechtswissenschaftlicher, sozialwissenschaftlicher und datenwissenschaftlicher Studien zu Parteien und Plattformen im Bundestagswahlkampf, in: Working Papers of the Hans Bredow Institute, Project Results No. 61, December 2021, p. 10, [https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt87561\\_AP61Superwahljahr.pdf](https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt87561_AP61Superwahljahr.pdf) (accessed January 5, 2022).

<sup>48</sup> Gesetz zur Verbesserung der Rechtsdurchsetzung in sozialen Netzwerken (Netzwerkdurchsetzungsgesetz - NetzDG), Federal Ministry of Justice and Consumer Protection, September 1, 2017, <https://www.gesetze-im-internet.de/netzdg/BJNR335210017.html> (accessed January 5, 2022).

<sup>49</sup> Vincent Hofmann and Matthias C. Kettemann (eds.), Plattformregulierung im Superwahljahr 2021: Ergebnisse rechtswissenschaftlicher, sozialwissenschaftlicher und datenwissenschaftlicher Studien zu Parteien und Plattformen im Bundestagswahlkampf, in: Working Papers of the Hans Bredow Institute, Project Results No. 61, December 2021, p. 11, [https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt87561\\_AP61Superwahljahr.pdf](https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt87561_AP61Superwahljahr.pdf) (accessed January 5, 2022).

<sup>50</sup> Helmut Hartung, Kontrolle für Netzwerkkonzerne: Die Medienpolitik betritt Neuland, FAZ, NET, November 10, 2020, <https://www.faz.net/aktuell/feuilleton/medien/der-neue-medienstaatsvertrag-bindet-die-konzerne-17044327.html> (accessed January 5, 2022).

<sup>51</sup> Kampf im Netz: BKA rechnet durch neues Gesetz mit 150.000 zusätzlichen Strafverfahren pro Jahr, SPIEGEL Panorama, January 11, 2022, <https://www.spiegel.de/panorama/gesellschaft/netzdg-bka-rechnet-durch-kampf-gegen-hass-im-netz-mit-150-000-zusaetzlichen-strafverfahren-a-b4d35117-9d98-4e8a-9fc5-f22ce30a3824> (accessed January 11, 2022).



## EUROPEAN LEVEL

One of the European Commission's flagship projects is the legislative package consisting of the Digital Services Act and the Digital Markets Act. They are not expected to be enforced before 2023, as the ordinary legislative procedure is currently still underway. Both acts seek to regulate large platforms (also known as "gatekeepers") more closely.

While the Digital Markets Act (DMA) is primarily intended to restrict gatekeepers from exercising their power excessively and thus has no direct relevance to the issue of disinformation, the Digital Services Act (DSA) focuses on secure and trustworthy communication online. The DSA portrays clear parallels to the NetzDG. Although consideration was given to making platforms liable for illegal content, they only must provide an application for their users to issue complaints and process these promptly. Gatekeepers with a reach of at least 45 million users per month are considered to play a particularly important role in shaping public opinion, which is why they are subject to stricter rules, for example in the form of an annual audit.<sup>52</sup>

Although the DSA is generally seen as an ambitious approach to improving digital communication, disinformation does not stand at the core of its framework. It is only covered in cases in which it falls under the definition of illegal content.<sup>53</sup>

The topic of disinformation is addressed primarily by the European Democracy Action Plan (EDAP). The EDAP is a framework project of the European Commission (presented in 2020) and contains concrete measures to strengthen the resilience of the state

and society. The project seeks to protect elections, expand media freedom, and combat disinformation. In particular, the 2018 EU Code of Practice on Disinformation for online platforms and other actors is to be expanded.<sup>54</sup> This Code is a voluntary instrument that online platforms have committed to comply with since 2018 and to report to the European Commission on a monthly basis. However, after reviewing its implementation in 2020, it appeared to be largely ineffective due to its voluntary character. For this reason, the EDAP is committed to improve, specify, and monitor the rules more closely. The Commission published guidelines for this purpose in May 2021.<sup>55</sup>

In addition to regulatory measures, there are numerous campaigns and initiatives at both the federal and European level. Examples of such include the funding of research projects on disinformation, technical tools that serve as fact checkers, and institutions such as the Social Observatory for Disinformation and Social Media Analysis (SOMA).<sup>56</sup>

Although the new or amended regulations and measures are generally viewed positively, stakeholders repeatedly question the means and their effectiveness. Points of criticism include the rather weak authorization power of state media authorities and the narrow focus on content that is considered legally actionable under criminal law. The primary aim of mostly targeting foreign sources of disinformation has also been criticized.<sup>57</sup> Problems are also repeatedly caused by gray areas and room for interpretation concerning definitions, such as the question

<sup>52</sup> Jakob von Lindern, Digital Services Act: Unser Netz soll schöner werden, Zeit Online, December 16, 2021, <https://www.zeit.de/digital/2021-12/digital-services-act-eu-kommission-online-plattformen-parlament> (accessed January 5, 2022).

<sup>53</sup> Vincent Hofmann and Matthias C. Kettemann (eds.), "Plattformregulierung im Superwahljahr 2021: Ergebnisse rechtswissenschaftlicher, sozialwissenschaftlicher und datenwissenschaftlicher Studien zu Parteien und Plattformen im Bundestagswahlkampf", in: Working Papers of the Hans Bredow Institute, Project Results No. 61, December 2021, p. 12, [https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt87561\\_AP61Superwahljahr.pdf](https://leibniz-hbi.de/uploads/media/Publikationen/cms/media/pt87561_AP61Superwahljahr.pdf) (accessed January 5, 2022).

