



Aspetos políticos e legais da desinformação em Portugal e Espanha



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IBERIFIER
Iberian Media Research
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Introdução

O campo da política tem sido propício à produção e disseminação de desinformação e algumas circunstâncias em particular, parte delas impulsionadas por mudanças estruturais de fundo, seja uma guerra, uma eleição nacional, transformam-se num terreno fértil à proliferação de falsidades.

O relatório do IBERIFIER “Aspetos políticos e legais da desinformação em Portugal e Espanha” identifica seis temas e momentos da história recente, situados entre 2020 e 2023, associados à divulgação de informação deturpada, que terá suscitado dúvidas e desconfiança junto dos cidadãos. Em Portugal, a equipa de investigadores IBERIFIER destacou:

- Crise inflacionista;
- Eleições legislativas de 30 de Janeiro de 2022;
- invasão da Ucrânia, 2022.

Em Espanha, a escolha recaiu sobre:

- “Lei Só sim significa sim”,
- Imigração;
- Eleições locais e regionais de 2023.

O documento reúne ainda a legislação que contempla o combate à desinformação, da europeia à local, portuguesa e espanhola; e propõe uma reflexão sobre o que tem sido a adaptação às diretivas da União Europeia. Conclui-se que dois países têm seguido as principais orientações sugeridas pela EU, mas também que as especificidades de cada um dos países continuam a não ser consideradas.

Sumário Executivo

1. Campo da política é mais permeável à desinformação devido às suas características intrínsecas: anima-se pelo exercício da influência junto dos eleitores, apela a aspetos emocionais. Acontecendo em plataformas digitais, a desinformação amplia o seu alcance.

1.1. A desinformação é mais prevalente em questões políticas do que noutros tópicos devido a fatores relacionados com a psicologia humana, a dinâmica dos meios de comunicação social e a natureza do discurso político. Destacam-se três aspectos que contribuem para este fenómeno;

a) envolvimento emocional, pois as questões políticas evocam emoções e crenças fortes; que são aproveitadas pelos autores de desinformação;

b) poder e influência, uma vez que a política pressupõe prática de influência. Recorrendo a notícias falsas, os manipuladores podem alterar opiniões, escolhas políticas, e minar a confiança nas instituições democráticas;

c) estes aspetos decorrem num ambiente facilitador da transmissão de mensagem, como é o ecossistema atual, no qual se destacam as redes sociais. O relatório sublinha que estas plataformas dão prioridade ao conteúdo sensacional e à estratégia de engajamento em detrimento do rigor da informação.

1.2. No campo político, a desinformação associa-se frequentemente a teorias da conspiração, fenómenos como câmaras de eco, e criação de realidades distorcidas, a ponto de as afirmações falsas conseguirem impor-se e serem aceites como verdadeiras.

2. Em Portugal, a inflação de 2022 originou múltiplas peças que divulgaram informação não coincidente sobre medidas políticas e ação dos principais agentes. Apesar de não ter sido possível detetar a existência de campanhas de desinformação organizadas, verificou-se a circulação de múltiplos conteúdos desinformativos sobre

a inflação. De acordo com a base de dados do parceiro do IBERIFIER, Polígrafo, registou-se um aumento de casos de peças de verificação de factos relacionadas tanto com políticas económicas como com casos comuns do dia-a-dia sobre aumento de preços, e, em consequência, avolumaram-se esforços para refutar iniciativas de manipulação de preços. A divulgação de informação não coincidente chegou a gerar da parte de uma empresa do sector do retalho a indicação de que estariam a ser vítimas de uma “campanha de desinformação”. A equipa IBERIFIER escolheu este tema por considerar que o levantamento de tantas dúvidas sobre este assunto teve grande impacto na vida quotidiana dos cidadãos.

3. Em Portugal, a guerra da Ucrânia originou o desmentido de 12 peças por semana. Segundo os investigadores IBERIFIER, os principais meios de comunicação portugueses recorreram a imagens descontextualizadas para fazer a cobertura do conflito. As estações de televisão portuguesas a utilizaram imagens da guerra na Síria e inclusive imagens de jogos de vídeo, como se fossem imagens autênticas da guerra da Ucrânia. O Polígrafo, parceiro do IBERIFIER, realizou 238 “fact-checks” entre 20 de fevereiro 2022 e 15 de julho (dos quais 40 são nacionais e 198 internacionais). A maior parte dos conteúdos de desinformação que circularam em Portugal eram importados e adaptados ou traduzidos diretamente. Os tópicos de desinformação de maior impacto da guerra em Portugal foram o aumento dos preços dos combustíveis e o alinhamento do Partido Comunista Português com o lado russo, usando a terminologia ambígua usada pela Rússia (não uma guerra, mas uma operação militar especial).

4. Em Portugal, a ascensão de movimentos extremistas obrigou a mais vigilância dos meios de comunicação social e dos próprios cidadãos. Os investigadores consideraram fascinante o estudo do que aconteceu durante as eleições legislativas de 2022. Este caso permite analisar um período específico de atividade política intensa, dominada por três temas que suscitaram grande preocupação na sociedade portuguesa: políticas sociais (salários, pensões, desemprego), saúde (influência e propriedade pública/privada) e política fiscal (impostos e rendimentos baixos). A meta-análise da

atividade do Polígrafo durante o período de campanha (1 a 30 de janeiro de 2022, n=148) indica que nem o Governo nem a oposição recorreram à criação e disseminação de falsidades sobre os três principais tópicos estruturais. Os atores políticos foram particularmente cuidadosos na abordagem de questões amplamente conhecidas, uma vez que isso poderia prejudicar as suas ambições eleitorais. Os investigadores do IBERIFIER concluem que os meios de comunicação social desempenharam um papel fundamental neste processo de monitorização. Apesar da falta de campanhas de desinformação política organizadas em Portugal, deve notar-se que a ascensão de movimentos extremistas, nomeadamente o partido de direita Chega, obrigou a esforços redobrados por parte dos meios de comunicação social, dos verificadores de factos em particular e inclusive dos cidadãos individuais.

5. Em Espanha, a “Lei somente sim significa sim” deu origem a múltiplas falsidades. Também conhecida como a Lei da Liberdade Sexual, que entrou em vigor a 7 de setembro de 2022, que estipulou que relações sexuais sem permissão são consideradas estupro, suscitou a circulação de muitos boatos e falsidades. Este tipo de desinformação enquadra-se numa resposta contra o ressurgimento do feminismo, descrito por algumas pesquisas como “a quarta onda feminista”. Este neosexismo apresenta as demandas feministas como um exemplo de desigualdade porque os homens não estão incluídos nessas medidas. Este tipo de desinformação assume diversas formas: comentários e imagens misóginas que reforçam estereótipos e preconceitos, manipulação de estatísticas e assédio digital contra contas pessoais de mulheres ou instituições que promovem políticas a favor da igualdade de género, entre outras. A distribuição dessas fraudes geralmente é feita por meio de redes sociais e meios de comunicação locais sensacionalistas. Além disso, o seu propósito é fundamentalmente político, pois visa mobilizar a opinião pública ou desacreditar o feminismo. Entre os exemplos de desinformação, sobressai o suposto contrato de consentimento que os homens deviam possuir para provar o consentimento explícito da mulher ao sexo. No entanto, este documento falso – em formato de imagem – tem sido detetado repetidamente nas redes desde 2018, conforme noticiou a plataforma Maldita. Outra imagem falsa divulgada nas redes anunciava que o Ministério da Igualdade iria proibir a braguiha nas calças masculinas. Foram ainda extraídas

declarações descontextualizadas da magistrada Natalia Velilla e da ministra Irene Montero. A Maldita, parceira do IBERIFIER, também detetou informações distorcidas dos defensores da lei. Ao contrário do publicado, o Conselho da Europa não obrigava Espanha a fazer esta legislação.