<sup>54</sup> European Democracy Action Plan, European Commission, December 3, 2020, [https://ec.europa.eu/info/strategy/priorities-2019-2024/new-push-european-democracy/european-democracy-action-plan\\_de](https://ec.europa.eu/info/strategy/priorities-2019-2024/new-push-european-democracy/european-democracy-action-plan_de) (accessed January 5, 2022).

<sup>55</sup> Strengthening the EU Code of Practice on Disinformation, European Commission, [https://ec.europa.eu/info/strategy/priorities-2019-2024/new-push-european-democracy/european-democracy-action-plan/strengthening-eu-code-practice-disinformation\\_de](https://ec.europa.eu/info/strategy/priorities-2019-2024/new-push-european-democracy/european-democracy-action-plan/strengthening-eu-code-practice-disinformation_de) (accessed January 5, 2022).

<sup>56</sup> Mit Forschung gegen digitale Desinformationskampagnen, Federal Ministry of Education and Research, August 24, 2021, [https://www.bmbf.de/bmbf/shreddocs/kurzmeldungen/de/2021/07\\_08/digitale-desinformationskampagnen.html](https://www.bmbf.de/bmbf/shreddocs/kurzmeldungen/de/2021/07_08/digitale-desinformationskampagnen.html) (accessed January 5, 2022); Gefahren frühzeitig erkennen, The Federal Government, June 17, 2021, <https://www.bundesregierung.de/breg-de/themen/umgang-mit-desinformation/verfassungsschutz-desinformation-1875320> (accessed January 5, 2022); Funded projects in the fight against disinformation, European Commission, [https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/fighting-disinformation/funded-projects-fight-against-disinformation\\_de](https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/fighting-disinformation/funded-projects-fight-against-disinformation_de) (accessed January 5, 2022).

<sup>57</sup> Daniel Laufer, Der lange Kampf gegen Desinformation, Netzpolitik.org, October 30, 2020, <https://netzpolitik.org/2020/medienstaatsvertrag-der-lange-kampf-gegen-desinformation/> (accessed January 5, 2022); Sophie Vêrité, European Democracy and Counter-Disinformation: Toward a New Paradigm?, Carnegie Europe, December 14, 2021, <https://carnegieeurope.eu/2021/12/14/european-democracy-and-counter-disinformation-toward-new-paradigm-pub-85931> (accessed January 5, 2022).



of whether a messenger service is simultaneously to be considered a platform. Telegram, for example, has frequently argued that it did not have to comply with the NetzDG for precisely this purpose.<sup>58</sup>

In particular, the question of how to deal with disinformation that does not qualify as legally actionable content remains unanswered in regulatory terms. The idea of impelling platforms or federal agencies to remove such content is disputed. The main reason of concern is the possible disproportionate restriction of freedom of expression by platforms or federal agencies through the possibly arbitrary removal of content. In consideration of this concern, the German federal government as well as the Vice President of the European Commission, Věra Jourová, have opposed such measures.<sup>59</sup> Many stakeholders are also critical of a compulsory use

of clear names, which would oblige users to showcase one's identity on social media platforms. While such a measure would tackle lacking accountability for actionable statements through anonymity, various actors strongly criticize such an act as an infringement on the freedom of expression.<sup>60</sup>

In cases where disinformation does not explicitly constitute illegal content, grey zones continue to exist, and regulation will remain a balancing act regarding an individual's right to freedom of expression. There is, however, a political consensus both in Germany and at the level of the EU that additional measures are needed to combat disinformation. Whether the revised European Code of Practice can achieve a greater impact remains to be seen.

## GERMANY'S TRAFFIC LIGHT COALITION, THE NEW DIGITAL AGENDA

According to its Coalition Agreement “Mehr Fortschritt Wagen” (English: “Daring More Progress”), digitalization is one of the priority areas of the newly formed German government. The new Coalition wants to ensure that the Digital Service Act, Digital Markets Act, and Media Freedom Act reflect pluralism and diversity, and ensure state-independent media supervision and regulation.<sup>61</sup> It also intends to modernize strategic communication in the European network, particularly in the areas of analysis and social media monitoring.<sup>62</sup> The Coalition seeks to combat hate speech, disinformation, and to support Europe-wide measures against the restrictions of civil liberties, such as abusive lawsuits.<sup>63</sup> Enabling Europe's liberal democracies to better fend off disinformation campaigns and manipulation from within and outside the country is another objective.<sup>64</sup>

The coalition government also emphasizes the indispensable role of free and independent media in a democracy.<sup>65</sup>



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<sup>58</sup> Steve Haak, Warum die Regierung machtlos gegen Telegram ist, t-online.de, December 15, 2021, [https://www.t-online.de/digital/internet/id\\_100003924/hassrede-und-mordaufrufe-bei-telegram-warum-die-bundesregierung-machtlos-ist.html](https://www.t-online.de/digital/internet/id_100003924/hassrede-und-mordaufrufe-bei-telegram-warum-die-bundesregierung-machtlos-ist.html) (accessed January 5, 2022).

<sup>59</sup> Wulf Rohwedder, Kampf gegen Desinformation: Wo es bei der Bundesregierung hakt, tagesschau.de, July 10, 2020, <https://www.tagesschau.de/faktenfinder/bundesregierung-desinformation-101.html> (accessed January 5, 2022).

<sup>60</sup> Wolfgang Janisch, Anonymity on the Net: BGH Examines Obligation to Use Clear Names on Facebook, SZ.de, December 9, 2021, <https://www.sueddeutsche.de/politik/facebook-bundesgerichtshof-klarnamenpflicht-1.5484407> (accessed January 5, 2022).

<sup>61</sup> Mehr Fortschritt wagen – Bündnis für Freiheit, Gerechtigkeit und Nachhaltigkeit: Koalitionsvertrag 2021 - 2025 zwischen der Sozialdemokratischen Partei Deutschlands (SPD), BÜNDNIS 90 / DIE GRÜNEN und den Freien Demokraten (FDP), 2021, p. 124, <https://www.bundesregierung.de/resource/blob/974430/1990812/04221173eef9a6720059cc353d759a2b/2021-12-10-koav2021-data.pdf?download=1> (accessed January 13, 2022).

<sup>62</sup> Cf. *ibid.* p. 127.

<sup>63</sup> Cf. *ibid.* p. 124.

<sup>64</sup> Cf. *ibid.* p. 132.

<sup>65</sup> Cf. *ibid.* p. 124.

# RECOMMENDATIONS FOR ACTION TO THE GERMAN GOVERNMENT



Promoting democracy, media literacy, and strengthening citizens' trust are central elements in the fight against disinformation, discrimination, hate speech, and conspiracy ideologies on the Internet. For this purpose and for the purpose of raising awareness in society, the following conclusions serve as recommendations to the new federal government.

## Effectively implementing the Coalition Agreement of the new German government regarding disinformation and hate speech

# 1

The objectives of the coalition agreement should be implemented consistently and sustainably to strengthen the trust of citizens in the state, the political system, political institutions, processes, officials, representatives, and the media. This can only be achieved by involving all stakeholders.

# 2

## Raising awareness among politicians and political decision-makers for their own role and multiplier effect online

When politicians and political decision-makers have an online and social media presence, they take on a function comparable to that of influencers. Their appearance can, like that of influencers, have a multiplier effect. It causes reactions and influences the behavior and interaction of users on the Internet and social media platforms. Raising awareness among political decision-makers and promoting their media and digital literacy skills is crucial to promote citizens' trust. As such, it is also important to increase the number of social media experts in public authorities and in the Bundestag.

## Modernizing the digital communication strategy of the federal government

# 3

Disenchantment with and distrust in politics are becoming more and more common. These grievances allow citizens to be more receptive to alleged alternative information and solution providers. Better communicating and explaining political points of view and decisions could significantly counteract such tendencies in society. The communication strategy of the German government and political officials should be adapted accordingly. Among other things, content on social media should be designed in a fashion that is more focused on the target group and should employ various digital tools, such as texts, sharepics, videos, etc., more strategically.

# 4

## Bundling and optimizing existing resources for media literacy through a superordinate entity

Fighting disinformation is currently a highly decentralized process that takes place through numerous channels lacking an overarching coordinating body. Non-governmental organizations (NGOs), foundations, and the Federal Agency for Civic Education (bpb) are developing promising concepts and strategies for promoting media literacy. Bundling, coordinating, and optimizing their efforts in a Federal Agency for Digital Education would significantly advance the fight against disinformation.



## Reducing “gray zone content” by fostering awareness

# 5

Besides legislators and companies, an equally large responsibility lies with citizens themselves. Fostering a discourse to raise awareness about “gray zone content” would contribute to making the digital sphere a safer place for all.

# 6

## More effective regulation of social media platforms to combat misinformation and hate speech

With the influence of social media platforms growing, so does the necessity to regulate them to curb the dissemination of disinformation and hate speech. The Digital Services Act would be a step in the right direction. As such, reporting illegal content to network operators must be simplified. Individuals who are sanctioned must be given a right of objection. Social media platforms should disclose the rules they use for fact-checking and provide more information about content moderation processes. Additionally, more transparency should be achieved regarding algorithms and the flagging of advertising. Many of these measures can and should be regulated at the EU level. Despite the individual member states’ responsibility to precisely define the limits of freedom of expression, Europe should not become a patchwork project in this regard.

In general, regulations should always be up to date, proportionate, and must therefore always be adapted to the rapidly changing environment. To avoid certain platforms not fitting into the rules, or that laws must be formulated specifically, there should not be a monolithic definition for all platforms. Instead, rules should be developed for functionalities. For future regulatory processes, greater use should be made of the expertise of influencers and social media platforms.

## Creating platform councils which represent the civil society

# 7

Civil society should be more involved in determining whether and why certain content is to be considered harmful or inappropriate. Platform councils should be created along the lines of the broadcasting councils of the public broadcasting companies in Germany. While their specific role and objectives need to be determined carefully, they could serve as a useful civil society instrument. They could, furthermore, teach and promote cross-generational media literacy.

# 8

## Discussing possibilities of a public social media platform, regulated under public law

In addition to the various existing social media platforms operated by private companies, the creation of state-run alternatives regulated under public law should be discussed. The state and its organs would have more regulatory power to ensure an open and democratic social interaction. The truthfulness of information would be greater in this case, even though – historically speaking – the creation of platforms regulated by public-law is disputed.



## Curbing hate speech and identity theft

9

Far too often, users of social media platforms become victims of hate speech, discrimination, and identity theft. Platform providers are often helpless in the face of these occurrences. The introduction of clear-cut recommendations for action and financial support for smaller platforms could solve this issue.