6. Em Espanha, as falsidades sobre imigração tinham como protagonistas jovens que eram acusados de violência ou de desrespeitarem as tradições espanholas. 68,9% dos boatos desmentidos em Espanha durante o ano de 2020 sobre imigração tratavam de ajuda, violência e entrada ilegal. Este tema é especialmente relevante durante os períodos eleitorais porque as questões de imigração são um ponto estratégico para a tomada de decisões políticas nas fronteiras espanholas. Em Espanha, a imigração tem sido associada associada à cultura e religião muçulmana e magrebina. Outro grupo que tem sido frequentemente alvo destas narrativas são os Menores Estrangeiros Desacompanhados. Estes menores têm sido associados a notícias falsas, nas quais protagonizam violência e falta de respeito pelas tradições espanholas. Este tipo de desinformação desacredita os partidos mais progressistas, como o Partido Socialista e o Unidas Podemos, pela sua aparente posição fraca no controlo da migração. Entre outros desmentidos, Maldita desmascarou a declaração erradamente atribuída a Irene Montero sobre a alegada nacionalização de todos os migrantes.

7. Em Espanha, a desinformação durante as eleições inclui vídeos em que os políticos pareciam embriagados. Durante as campanhas eleitorais de 2023 (eleições locais a 28 de maio e gerais a 23 de julho) a disseminação de desinformação foi significativa. Segundo os investigadores do IBERIFIER, este período proporcionou uma oportunidade valiosa para estudar o fenómeno da desinformação durante campanhas políticas ao vivo. De acordo com a Maldita, repetiram-se as habituais falsidades associadas a campanhas eleitorais: personificação de candidatos, fotos e vídeos fora de contexto e manipulação dos media. Foram detetados vários casos em que políticos de diferentes partidos aparecem sob o efeito de álcool e drogas. O discurso do presidente do Más País, Íñigo Errejón, por exemplo, foi desacelerado para fazer

parecer que tinha problemas de pronúncia. As falsificações de identidade e as notícias falsas afetaram particularmente as mulheres políticas. A descontextualização foi outra das estratégias utilizadas para desestabilizar a campanha de informação. Isso pode ser constatado na utilização de vídeos e imagens gravados antes da campanha eleitoral - ainda em 2019 - e que estão vinculados a eventos de campanha. Uma das conclusões é que a exposição a essa desinformação aumentou diretamente a probabilidade de crença e subsequente partilha. Por outro lado, verificou-se que as estratégias psicológicas podem combater eficazmente a desinformação em plataformas como as redes sociais. Para combater a desinformação, os líderes do partido socialista no poder em Espanha aproveitaram o poder das redes sociais, influenciadores, canais do YouTube e plataformas como o TikTok para fortalecer a resiliência pública contra a desinformação e divulgar as políticas públicas do seu governo.

8. Falta legislação que trate de aspetos contextuais específicos de Portugal e de Espanha. Ambos os países têm sido proativos na construção de uma estrutura jurídica que contemple os problemas da desinformação; mas, na prática, essa ação tem-se orientado por diretrizes europeias. Reconhece-se que faltam políticas europeias coordenadas em matéria de desinformação e também legislação que contemple aspetos específicos dos contextos nacionais, observação esta que ser vista como sinal de uma potencial fragilidade na capacidade de responder aos fenómenos de desinformação em ambos os países.

9. Em Portugal, existe a Lei do Cibercrime e o Código Penal contempla as falsas acusações. A Lei do Cibercrime penaliza a divulgação de informação falsa em meios online que possam causar danos a indivíduos ou instituições. Estão ainda previstas sanções para quem cria ou distribui notícias falsas. O Código Penal criminaliza inclusivamente as falsas acusações e a divulgação de informações incorretas, incluindo a desinformação.

10. Governo português criou “Conselho Estratégico de Comunicação”. No que diz respeito à resposta política, existe em Portugal a comissão designada de “Conselho Estratégico de Comunicação”, que é responsável pela análise da desinformação, promoção da literacia mediática e desenvolvimento de ferramentas de verificação de factos.

11. Media portuguesas possuem autorregulação ética e deontológica. Os meios de comunicação social portugueses criaram um órgão de autorregulação conhecido como “Conselho de Normas Éticas e Deontológicas para o Jornalismo”, que visa promover padrões éticos no jornalismo e combater a desinformação. Além disso, a Lei do Exercício do Jornalismo regula o exercício profissional do jornalismo e estabelece padrões éticos para os meios de comunicação social. Portugal possui também a Entidade Reguladora para a Comunicação Social (ERC), que supervisiona o cumprimento da ética e dos padrões dos meios de comunicação social.

12. Regulação Sobre IA menciona o problema da desinformação. No que se refere a regulamentação europeia, destaque-se a última aprovação (em junho de 2023) pelo Parlamento Europeu da proposta de Regulamento sobre Inteligência Artificial (AI Act - Legislação da UE), que também aborda questões relacionadas com a desinformação. Da parte de Portugal, espera-se que uma nova estrutura administrativa e jurídica seja criada, com o objetivo de gerir e operacionalizar práticas regulatórias.

13. Novos pacotes legislativos para os mercados digitais. Nos últimos anos foram ainda criadas as Leis dos Mercados Digitais e dos Serviços Digitais. As articulações entre estas novas arquiteturas regulatórias exigem, em cada Estado-Membro da UE, a criação de novas entidades reguladoras e a distribuição de novas competências jurídicas e de monitorização.

14. Portugal precisa de uma coordenação de serviços digitais. De acordo com os investigadores IBERIFIER, Portugal precisa de definir as entidades jurídicas e atribuir as competências regulatórias para seguir os requisitos da regulamentação europeia no domínio do digital e das suas aplicações no contexto português. Em particular, é necessário designar a entidade portuguesa que será o “Coordenador de Serviços Digitais”, que fará parte do Conselho Europeu que trabalhará com a Comissão Europeia. A designação deste Coordenador determinará a política para o digital em Portugal. O prazo para esta designação é 24 de fevereiro de 2024.

15. Problema da atribuição de competências para gerir o combate à desinformação. Neste contexto normativo e político, é também urgente definir as orientações políticas e a atribuição de competências para a desinformação (e os meios de comunicação social em geral). No panorama político português, a responsabilidade é do Ministério da Cultura, sendo alguns aspetos legislativos tratados pelo Secretário-Geral da Presidência do Conselho de Ministros. Na legislatura anterior, o Ministério tinha uma Secretaria de Estado da Comunicação Social, mas nesta legislatura já não existe. No Parlamento português, a Comissão de Cultura, Juventude e Desporto é a quem responde a Entidade Reguladora para a Comunicação Social (ERC), que terá estas questões sob a sua alçada.