## 10 Creating a regulatory body to monitor disinformation

Creating a regulatory body to monitor disinformation and its dissemination would provide a new and more comprehensive perspective on and understanding of the spread of misinformation and its reach.

Expanding public broadcasters' online media libraries and commissioning studies on the current state of digitization could underpin ongoing debates with facts and information and create a better basis for discussion.

## Creating a government agency for the monitoring of foreign disinformation

11

France can be considered a best practice example in the fight against disinformation from abroad.<sup>66</sup> The French agency is intended to combat foreign disinformation aimed at undermining state structures, their reputation, and trustworthiness. The creation of a comparable institution in Germany would similarly provide a remedy against (potential) external attacks from third countries. Following the French model, the designated organization should carry out monitoring tasks. Additionally, it should seek to analyze, improve, and recommend technologies for combating disinformation.

## 12 Introduction of a traffic light system to indicate the transparency of platform providers

Platform providers should be encouraged to increase transparency for users by, for example, developing a traffic light system to identify disinformation and questionable content more easily.

## Strengthening media literacy

13

Media literacy is important for all age groups, but younger generations, in particular, need to acquire more skills in this area. Media literacy should be introduced as a separate school subject starting at elementary school. The Federal Ministry of Education and Research (BMBF), as part of the Standing Conference of the Ministers of Education and Cultural Affairs (Kultusministerkonferenz), has a leading role to play here. Additionally, these steps should be accompanied by a training of teachers. The creation of the Federal Agency for Digital Education would therefore be an important step in the right direction for society.

## 14 Strengthening of the European External Action Service

The fragmented network of 27 national agencies against disinformation weakens the battle against disinformation significantly. This should be remedied by strengthening the European External Action Service.

<sup>66</sup> Ania Nussbaum, Macron Sets Up Fake-News Agency to Shield Election From Meddling, Bloomberg L.P., July 13, 2021, <https://www.bloomberg.com/news/articles/2021-07-13/macron-sets-up-fake-news-agency-to-shield-election-from-meddling> (accessed January 12, 2022).





# RECOMMENDATIONS TO SOCIAL MEDIA PLATFORMS



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## BACKGROUND: EXISTING MEASURES AND INITIATIVES TO CURB DISINFORMATION

Social media platforms have been making their own efforts to prevent disinformation within their networks, launching a myriad of projects and voluntary measures.

A central means of identifying the accuracy of a statement for users is fact-checking. Fact checkers use predefined research methods to analyze user posts by examining the original content and its context to determine whether the post in question reflects these correctly. As such, not only the content of a post matters, but also its context, tone, and spelling. This way, users can be made aware of disinformation and, simultaneously, identify which posts are trustworthy.

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Corporations such as Meta, which owns Facebook, Instagram, and WhatsApp, as well as Twitter, have collaborated with fact checkers in the run-up to the 2021 German federal election. Meta cooperates with the fact-checking editorial team of the global

news agency Agence France-Presse (AFP), as well as with the German Federal Agency for Civic Education and several other media companies, including “Correctiv”. Twitter collaborated with Reuters and the Associated Press for the same purpose. From April 2022, dpa will oversee the news posted on Facebook News.

Such collaborations are intended to help identify and flag false information more quickly.<sup>67</sup> However, the evaluation criteria, which in part require subjective consideration by fact-checkers, as well as different legal situations in the various countries of the EU, are challenging. Experts also remain concerned about a possible restriction of freedom of opinion and expression.<sup>68</sup>

Platforms also provide more and more information and links to trustworthy information sites.<sup>69</sup> This allows users to put information in context. Often, the information is also adapted to older or younger users and is available in different formats, such as articles or videos.<sup>70</sup> These methods are used, among others, on social media platforms of Meta, Twitter, and YouTube. In addition, there are often proactive information pages on socially relevant topics, such as Facebook’s “COVID-19 Information Center”. Similarly, Google, Bing, and Instagram display official information pages first for certain search terms, such as the webpage of the Federal Ministry of Health when searching for the term health. Certain pages are therefore prioritized.

Other measures include preventing chain messages from being forwarded on messenger services or flagging funding campaigns. Another instrument is the provision of anonymized data for research purposes.

Platforms sometimes go as far as blocking accounts of individuals or institutions, tem-

<sup>67</sup> Zusammenschluss gegen Falschinformation: Twitter kündigt Zusammenarbeit mit Faktencheckern an, Der Spiegel, August 3, 2021, <https://www.spiegel.de/netzwelt/web/twitter-kuendigt-zusammenarbeit-mit-faktencheckern-an-a-5384ef57-743e-40a5-bf4d-5ec0d17c8db5> (accessed January 6, 2022).

<sup>68</sup> Philipp Gollmer, ‘Wir sind Investigativjournalisten auf Abruf’: So arbeiten die Faktenchecker von Facebook, Neue Züricher Zeitung, April 26, 2021, <https://www.nzz.ch/feuilleton/medien/wir-sind-investigativjournalisten-auf-abruf-so-arbeiten-die-faktenchecker-von-facebook-lid.1601391> (accessed January 6, 2022).

<sup>69</sup> Julia Klaus, Corona-Pandemie: Was Facebook und Co. gegen Fake News tun, ZDF heute, April 5, 2020, <https://www.zdf.de/nachrichten/digitales/coronavirus-soziale-medien-gegen-fakenews-100.html> (accessed January 6, 2022).