16. Em Espanha, legislação sobre discurso de ódio pode ser aplicada à desinformação. Apesar de o Código Penal espanhol não incluir referência específica e explícita sobre desinformação, possui disposições que se referem ao discurso de ódio que poderão ser-lhes aplicadas. O artigo 510 do Código Penal enumera algumas das que poderão ser consideradas. Também a Lei do Audiovisual de 2022 e a Lei da Proteção de Dados e Direitos Digitais de 2018 não incluem medidas propriamente focadas na desinformação. No entanto, a Lei Geral do Audiovisual 13/2022 destaca a importância da literacia mediática. A Agência Espanhola de Proteção de Dados (AEPD) pode investigar e penalizar as violações da lei de proteção de dados, incluindo a utilização de dados pessoais.

17. Governo espanhol aposta numa unidade de verificação de fatos. Em 2020, o governo espanhol criou uma Unidade de Verificação de Factos para combater a desinformação e aprovou leis que regulamentam as plataformas de redes sociais e os conteúdos online. O Governo espanhol propôs um grupo de trabalho para combater a desinformação, conhecido como “Conselho de Segurança Nacional”. Este conselho é responsável por analisar e responder à desinformação, incluindo a promoção da literacia mediática e o desenvolvimento de ferramentas de verificação de factos.

18. “Conselho de Imprensa Espanhola” trabalha a autoregulação e a promoção dos valores do jornalismo. Ligados à autorregulação dos meios de comunicação social, os meios de comunicação espanhóis investiram num órgão de autorregulação conhecido como “Conselho de Imprensa Espanhola”, que visa promover padrões éticos no jornalismo e combater a desinformação.

19. Maior cooperação entre entidades, dos governos à sociedade civil. Portanto, os aspetos jurídicos e políticos da desinformação em Portugal e Espanha são complexos e multifacetados. Embora existam quadros jurídicos para regular a disseminação de informações falsas, há também necessidade de uma maior cooperação entre os intervenientes envolvidos, os governos, as organizações de comunicação social e a sociedade civil para promover a literacia mediática e combater eficazmente a desinformação.

20. Experiências exemplares em Portugal e Espanha. Os investigadores IBERIFIER consideram as medidas tomadas neste campo louváveis. As experiências portuguesas e espanholas são consideradas e exemplares para outros países que estão a enfrentar os mesmos problemas no combate à desinformação mas a luta contra a desinformação continua.

IBERIFIER: O Observatório Ibérico de Meios Digitais e da Desinformação de Portugal e Espanha é coordenado pela Universidade de Navarra, Espanha, e integra 12 universidades, cinco organizações de verificação, agências de notícias e centros de investigação multidisciplinar. O ISCTE é a instituição universitária que assume a liderança em Portugal. Participam ainda no projeto financiado pela Comissão Europeia: Universidade de Aveiro, Agência Lusa, Público, Cenjor, ALPMJ, Polígrafo. A atividade do projeto pode ser acompanhada aqui:

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IBERIFIER — Iberian Digital Media Research and Fact-Checking Hub

Political and legal aspects of disinformation in Portugal and Spain

Report

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1. Introduction

In Portugal and Spain, disinformation is a severe concern for social and cultural reasons. Furthermore, it is a significant concern for politicians and policymakers (Wardle & Derakhshan, 2017; Lanoszka, 2019; Saurwein & Spencer-Smith, 2020; Tenove, 2020; Correyero-Ruiz & Baladrón-Pazos, 2022). According to McKay & Tenove (2021), disinformation can undermine trust in democratic institutions and influence election outcomes, harming the reputation of individuals or institutions (European Commission, 2021; Department of National Security of the Spanish Government, 2022). In Portugal, the Government established a task force to combat disinformation, promoted media literacy, and launched campaigns to raise awareness of the dangers of disinformation. Similarly, in Spain, the Government established a Strategic Communication Office to coordinate efforts to combat disinformation and launched campaigns to promote media literacy.

In Portugal, for instance, some of the legal and political aspects of disinformation are:

a) Related to Legislation, the Law on Cybercrime criminalises the dissemination of false information online that can cause harm to individuals or institutions. The law also imposes penalties on those who create or distribute fake news, and The Penal Code criminalises false accusations and disseminating incorrect information, including disinformation;

b) Concerning political response, the Portuguese Government set up a commission to tackle disinformation, known as the "Strategic Communication Council." The council is responsible for analysing and responding to disinformation, promoting media literacy and developing fact-checking tools. Finally,

c) Linked with Media self-regulation, the Portuguese media has established a self-regulatory body known as the "Council for Ethical and Deontological Standards for Journalism," which aims to promote ethical standards in journalism and combat disinformation. Furthermore, The Law on the Exercise of Journalism also regulates the professional practice of journalism and sets ethical standards for the media. Additionally, Portugal has a media regulatory authority, the Entidade Reguladora para a Comunicação Social (ERC), which oversees compliance with media ethics and standards.



In the case of Spain, some of the legal and political aspects of disinformation are:

a) Connected to Legislation, the Criminal Code includes provisions that can be used to prosecute those who spread disinformation that causes harm to individuals or institutions. Although there are no explicit references to disinformation, the provisions refer to hate speech (Aba, 2015). Article 510 of the Criminal Code lists some actions that can be taken. The Audiovisual Law of 2022 and the Data Protection and Digital Rights Law of 2018 do not include measures focused explicitly on disinformation. However, the General Audiovisual Law 13/2022 highlights the importance of media literacy in its chapter on media alphabetisation. The law emphasises the need for citizens to understand disinformation and be able to distinguish it when it occurs. The Spanish Data Protection Agency (AEPD) can investigate and penalise data protection law violations, including using personal data to spread disinformation. However, the AEPD only enforces the Data Protection and Digital Rights Act 2018. Therefore, inaccuracies in personal data are only marginally related to the disinformation phenomenon. However, in 2020, the Spanish Government established a Fact-Checking Unit to combat disinformation (Abellán, 2019) and passed laws regulating social media platforms and online content. The Spanish government approved a "Procedure for Intervention against Disinformation" published in the Official State Gazette (BOE, 2020). The document makes provisions for the possibility of carrying out communication campaigns to counter fake news stories, stopping short of censoring them. The law seeks to combat disinformation by promoting transparency and accountability in the media, regulating online platforms, and promoting media literacy;

b) Regarding political response, the Spanish Government established a task force to combat disinformation, known as the "National Security Council." The council is responsible for analysing and responding to disinformation, including promoting media literacy and developing fact-checking tools and

c) Connected to Media self-regulation, the Spanish media has established a self-regulatory body known as the "Spanish Press Council," which aims to promote ethical standards in journalism and combat disinformation.

Both countries have also sought to cooperate with other European Union member states to address the issue of disinformation at the EU level (Pamment, 2020; Martín, 2021). Portugal and Spain have carried out a linear adaptation of EU guidelines. Indeed, there is little in terms of national-specific frameworks. An aspect which could point out as a potential weakness/frailty in the ability to respond to disinformation phenomena in both countries (Badillo-Matos et al., 2023) is that the response structure is still lacking in the understanding of the particularities of disinformation in both countries. In this Report 1.6, we have consolidated information related to disinformation governance in both Portugal



and Spain with the aim of providing knowledge to address this issue, thereby offering a structured response to fill the aforementioned gap.

For example, in 2018, the EU launched the European Digital Media Observatory (EDMO) to support fact-checking initiatives and combat disinformation across the EU. Portugal and Spain are members of the EDMO network. This report is included in the tasks and activities of the Digital Media Research and Fact-Checking Hub (IBERIFIER), one node of the EDMO. This report is an example of the priorities of the European countries related to the dissemination of disinformation.

In 2022, The Digital Services Act, 2022 [(UE) 2022/2065] addressed, among other problems, the reduction of privacy and individual decision-making freedom and, more specifically, disinformation (Recitals 84 and 95). As a critical measure, the law requires a risk assessment (art. 34) for which each platform must provide solutions (art. 35). The actions may need to be more efficient for the type of problems addressed. However, it is necessary to consider that for a digital platform - especially for large platforms - the obligation to report each year publicly the systemic problems they have suffered and the remedies applied is a reputation challenge. Thus, if the platform has been the scene of several disinformation campaigns and has not reacted proportionally to mitigate them, it will have transmitted a negative image of itself (Azurmendi, 2023). On the other hand, if the obligation to inform is not fulfilled truthfully, the exceptionally high sanctions provided for in the digital services law come into play, reaching up to 6% of the annual income of the digital service provider (art.52.3). Recitals and articles are available in the following link: <https://links.uv.es/75YzXrP>

In conclusion, disinformation's legal and political aspects in Portugal and Spain are complex and multifaceted. While legal frameworks are in place to regulate the dissemination of false information, there is also a need for greater cooperation between actors involved, governments, media organisations, and civil society to promote media literacy and combat disinformation effectively (Renda, 2018).

1.1. Objectives

1. Collecting legal and political aspects of disinformation in Portugal and Spain.
2. Examining the political communication environment in Portugal and Spain.



1.2. Methodology

1- Analyse different recent judicial decisions on disinformation in Portugal and Spain.

2- Review leading publications related to different approaches to the political aspects of disinformation in Portugal and Spain.

3- Identify three study cases per country (Portugal and Spain) to recognise the disinformation spread to the public sphere.



2. Legal aspects of disinformation in Portugal

The regulatory framework at the European level is evolving and densifying. With the latest approval (in June 2023) by the European Parliament of the proposed Regulation on Artificial Intelligence (AI Act - EU Legislation¹), which also touches on issues related to disinformation, it is expected that a new administrative and legal structure will also be developed in Portugal to organise and operationalise regulatory practices.

This latest proposal for a regulation aimed at the social, economic, political and legal implications raised by digital technologies and services energised by AI systems integrates other legislative measures already approved in recent years. We refer, for example, to the Digital Markets Act² and the Digital Services Act³. The articulations between these new regulatory architectures require, in each EU Member State, the creation of new regulatory bodies and the distribution of new legal and monitoring competencies.

In this regard, Portugal needs to define the legal entities and assign the regulatory competencies to follow the requirements of European regulations in the field of digital and its applications in the Portuguese context. In particular, it is necessary to designate the Portuguese entity that will be the "Digital Services Coordinator", which will be part of the European Board working with the European Commission. The designation of this Coordinator will determine the policy for digital in Portugal. The deadline for this designation is 24 February 2024, so Portugal must define such an entity to integrate policies in such a complex, dynamic and legally articulated area.

Within this normative and political context, it is also urgent to define the policy guidelines and the attribution of competencies for disinformation (and the media in general). In the Portuguese political landscape, the Ministry of Culture is in charge, with some more legislative aspects being dealt with by the Secretary-General of the Presidency of the Council of Ministers. In the previous legislature, the Ministry had a Secretariat of State for Media, while in this legislature, it no longer exists. In the Portuguese Parliament, the Committee on Culture, Youth and Sport is the one to which the Media Regulatory Authority (ERC) answers and will have these issues under its remit.

From a comparative perspective, it is interesting to see what is happening in other Member States in the face of strong EU legislation and the changes it brings to regulating the Digital Single Market in all its aspects, including regulating aspects of the media system. Some countries have begun to prepare internally to

¹ <https://links.uv.es/JFz2gRu>

² <https://links.uv.es/WZF8caC>

³ <https://links.uv.es/TVH6nMI>



accompany these changes, producing the changes themselves in their national legislation, on the one hand, and reorganising their regulatory framework, namely their regulatory bodies, so that they can cover several areas and have the human resources and knowledge to act effectively.

Here, there are several examples of mergers between regulatory areas to provide a more effective legal and policy response to the digital environment. Media regulation and communications regulation have become centralised, forming "super-regulators". In other cases, competencies in the digital area have been extended.

A paradigmatic case is the French one, where the CSA - Conseil Supérieur de l'Audiovisuel gave way to Arcom⁴ - Autorité de régulation de la communication audiovisuelle et numérique in early 2022. Another is BAI - Broadcasting Authority of Ireland, which will soon give way to Coimisún na Meán, resulting from a long and complex piece of legislation (which led to the Online Safety and Media Regulation Act 2022⁵), and which prepares this country's regulator for the many challenges it faces in the digital area (Ireland is the country where many of the big digital platforms have their European headquarters).

In Italy, too, there has been a merger between regulators, with AGCOM integrating media and communications regulation.

In the specific case of regulations approved to standardise the digital sphere, we highlight the DSA mentioned earlier (Digital Services Act⁶). This is an EU Regulation and, as such, will have direct application in all Member States, i.e. it is a legislative instrument that does not require transposition into the national legal regime as is the case with EU Directives.

Under this Regulation, all Member States must designate a Digital Services Coordinator. The "Recitals" (the articles ranging from 109 to 114) of the Regulation define the characteristics of the national Digital Services Coordinator.

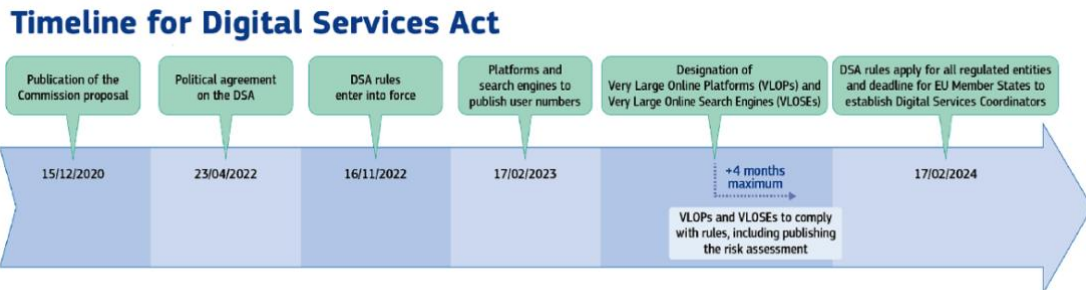
⁴ <https://www.arcom.fr/>

⁵ <https://links.uv.es/OdzFwf9>

⁶ <https://links.uv.es/TG0lgxv>



The timeline of this Regulation, established by the European Commission, is as follows:



Here, we highlight some of the normative indications mentioned. These serve to frame the profile of competencies that are required for the national coordinator of digital services that will have to be appointed within the established time.

(109) In order to ensure adequate oversight and enforcement of the obligations laid down in this Regulation, Member States should designate at least one authority with the task of supervising the application and enforcing this Regulation without prejudice to the possibility of designating an existing authority and to its legal form following national law. Member States should, however, be able to entrust more than one competent authority, with specific supervisory or enforcement tasks and competencies concerning the application of this Regulation, for example, for specific sectors where existing authorities may also be empowered, such as electronic communications' regulators, media regulators or consumer protection authorities, reflecting their domestic constitutional, organisational and administrative structure. In the exercise of their tasks, all competent authorities should contribute to the achievement of the objectives of this Regulation, namely to the proper functioning of the internal market for intermediary services where the harmonised rules for a safe, predictable and trusted online environment that facilitates innovation, and in particular the due diligence obligations applicable to different categories of providers of intermediary services, are effectively supervised and enforced, to ensure that fundamental rights, as enshrined in the Charter, including the principle of consumer protection, are effectively protected. This Regulation does not require Member States to confer on competent authorities the task to adjudicate on the lawfulness of specific content items.