<sup>70</sup> Alba Wilczek, Facebook und WhatsApp kooperieren mit Faktencheckern, BR24, September 6, 2021, <https://www.br.de/nachrichten/netzwelt/facebook-und-whatsapp-kooperieren-mit-faktencheckern,SiEzOwh> (accessed January 12, 2022).



porarily or indefinitely, if they are found to spread disinformation and violate user guidelines. One prominent example of such a case occurred in January 2022, when YouTube temporarily blocked the channel #allesaufdeutsch, a controversial campaign that was initiated, among others, by German actor Oliver Bruch. The campaign mainly featured artists who expressed doubts about COVID-19 and the efficacy of existing measures.<sup>71</sup> Citing the violation of the platform's medical misinformation policy, the channel was blocked for a week. Twitter took similar

action in January 2022 against US-Republican politician Marjorie Taylor Greene, who was permanently suspended from the platform after several warnings for spreading misinformation.<sup>72</sup>

Closed groups within social platforms continue to be a general problem. Due to the frequently used end-to-end encryption on messenger services, introduced in favor of better data protection, moderating content is impossible.<sup>73</sup>

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## COMPULSORY USE OF CLEAR NAME - A SENSIBLE MEASURE?

A further measure is the compulsory use of one's own name on platforms – e.g. compulsory clear names. Proponents argue that this would increase the user's sense of responsibility and consequently reduce the spread of disinformation and hate speech. On the other hand, it could entail a possible restriction of the freedom of expression. Meta already requires users to use their real names on Facebook, a provision that is incorporated in its terms of use. So far Meta is the only major platform that employs this measure.<sup>74</sup> Due to their controversial nature, clear names have not yet been enforced by regulation at either the German or the European level.<sup>75</sup>

Under the German Telemedia Act, providers are obliged to offer the use of their services “anonymously or under a pseudonym, to such a degree as it is technically possible and reasonable”. However, since May 2018 a new data privacy act has been in place at the EU-level that explicitly does not contain such a provision. At the end of January 2022, the Federal Court of Justice (BGH) ruled that users must disclose their real name to Facebook but can subsequently use a pseudonym. This ruling only applies to contracts that were concluded with Facebook before the EU's new General Data Protection Regulation was enforced in May 2018 though.

<sup>71</sup> YouTube sperrt zeitweise #allesaufdeutsch-Kanal, Der Spiegel, January 12, 2021, <https://www.spiegel.de/netzwelt/allesaufdeutsch-youtube-sperrt-kanal-zeitweise-a-13599591-9d01-4b51-8fc2-7555ad13f604> (accessed January 17, 2022).

<sup>72</sup> Davey Alba, Twitter Permanently Suspends Marjorie Taylor Greene's Account, The New York Times, January 2, 2022, <https://www.nytimes.com/2022/01/02/technology/marjorie-taylor-greene-twitter.html> (accessed January 17, 2022).

<sup>73</sup> Julia Klaus, Was Facebook und Co. Gegen Fake News tun, ZDF heute, April 5, 2020, <https://www.zdf.de/nachrichten/digitales/coronavirus-soziale-medien-gegen-fakenews-100.html> (accessed January 6, 2022).

<sup>74</sup> Wolfgang Janisch, Anonymität im Netz: BGH prüft Klarnamenpflicht auf Facebook, SZ.de, December 9, 2021, <https://www.sueddeutsche.de/politik/facebook-bundesgerichtshof-klarnamenpflicht-1.5484407> (accessed January 6, 2022).

<sup>75</sup> Dietmar Neuerer, CDU-Vorstoß: Digitalverbände und Datenschützer warnen vor Klarnamenpflicht, Handelsblatt, June 12, 2019, <https://www.handelsblatt.com/politik/deutschland/cdu-vorstoss-digitalverbaende-und-datenschuetzer-warnen-vor-klarnamenpflicht/24446344.html?ticket=ST-118916-StJw9OlyJhOIO4ORKHgP-ap5> (accessed January 6, 2022).



## COOPERATION WITH INFLUENCERS

Influencers share personal views, experiences, and insights into their own lives, thus influencing the perception of others. They also use their platform to market products. Accordingly, some social media platforms have launched initiatives that seek to guide influencers toward taking greater responsibility (see also the following chapter). One such example is the joint campaign by Facebook Australia and First Draft, which launched the “Don’t be a Mis-Influencer” campaign in 2021.<sup>76</sup> Together, they provide influencers with so-called “Protect Your Voice” toolkits, which include resources and guidance to identify and curb disinformation. Facebook’s advertising channels strategically display the information to influencers. Influencers are also encouraged to educate their users by sharing the tips from the toolkit with them. The campaign is officially supported by Abbie Chatfield, a well-known Australian influencer with around 400.000 followers on Instagram.<sup>77</sup>

Platforms not only educate influencers about disinformation, but also cooperate with them to raise awareness among their followers. One example of such a collaboration is the #NichtEgal campaign, a joint initiative of YouTube and the German Association for Voluntary Self-Regulation of Digital Media Service Providers (FSM e.V.), klicksafe,

medienblau, and Digitale Helden. Within the framework of the campaign, YouTube influencers such as Abdel, die datteltäter, Diana zur Löwen, Mrs. Bella, MrWissen2Go, and Emrah helped train groups of schoolchildren to become young media experts in 2017 and 2018.<sup>78</sup>



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## CIVIL SOCIETY INITIATIVES

Many civil society actors also contribute to combating disinformation on social platforms, including counseling centers such as “HateAid”. They offer counseling services and help with pressing criminal and civil charges against all forms of hate speech on the Internet.