(113) Member States can designate an existing national authority with the function of the Digital Services Coordinator or with specific tasks to supervise the application and enforce this Regulation, provided that any such appointed authority complies with the requirements laid down in this

Regulation, such as concerning its independence. Moreover, Member States are, in principle, not precluded from merging functions within an existing authority following Union law.

(114) Member States should provide the Digital Services Coordinator, and any other competent authority designated under this Regulation, with sufficient powers and means to ensure effective investigation and enforcement under the tasks conferred on them. This includes the power of competent authorities to adopt interim measures following national law in case of risk of serious harm. Such interim measures, which may include orders to terminate or remedy a given alleged infringement, should not go beyond what is necessary to prevent serious harm pending the final decision. The Digital Services Coordinators should, in particular, be able to search for and obtain information which is located in its territory, including in the context of joint investigations, with due regard to the fact that oversight and enforcement measures concerning a provider under the jurisdiction of another Member State or the Commission should be adopted by the Digital Services Coordinator of that other Member State, where relevant following the procedures relating to cross-border cooperation, or, where applicable, by the Commission.

Another European regulation, also significant for issues related to disinformation, is the EMFA - European Media Freedom Act⁷ - like the DSA, being an EU regulation; it will have direct application in the Member States without the need for transposition into the internal legislative framework. This regulation aims to protect media pluralism and independence in the EU and, for the time being, is still in the form of a proposal.

Recital (22) et seq. determine the role of independent national regulatory authorities or bodies in the national application of this Regulation. The Regulation also provides that an independent advisory body will be established at the Union level to bring together those authorities or entities and coordinate their actions. Such an independent advisory body will be called the European Media Services Committee.

On the Portuguese side, ERC discussed this regulation within the ERGA - European Regulators Group for Audiovisual Media Services. We highlight here normative indications 22 and 23 to emphasise the moulds in the determination of the new advisory body.

⁷<https://links.uv.es/yx9NdXy>



(22). Independent national regulatory authorities or bodies are key for the proper application of media law across the Union. National regulatory authorities or bodies referred to in Article 30 of Directive 2010/13/EU are best placed to ensure the correct application of the requirements related to regulatory cooperation and a well-functioning market for media services, envisaged in Chapter III of this Regulation. In order to ensure a consistent application of this Regulation and other Union media laws, it is necessary to set up an independent advisory body at the Union level to gather such authorities or bodies and coordinate their actions. The European Regulators Group for Audiovisual Media Services (ERGA), established by Directive 2010/13/EU, has been essential in promoting the consistent implementation of that Directive. Therefore, the European Board for Media Services ('the Board') should build on ERGA and replace it. This requires a targeted amendment of Directive 2010/13/EU to delete Article 30b, which establishes ERGA, and to replace references to ERGA and its tasks. The amendment of Directive 2010/13/EU by this Regulation is justified in this case as it is limited to a provision which does not need to be transposed by the Member States and is addressed to the institutions of the Union.

(23). The Board should bring together senior representatives of the national regulatory authorities or bodies referred to in Article 30 of Directive 2010/13/EU, appointed by such authorities or bodies. In these cases, where Member States have several relevant regulatory authorities or bodies, including at the regional level, no representative should properly apply appropriate procedures, and the voting right should remain limited to one representative per Member State. This should not affect the possibility for the other national regulatory authorities or bodies to participate, as appropriate, in the meetings of the Board. The Board should also have the possibility to invite to attend its meetings, in agreement with the Commission, experts and observers, including in particular regulatory authorities or bodies from candidate countries, potential candidate countries, EEA countries, or ad hoc delegates from other competent national authorities. Due to the sensitivity of the media sector and following the practice of ERGA decisions under its rules of procedure, the Board should adopt its decisions based on the on-thirds majority of the votes.

Finally, we mention the Regulation on the Transparency and Targeting of Political Advertising. This is one package of measures integrated into the European Commission's Democracy Action Plan, aimed at increasing the transparency of political advertising and addressing the issue of foreign interference in electoral campaigns. It is considered an essential package to complement the remaining actions to combat all forms of disinformation and foreign interference in electoral processes.



The legislative process is ongoing, but the prospect is that it will also be in place by February 2024 because of the European Elections that year. Once adopted, this package of measures will directly apply to all Member States.

On 2 February 2023, the European Parliament adopted amendments to the initial proposal of the European Commission and the Council, which will now be discussed with these bodies until the adoption of the final version. ERC represents Portugal, participating in the discussion on this regulation within ERGA. We refer to some significant parts of the text (here is a summary of the general proposal for the regulation of the transparency and targeting of political advertising⁸):

At the outset, the primary purpose of the Regulation is to lay down harmonised transparency obligations for providers of political advertising, and, crucially, to introduce harmonised rules on the use of targeting and amplification techniques for political advertising, which involve the use of personal data. This is so-called political microtargeting, where personal data is collected about individuals based on their online activity and behavioural profiling and used to target tailored political advertising. In this regard, the Regulation comprises five main chapters, with Chapter I setting out important definitions; Chapter II containing transparency obligations for political advertising services; Chapter III setting out rules related to targeting and amplification of political advertising; while Chapters IV and V contain provisions on supervision, enforcement and application.

First, and most notably, Article 2 sets out a comprehensive definition of political advertising, defined as a message (a) by, for, or on behalf of a “political actor”, unless it is of a purely private or purely commercial nature; or (b) which is “liable to influence” the outcome of an election or referendum, a legislative or regulatory process, or voting behaviour. Notably, political actors are also defined in Article 2 to include a wide range of actors, including political parties, candidates, and political campaign organisations. The Regulation applies to political advertising “services”, which are “provided for remuneration”.

Crucially, Chapter II then sets out essential rules on transparency obligations for political advertising. These include, first, under Article 6, providers of political advertising will have a “record-keeping” obligation, being required to retain records on all political advertising services they provide, including the financial amounts involved for these services and the identity of sponsors, which must be retained for five years. Certain national authorities will have the power to request access (under Article 10) to this information.

⁸ <https://links.uv.es/2cF9kt3>



In contrast, other bodies, including “accredited” journalists (under Article 11), can also request access. Crucially, under Article 7, all political advertising must contain (a) a statement that it is a political advertisement; (b) the identity of the sponsor of the advertisement; and (c) a “transparency notice” to enable the “wider context of the political advertisement and its aims to be understood”. This transparency notice may be included as a link. It must include additional information, such as financial information on the aggregate amount spent on the advertisement and the political advertising campaign it is part of. Importantly, under Article 9, advertising publishers must put in place mechanisms to allow individuals to notify that a particular advertisement does not comply with the Regulation.

Of particular note are the rules contained in Chapter III, which set out specific requirements for targeting and amplifying political advertising. Crucially, under Article 12, when using targeting or amplification techniques for political advertising involving personal data, controllers must provide additional information with the political advertisement to allow the individual concerned to “understand the logic involved” and the “main parameters of the technique used”, and the use of “third-party data and additional analytical techniques”.

Finally, concerning supervision, Chapter IV states that national data protection authorities will be responsible for supervising the rules on targeting under Article 12. At the same time, member states must designate competent national authorities to monitor compliance with the other obligations in the Regulation.

Once again, it is hoped that the Portuguese Government will quickly establish the criteria to define the Entities and the appropriate competencies to integrate and operationalise these new European regulations. Harmonising its regulatory guidelines is necessary for the digital media sector, the information market and the responsible exercise of citizenship.



3. Legal aspects of disinformation in Spain

Most relevant Spanish regulation on disinformation in Spain:

1. The Spanish Criminal Code has articles addressing disruptive content such as hate speech crimes. For example, Article 510 of the Penal Code punishes those who publicly promote or incite hatred, hostility, discrimination, or violence against a group or an individual because of their ideology, religion, ethnicity, race, national origin, sex, sexual orientation or identity, gender, illness or disability. This article also punishes those who produce or distribute material that promotes hatred or violence against these groups. In addition, Article 578 of the Penal Code addresses terrorism. It punishes the public glorification of terrorism or the justification of terrorist acts with a prison sentence of 1 to 3 years and a 12 to 18 months fine (Cabellos-Espiérrez, 2018).

2. Law 13/2022 General of Audiovisual Communication includes two references: Media alphabetisation and promotion of Codes of Conduct. About media alphabetisation, article 10.1. Media literacy states: “The competent audiovisual authority, the providers of audiovisual communication services, non-profit community audiovisual communication service providers and video sharing platform service providers, in cooperation with all interested parties, including organisations, associations, colleges and professional unions in the field of communication and journalism, shall take measures for the acquisition and development of media literacy skills in all sectors of society, for citizens of all ages and all media, and shall periodically evaluate progress made. 10.2 The measures provided for in the preceding paragraph shall aim to develop competencies, knowledge, skills, and attitudes of understanding and critical appreciation that enable citizens of all ages to use the media effectively and safely, access and critically analyse information, discern between facts and opinions, recognise fake news and disinformation processes and create audiovisual content responsibly and safely.

Regarding the promotion of Codes of Conduct, article 15.1. j (among a broader range of issues) explains that “In any case, Codes of Conduct will be promoted at both state and regional levels in the following areas:

j) Protection of users from disinformation

Therefore, Spanish regulation on disinformation is relatively marginal. Nevertheless, media alphabetisation and the promotion of codes have a future projection on education plans and activities and TV, Audiovisual services on demand, digital platforms, etc.



In this sense, the Sentence of the Constitutional Court STC 8/2022, 27th January, is the first time this Court addresses the dissemination of a hoax on social networks. It cannot be called a disinformation campaign. Nevertheless, it is a pretty relevant argumentation:

“Fundamento jurídico 3. (...) Social media requires taking into consideration at least the following elements:

(i) Social media acts on the axes of immediacy and speed in disseminating content, the difficulty of establishing filters a priori in that dissemination, and the potentially vast -and hardly controllable- transmission of its contents. This implies a capacity to influence public opinion exponentially superior to that of traditional media that also use social media to disseminate their content and even manage the times and power of the impact of certain information (Jiménez-Cruz, 2018). As a counterpoint, the characteristics mentioned imply a greater risk of violating third-party personality rights. This is mitigated or increased depending on elements such as the number of followers of a specific profile, whether it corresponds to a public or private figure, the fact that traditional media or highly influential profiles can generate a multiplier effect on the message and the effective speed with which the message spreads. These elements must be considered when evaluating the impact that expressions or information posted on social networks may have had on a third party's right to honour, privacy, image or data protection.”



4. Political aspects of disinformation in Portugal

Portugal constitute a unique case study in the overall European landscape. Unlike Spain, it is one of the countries with the highest trust in news, with about 60% of Digital News Report 2023 respondents saying they trust news most of the time (Cardoso et al., 2023; Newman et al., 2023). Eurobarometer data corroborate this trend, though it should be noted that trust in news varies significantly according to source, with TV and print / digital showing higher figures compared to social media or search engines⁹.

Furthermore, people in Portugal are highly concerned about online disinformation (70%) (Cardoso et al., 2023; Newman et al., 2023) and are increasingly avoiding news both on challenging topics (E.g. Ukraine war) and soft topics (E.g. Entertainment and celebrity news and sports). With about a third of the Digital News Report 2023 Portuguese sample claiming to avoid news actively (Cardoso et al., 2023) in 2022, we identified a considerable slump in overall interest in the news. Even though this extends to Portuguese society, it is much more prevalent among the poorer and less educated (Cardoso et al., 2022).

Despite these concerning figures, IBERIFIER results and analysis indicate that Portugal remains a country characterised by low political and social polarisation, with sociodemographic, economic and political conditions that make it less vulnerable to disinformation phenomena (Badillo et al., 2023). The main threats are growing polarisation in the future, the growth of extremist movements and parties and external phenomena from other Portuguese-speaking countries (E.g. such as Brazil and the turmoil surrounding former president Jair Bolsonaro).

As an added threat, IBERIFIER researchers also pinpoint the lack of coordinated institutional response frameworks to disinformation because disinformation is regarded as principally an external phenomenon, and the existing political and legislative frameworks remain as mere adaptations of EU guidelines and are not fully adapted to the national reality (Badillo et al., 2023).

Even though there have not been identified concerted and targeted disinformation campaigns have not been identified in Portugal, we have identified three disinformation-related events that are helpful to understand both the vulnerabilities and the resilience of the Portuguese society to these issues:

1. Inflation. The 2022 inflationary crisis constitutes an interesting case study for a wide range of aspects: a) it is not an exclusively economic-related phenomenon, as it relates to the broader geopolitical European and global context, and b) in its discussion in the public sphere, the term “disinformation” has been weaponised to serve the purpose of actors with

⁹ <https://links.uv.es/C6BN6xP>



different grades of possible responsibility and action over the issue. These aspects have contributed to differentiated interventions of the public, media, government and private sector, which result in the circulation of several different messages surrounding a topic that is not easily understood by all.

2. Parliamentary elections, January 30th 2022. While it has been shown that the risk of disinformation's impact on elections is low in Portugal (Moreno, 2019), the possibility of election interference is not ruled out in the sense that disinformation phenomena may influence the overall political landscape, namely by benefiting extremist movements and/or actors. Unlike what is observed in other European countries - with immigration being the central theme for politically related disinformation - in Portugal, the theme that motivates the manipulation of disinformation the most is corruption.
3. Invasion of Ukraine. This last case study has been widely studied and discussed, but its inclusion in this report is due to the disinformation processes and systems in Portugal, specifically. As IBERIFIER fact-checker Polígrafo points out, Portugal has an intrinsic importation dynamic in Portugal regarding Ukraine invasion-related disinformation - the vast majority of content is either translated or adapted to Portuguese. At the same time, this case study is prolific because of its multidimensional impact at a political, social and economic level - E.g. the arrival of refugees, soaring energy prices, consequent inflation and the participation of Portugal and the EU in the conflict.

4.1. Inflation and the weaponisation of disinformation

The link between inflationary periods and misinformation/disinformation is not new. While in this report, we discuss the dynamics around public-sphere-related disinformation, and it has been shown that wrong facts have been at the core of critical economic decisions to mitigate inflation in previous moments of crisis (Davidson, 1982).