The group and campaign “ichbinhier” (English: “I am here”), founded in 2016, advocates against hate speech online and calls on

users to argue in an objective manner against hate speech in comment columns.<sup>79</sup>

Although social media platforms and other actors are implementing a variety of measures to combat disinformation, it continues to be a major issue in the digital space. Thus, more needs to be done.

<sup>76</sup> Emma Shepherd, Facebook and First Draft partner to launch new 'Don't Be a Mis-influencer' Campaign, mumbrella, September 23, 2021, <https://mumbrella.com.au/facebook-and-first-draft-partner-to-launch-new-dont-be-a-mis-influencer-campaign-704764> (accessed January 17, 2021).

<sup>77</sup> Cf. *ibid.*

<sup>78</sup> „Respekt ist uns #NichtEgal“: YouTube-Initiative geht in die zweite Runde, klicksafe, May 17, 2018, <https://www.klicksafe.de/presse/2018/respekt-ist-uns-nichtegal-youtube-initiative-geht-in-die-zweite-runde/> (accessed January 6, 2022).

<sup>79</sup> Angela Gruber, Aktion gegen Hetze auf Facebook: Sie sind hier, Der Spiegel, March 26, 2017, <https://www.spiegel.de/netzwelt/web/ich-bin-hier-wie-die-facebook-gruppe-von-hannes-ley-hass-im-internet-bekaempft-a-1139894.html> (accessed January 6, 2022).



# RECOMMENDATIONS FOR ACTION FOR SOCIAL MEDIA PLATFORMS



## Formulating guidelines and providing training for influencers

# 1

Influencers should not be given the sole responsibility of preventing and exposing disinformation, hate speech, and conspiracy theories online. Platforms should provide them with concrete ethical guidelines and training. Especially for social media sites that are heavily frequented by young people, attaining media literacy skills and learning responsible online behavior is essential.

# 2

## Acting consistently and punishing the breaking of rules regarding disinformation and hate speech

As soon as concrete guidelines have been produced, it is paramount that they are followed consistently. Platforms should, consequently, impose fines and/or block users who do not adhere to the rules.

## Editing algorithms – defeating bias

# 3

Platforms rarely address the accelerator of polarizing content – algorithms. To be able to participate in discourses in democratic societies, people must be confronted with different opinions. Social media platforms must therefore increasingly focus on the impact of algorithms.

# 4

## Constructively addressing gaps in the law

The current legislative proposals have weaknesses in terms of assigning responsibility. Social media platforms should more actively engage with governments and offer their support and expertise to communicate problems and vulnerabilities.

## Establishing a stricter and more transparent approach to younger age groups

# 5

On Telegram, extremist group chats can be accessed with just one click of the “join” button. TikTok merely requires users to enter their date of birth to view content intended for an audience of the age 16 and over.<sup>80</sup> For younger users to learn how to contextualize and reflect on topics, social media platforms need to ensure that users can only open content that they can be trusted with. The profile of users should be verified and should exclusively be fed with highly transparent content.

# 6

## Involving influencers more systematically

Social media platforms should be aware of the role, function, and dimensions influencers have in exerting influence on users. Accordingly, social media platforms should involve influencers more systematically in their strategies against disinformation and jointly search for the respective solutions. Social media platforms should additionally set up direct contact options for influencers with a substantial platform (e.g. with 100,000 followers or more).

<sup>80</sup> Madleen Gafert, TH!NK ABOUT IT #7 – Soziale Medien und ihre Verantwortung, Leipzig School of Media, March 16, 2021, <https://www.leipzigschoolofmedia.de/blog/think-social-media-verantwortung> (accessed December 20, 2021).



# RECOMMENDATIONS TO INFLUENCERS



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## BACKGROUND: EXISTING MEASURES AND INITIATIVES

Influencers increasingly take on the role of agenda-setters and information providers on social media platforms. Their growing importance is accompanied by greater ethical and social responsibility, which often goes far beyond mere purchase and product recommendations. Influencers combine the functions of traditional media organizations, exert influence on their audience in the same fashion as opinion leaders, and, just like contractors operating in the function of creative agencies, produce content for third parties. For media professionals and journalists, there are guidelines for ethical behavior that have evolved over decades, such as the German Press Code. Influencers, on the other hand, often operate in a regulatory gray area.

In a time when disinformation, hate speech, and conspiracy theories have serious consequences for social interaction, influencers can effectively use their enormous reach to raise awareness about grievances and make a lasting contribution to upholding fundamental democratic values.