As in the rest of Europe and the world, in 2022, Portugal was struck by an inflationary wave which has caused several constraints to the financial health of most people, namely citizens with lower income¹⁰. In November 2022, the inflation on primary food products reached 18% and the overwhelming impact on living motivated heated debates over the causes of the rising cost of living. While it has been generally accepted that the Invasion of Ukraine and the rise in energy

¹⁰ <https://links.uv.es/UAo78DD>



costs is the trigger for the inflationary wave (wars have, in the past, often triggered inflationary waves¹¹), a more comprehensive and much more technical discussion has risen regarding whether this particular surge in prices is due, on the one hand, too high labour costs/availability of ready income by the overall population or, on the other hand, is it profit-led inflation driven mainly through the rise in corporate profits which operate as an inflation driver¹².

Aside from the discussion on these incredibly technical aspects related to economy and finance, it should also be noted that this complexity has a profound impact on the ability of the public to judge and evaluate the economic climate and their situation. IBERIFIER researchers working on the Digital News Report Portugal project have addressed this issue and have shown that 88% of the Portuguese population has been impacted by the rise in the cost of living (59% a lot, 29% slightly), with women, older people and those with an average disposable income being proportionally more affected. More interestingly, when asked about how hard it is to understand news on economic and finance topics, a third of the people who were more impacted claim that it is hard (33%), with only 23% of those who were not impacted by inflation saying the same (Cardoso et al., 2023).

Further Eurobarometer data highlights the particular complex Portuguese citizens may have in understanding economic/financial topics: among the EU27, the country is second to last in the proportion of people who achieve a high score in terms of media literacy, only 16% of respondents, and about 56% reaching medium score and more than a quarter a low score (28%)¹³. It should be noted that financial literacy figures are also a consequence of the understanding citizens have of the broader economic context they are part of and news and journalism have a pivotal role in the building of knowledge and on the decision-making process regarding personal and domestic finance. For this reason, there is reason to believe that the country's low financial literacy profile makes citizens particularly vulnerable to financial and economic disinformation and potentially higher economic vulnerability.

Not only does inflation affect people differently, based on social and demographic stratification structures, as the complexity of the issue plays out into more comprehensive literacy related systems, namely economic, numerical and news literacy, which aggravates the inequality balances already in play - people with higher education and more considerable income are proportionally more likely to refer that it is easy to understand and apply inflation mitigation measures in their case.

¹¹ <https://links.uv.es/b5c7usY>

¹² <https://links.uv.es/pH5eKmz>

¹³ <https://links.uv.es/D1a51uG>



The issue's complexity has also spread to the governmental and institutional spheres. On March 2023, the Portuguese government announced that it would be applying a 0% VAT rate¹⁴ on essential food goods, tax exempting 44 different products from April to October 2023¹⁵. This initiative sparked a discussion based on the effectiveness of the policy, which used the Spanish example as a central argument. On December 27 2022, Spanish head of government Pedro Sánchez announced a similar policy to mitigate the rise in food prices, and several experts (economists and tax advisers) joined the discussion criticising the measure and arguing that this would have little to no impact on the majority of families and that it would mean a direct transfer of disposable income from households to corporations, which would raise prices anyway and absorb the investment made by the government¹⁶.

Along with the overall economic climate, this initiative, in particular, has contributed to the growth of a negative view of distributors and corporations, considered to have seized the opportunity to increase profits unfairly. In Portugal, the minister of economy stated that “on some products, there is a considerable gap between acquisition prices and retail values”¹⁷, feeding into the narrative of unfair profit rise by distributors. In response, Cláudia Azevedo, Sonae CEO of one of the largest Portuguese retail corporations, argued that distributors were targeted by a “disinformation campaign” in an internal letter to Sonae workers. She claimed that the company actually “lowered its margins to accommodate the rise in costs”. “We’re also suffering”, she adds. At this point, the competition authorities were monitoring the rise of essential food goods in all major distributors, looking specifically at price gouging and concertation¹⁸.

Consulting with IBERIFIER partner Polígrafo’s fact-check database, we witness the rise in instances of fact-checking pieces relating both to economic public policy and more common day-to-day instances of price rising, efforts to corroborate or refute price gouging initiatives, and while it is not possible to confirm the existence of organised disinformation campaigns, misinformative content regarding inflation has circulated in the Portuguese landscape. The interest of this case study lies not only in the weaponisation, as mentioned above, of the concept of disinformation but also in the establishment of the economic field and inflation as a fertile ground for information-based conflict, fostered by the unequal conditions under which citizens can understand and interpret complex topics with profound impact on their daily lives.

¹⁴ In Portuguese: IVA - Imposto sobre Valor Acrescentado.

¹⁵ <https://links.uv.es/HKN9dXL>

¹⁶ <https://links.uv.es/zVis6rQ>

¹⁷ <https://links.uv.es/SClw90z>

¹⁸ <https://links.uv.es/T2PVtf0>



4.2. Parliamentary elections and the use of disinformation to favour niche-extremist political views

This case study is fascinating as it allows us to look at a specific time frame of incredibly intense political activity, a parliamentary/general election surrounding three main and structural themes of great concern in Portuguese society: a) social policies (wages, pensions, unemployment), health (discussion on public / private influence and ownership) and fiscal policy (mostly revolving around taxes and structurally low income)¹⁹.

Over the past decade, Portuguese politicians and political parties have adopted digital networking strategies and placed these at the core of their communication strategy (ISCTE MediaLab, 2021). Furthermore, studies on the potential risk of disinformation have been conducted (Moreno, 2019), determining the low risk of systematic election interference. However, as mentioned in the introduction to this case study, the conditions exist for using disinformation/misinformation strategies by niche actors to empower e extremist movements.

Meta-analysis of IBERIFIER fact-checker Polígrafo's activity during the campaign period (1 to 30th of January 2022, n=148) indicates that neither Government nor the opposition has resorted to the creation and spread of falsehoods regarding the three main structural topics listed above, mainly because, given their centrality in the public sphere, knowledge about social policies, health sector and fiscal policy was already sedimented - a point that is once again worth making: generalised knowledge and opinion on vital domestic affairs is the best prevention against disinformation.

In this particular instance, political actors and communication structures are particularly careful to address widely known issues as it may harm their electoral hopes, with opponents, the media and citizens themselves contributing to fact-checking and deconstructing falsehoods. News media, in particular, play a pivotal role in these processes, as explained in a paper related to a case on the last day of the 2019 parliamentary elections (Quintanilha et al., 2019).

Despite the lack of organised political disinformation campaigns in Portugal, it should be noted that the rise of extremist movements, namely the right-wing party Chega has fostered more muscled and vigilant efforts by both news media, fact-checkers and individual citizens to double down on the identification and understanding of disinformation/misinformation content.

¹⁹ The elections were won by incumbent Prime Minister António Costa of Partido Socialista, with a majority. Full electoral results may consult here: <https://links.uv.es/Q2GNMin>



4.3. Invasion of Ukraine: The role of disinformation in the complexification of an already complex chain of events

The Ukraine war, caused by the Russian invasion of Ukraine on February 24th 2022, as an escalation of the Crimea conflict started in 2014 in an international event that impacts global geopolitical and economic balances, with indirect consequences in Portugal, namely through the arrival of war refugees, increase in energy prices and, consequently, rise in inflation²⁰. The consolidation of opposing factions caused by war and armed conflicts creates a fertile ground for both disinformation and information control structures and frameworks.