The impact influencers have can be measured. In a survey of consumers in the United States, Germany and the United Kingdom, 28 percent of respondents claimed to trust influencers on YouTube. On Instagram, the figure totaled 22 percent, and on TikTok 15 percent. 38 percent of 16- to 34-year-olds state to trust the respective influencers on the platform more than a celebrity.<sup>81</sup> The survey shows that as many as 30 percent of 16- to 24-year-olds and 35 percent of 25- to 34-year-olds even trust the recommendations of an influencer on YouTube more than those of a friend.<sup>82</sup>

A study by Wavemaker looked at the effects of this established trust, particularly for young people. The study interviewed followers of influencers between the ages of 11 and

23.<sup>83</sup> The survey shows that influencers offer their fans inspiration and motivation, but simultaneously can cause feelings of fear, envy, self-doubt, and peer pressure among young people.<sup>84</sup> The opportunity to exert both positive and negative influence on young people brings about a special responsibility for influencers.<sup>85</sup>

Some influencers are already assuming responsibility by actively discussing such issues in their posts and, for example, by pointing out and publicly condemning hate speech in their comment columns. Many influencers are also strategically using their reach to raise awareness about certain social projects against hate speech. Examples of such include the campaign “BITTE WAS?! Kontern gegen Fake & Hass” (English: “Say What?! How to Counter Fake & Hate”) by the Baden-Württemberg State Media Center in cooperation with various influencers, namely Alexander Straub, Julien Bam, and Mirko Drotschmann (MrWissen2go). Other examples are the #NichtEgal campaign by YouTube and FSM e.V. with influencers such as Diana zur Löwen and Nina Kutschera (DieseNina), as well as the Telekom campaign “Against Hate on the Internet” with YouTuber Florian Diedrich (LeFLoid). All the campaigns are supported by one or more influencers who advocate for them through their name and reach.



<sup>81</sup> Realität im Influencer Marketing: TIKTOK und YouTube im Fokus, TAKUMI, May 2020, 5, <https://takumi.com/wp-content/uploads/research/The-Realities-of-Influencer-Marketing-DE.pdf> (accessed January 9, 2022).

<sup>82</sup> Cf. *ibid.*

<sup>83</sup> Frauke Schobelt, Einfluss von Influencern kann zu Realitätsverlust führen, w&v, October 25, 2018, [https://www.wuv.de/marketing/einfluss\\_von\\_influencern\\_kann\\_zu\\_realitaetsverlust\\_fuehren](https://www.wuv.de/marketing/einfluss_von_influencern_kann_zu_realitaetsverlust_fuehren) (accessed January 17, 2022).

<sup>84</sup> Cf. *ibid.*

<sup>85</sup> Karoline Helbig, Erfolgreiche Agenda-Setter: Influencer und ihr Potenzial politischer Einflussnahme, Wissenschaftszentrum Berlin für Sozialforschung, WZB, <https://www.wzb.eu/de/publikationen/wzb-mitteilungen/polarisierung-und-gesellschaft/erfolgreiche-agenda-setter> (accessed January 12, 2022).

Projects that target disinformation specifically are somewhat less common, but there are several examples of these as well. The Vodafone Foundation, for instance, partnered with the educational initiative MESH Collective to launch the campaign #TrueStory, which seeks to especially raise awareness about disinformation among young people. Influencers with a wide reach on YouTube, Instagram, and TikTok, including Niko Kappe (NikotheC) and Viktoria Merten (Vikykid), are supporters of the campaign.

Some influencers are apprehensive of their ethical and political responsibility and influence and take advantage of their reach to campaign against hate speech and disinformation. Considering the large number of existing influencers, however, these are still very few individual cases. To create an effective long-term network that encompasses a wide range of actors, more comprehensive educational work and a greater awareness of the entire industry must be developed.

Concerning responsible behavior by influencers, crucial questions are not only “what should be posted”, but also “how” and “why”. Platforms are principally structured

in a way that does not reveal to the user what content influencers are paid for. Correspondingly, it is essential to educate users on the proper use of social media and to provide (social) media professionals with guidelines for the responsible use of information, in particular concerning politics and elections.

Detailed guidelines and recommendations for the ethical behavior of influencers, such as the “Influencer Communication Code of Ethics” created in 2019 by the Bundesverband Influencer Marketing e.V. (BVIM), can have a very positive impact.<sup>86</sup> A comparable code of conduct was published in Switzerland in 2021 by Kingfluencers AG, an influencer agency.<sup>87</sup> The Swiss draft proposes recommendations for a responsible, transparent, and empathetic way of communication for influencers. The BVIM draft goes a step further and strives for general ethical standards and guidelines for the industry.<sup>88</sup> Although both publications make important contributions, they are, so far, not widely known. Since both publications address influencers primarily from a marketing and advertising perspective, they also fail to do justice to the complex and multifaceted role influencers have today.

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<sup>86</sup> Nadja Enke and Dr. Nils S. Borchers, Ethikkodex Influencer-Kommunikation, Universität Leipzig und Bundesverband Influencer Marketing e.V., December 2019, Ethics ' Bundesverband Influencer Marketing e.V.. (bvim.info) (accessed January 13, 2022).

<sup>87</sup> Anja Lapcevic, Unser Code of Conduct, Conscious Influence Hub, May 04, 2021, <https://www.consciousinfluencehub.org/post/unser-code-of-conduct> (accessed January 13, 2022).

<sup>88</sup> Cf. *ibid*; Nadja Enke and Dr. Nils S. Borchers, Ethikkodex Influencer-Kommunikation, Universität Leipzig und Bundesverband Influencer Marketing e.V., December 2019, 3, Ethik ' Bundesverband Influencer Marketing e.V.. (bvim.info) (accessed January 13, 2022).





# RECOMMENDATIONS FOR ACTION FOR INFLUENCERS



## Taking responsibility and developing an ethics code

# 1

Every person who is active on the Internet also carries a social responsibility for their own behavior, actions, and statements which they should constantly be aware of. An increasing reach comes with more responsibility. To prevent disinformation, discrimination, and hate speech, influencers should reflect on their own responsibility and the consequences sharing disinformation and discriminatory content has. Influencers should additionally team up and develop a code of ethics that especially includes political influencers.

# 2

## Complying with the legal framework

Influencers have an immense role model function which demands a strict compliance with the legal framework. This entails clearly identifying advertising in order to prevent misleading followers. This is also in the interest of the influencers themselves because the consequences of unbranded advertising are, in addition to breaking the law, often a badly tarnished image and loss of trust among followers.

## Preventing the spread of disinformation and hate speech

# 3

Independent reporting is a cornerstone of democracy. This applies especially for election periods. Since disinformation is often not recognizable as such, information must be considered and evaluated carefully through a critical lens. Influencers should therefore inform themselves properly, draw attention to disinformation, and correct it. Such a gatekeeper function requires thorough research, identifying reputable sources on the topic, as well as a willingness to engage in discussion with followers.

# 4

## Reflecting on and understanding current socio-economic developments

As entertaining as satire can be, it also has its downsides. The use of satire in the context of conspiracy theories, for example, can achieve precisely the opposite of what was intended: Not the facts, but the conspiracy theories themselves are propagated. If satire appears to be an unavoidable tool for communicating a topic, supplementary information should be placed in the relevant information column or otherwise made readily available and visible.

## Raising awareness through discussion and reflection

# 5

Young people, in particular, require more awareness concerning dangers online. Influencers can proactively come together to shed light on specific campaigns and projects. Another way to raise awareness is to participate in and support new or existing projects initiated by civil society actors. Civil society actors usually have gathered significant experience over the years by engagement in similar projects and can ensure quality, depth, and the independence of initiatives.

# ABOUT THE PROJECT “ENGAGING GERMAN INFLUENCERS”



With its project “Engaging German Influencers”, the Aspen Institute Germany brought together a core group of German social media influencers for a regular exchange with experts, representatives of traditional and modern media, and academics.

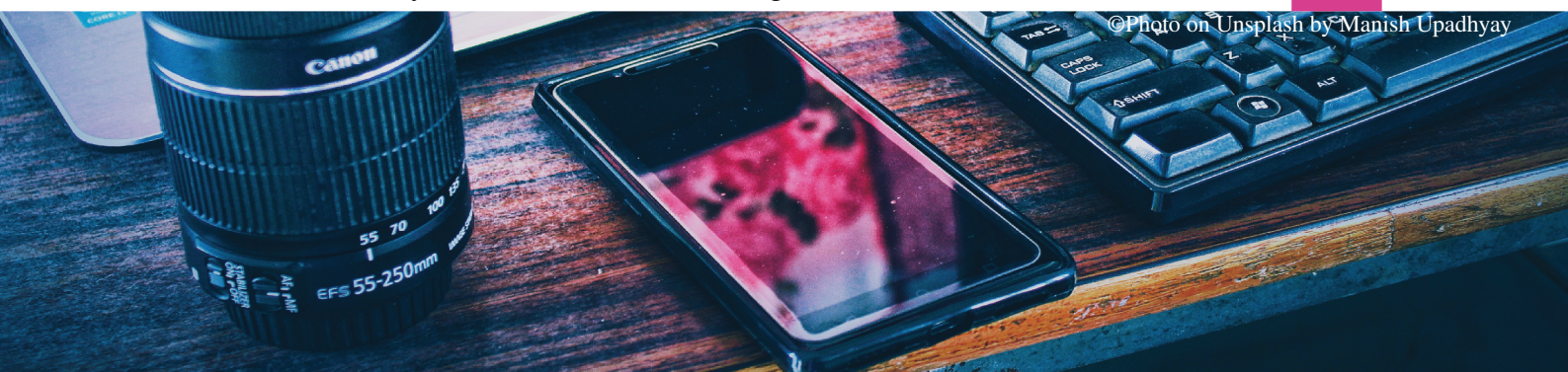
In the run-up to and aftermath of the 2021 federal election, they discussed responsible ways of dealing with disinformation, hate speech and conspiracy theories in four workshops. Against the background of the uncertainties of the current COVID-19 pandemic, the experts, additionally, touched upon the topic of the dissemination of disinformation. The debate was structured, in particular, around the question of responsibility.

The goal was to raise awareness about the role of influencers in the digital information system and address ways of collaboration with traditional institutions such as media and political parties. In addition, it sought to develop a network and mutual understanding. The group of participants also served as a sounding board for policies to combat disinformation and hate speech during the 2021 federal election. The content of the workshops contributed significantly to the development of the recommendations of this report.

Aspen Germany would like to take this opportunity to thank the Open Society Foundations for its generous support of the project. A warm thank you also goes to Reachbird, the operational cooperation partner of the project, for their valuable support. We also wish to express our gratitude to the Heinrich Böll Foundation, the intellectual partner of this project, for its cooperation and facilitating support during the workshops.

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- Mathieu Coquelin, Head of the Specialist unit for the distancing of extremism in the Democracy Center Baden-Württemberg





- Christina Dinar, Junior Researcher Platform Governance at the Leibniz Institute for Media Research, Hans Bredow Institute, Hamburg
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- Fabian Walter, Managing Director of Steuerversum GmbH, content creator on the TikTok channel steuerfabi

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- Sarah Ploss, Content Creator, grossstadtklein
- Lisa-Marie Rosien, Content Creator, [zeldasambucca](#)
- Lea Rössler, Influencer, Content Creator, [hummelnimlack/lackhummel](#)
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# ABOUT THE ASPEN INSTITUTE GERMANY

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