The issue of information control is particularly relevant, both on the Russian and Ukraine / allies' sides. On March 2nd 2022, approximately two weeks after the invasion started, the European Union imposed strict sanctions on Russian state media-owned news outlets, preventing the majority of European citizens from accessing information of Russian origin²¹. The grounds for this decision are justified, precisely, by the fear of disinformation originating from Russia:

“The Russian Federation has engaged in a systematic, international campaign of disinformation, information manipulation and distortion of facts in order to enhance its strategy of destabilisation of its neighbouring countries, the EU and its member states. In particular, disinformation and information manipulation has repeatedly and consistently targeted European political parties, especially during the election periods, civil society and Russian gender and ethnic minorities, asylum the functioning of democratic institutions in the EU and its member states.”

Two days later, on March 4th, the Russian government implemented similar measures, blocking access to major Western news outlets in the country²²:

“Russia has repeatedly complained that Western media organisations offer a partial – and often anti-Russian – view of the world while failing to hold their own leaders to account for devastating foreign wars such as Iraq, and corruption.”

These decisions from both sides of the conflict have been heavily criticised, particularly in the West²³, under the general argument that preventing citizens of democratic countries from understanding the narrative of the Russian Federation may contribute to further polarisation and is contrary to freedom of speech ideals and principles that characterise Western democracies. While it is hard to

²⁰ <https://links.uv.es/TY6cZhC>

²¹ <https://links.uv.es/HSSH4ne>

²² <https://links.uv.es/BfAAQ2K>

²³ <https://links.uv.es/9AOkWGe>



corroborate that the blocking of certain information prevents the spread of disinformation, it should be noted that at least in Europe (and Portugal and Spain), Russian-controlled information has been circulating, if not directly, at least through several indirect channels as social media and group chats such as Telegram. This means citizens will still consume information, true or false, outside editorial contexts, legitimate or not.

In Portugal, it has been noted that mainstream media have resorted to decontextualized imagery to cover the conflict, with Portuguese TV stations using images of the Syrian war and even video game footage as if these were authentic Ukraine war images²⁴. Polígrafo fact-checker and IBERIFIER partner conducted 238 fact-checks between February 20th and July 15th (of which 40 are national and 198 international), pointing out that most disinformation content circulating in Portugal is imported and either adapted or directly translated.

Most disinformation topics relate to the impact of war in Portugal, namely regarding rising fuel prices²⁵ and the siding of the Portuguese Communist Party with the Russian side²⁶ using the ambiguous terminology used by Russia (not a war, but a special military operation) and putting to questions issues such as whether the Donbas situation is consistent with an extermination effort or not²⁷.

The main disinformation topics originating internationally with impact on the public opinion in Portugal were related to Ukraine's president Zelenski's alleged cocaine addiction²⁸, the alleged manipulation of the image of a pregnant woman injured in Mariupol²⁹, or the video of a corpse moving during a TV broadcast^{30,31}.

Contemporary war-related disinformation must be framed in the context of war propaganda which, since World War II, has been professionalised and, in 2022, uses all the resources and reach made available by social media to try to capitalise on instability, doubt and uncertainty. This aspect is fostered by the blocking of media by both sides, as mentioned above.

²⁴ <https://links.uv.es/P9Ezb29>

²⁵ <https://links.uv.es/kVW5WFa>

²⁶ <https://links.uv.es/b4qmLyq>

²⁷ <https://links.uv.es/BjeyK4e>

²⁸ <https://links.uv.es/46auBVh>

²⁹ <https://links.uv.es/3LIN9xp>

³⁰ <https://links.uv.es/6DaXBD7>

³¹ <https://links.uv.es/9FOK7NK>



5. Political Aspects of Disinformation in Spain

5.1. State of the art of academic literature on Spain about Political and legal disinformation

Before delving into an analysis of three distinct political case studies regarding disinformation, it is imperative to understand its legal and political underpinnings. Hence, this report underscores the importance of reviewing the relevant literature on disinformation's legal and political aspects in Spain based on five specific points: a) based on knowledge, academic literature provides a structured understanding of the historical and contemporary context of disinformation in Spain. It equips researchers with a comprehensive background for discerning patterns, motives, and methodologies; b) based on legal implications: as disinformation may infringe upon laws, regulations, or civic rights, understanding the legal framework in Spain aids in distinguishing between lawful political manoeuvring and illicit disinformation tactics; c) based on political context: Spain's political structure and dynamics, illuminated by existing literature, shed light on the motivations behind disinformation campaigns. It also aids in discerning the impacts of disinformation on public perception and policy-making; d) based on comparative analysis: existing literature offers multiple perspectives and methodologies employed in earlier comments. This facilitates a multi-dimensional understanding and offers potential comparative frameworks for the impending case studies; e) based on gaps and opportunities: by examining the existing body of work, researchers can identify gaps in the current understanding and address unexplored aspects in their analyses.

The intricate web of disinformation in Spain's political sphere demands an informed approach to analyse three cases. In addition, a thorough review of relevant literature establishes a heuristic understanding, ensuring the subsequent examination of specific case studies was comprehensive and contextual for us.

The criteria selected for the search were as follows: a) Locating publications that were indexed in Dialnet and Google Scholar to identify as many open-access publications as possible, from 01/01/2016 to 10/06/2023; b) Applying the following Boolean searches:

Disinformation, Politics and Spain
Disinformation, Fake news and Spain
Disinformation, Immigration
Disinformation, Migration
Disinformation and Law 10/22
Hoaxes and Law 10/2022
Hoaxes and Law of "only yes means yes"
Disinformation and Local Elections



The results collected from both databases are presented in Table 1 (Annex I) at the end of this report.

By analysing the annex I-mentioned publications (table 1), the following relevant patterns can be identified:

1. **Types of disinformation:** The publications address different types of disinformation, such as fake news, hoaxes, fake news, propaganda and political disinformation. These terms are sometimes used interchangeably, but each publication can provide a specific perspective.
2. **Actors involved:** The research analyses various actors involved in disinformation, such as political parties, media outlets, digital platforms, fact-checking organisations and citizens. The roles of bots and social media in the dissemination of disinformation are also highlighted.
3. **Themes and contexts:** The publications explore various issues and contexts related to disinformation in Spain, including the Catalan conflict, migration, the COVID-19 crisis, gender politics, the far right and elections. Each context may present specific challenges and characteristics in terms of disinformation.
4. **Impact and consequences:** The impacts and consequences of disinformation on society are examined, such as political polarisation, hate speech, democratic participation and deliberation, social stigma, loss of trust in media and institutions, and influencing public opinion and electoral processes.
5. **Responses and strategies:** Various responses and strategies to combat misinformation are discussed, such as fact-checking, media literacy, transparency, regulation, education, data journalism, the use of artificial intelligence and the development of new business models for journalism.
6. **Legal and policy framework:** The existing legal and policy framework in Spain and the European Union to address disinformation is analysed, including criminal prosecution, regulation of digital platforms, transparency in political advertising and communication policies.

These patterns provide an overview of the legal and political aspects of disinformation in Spain and can serve as a basis for this comprehensive report. However, reviewing each publication individually for more details and specific references to relevant research and studies is essential.



5.2. Identifying three study cases of political disinformation in Spain

Disinformation is a growing problem in Spain, especially during the campaign period. Different academic studies confirmed that the public's deep polarisation had a direct bearing on both falling trust in the press and engagement in disinformation sharing and consumption (Alandete, 2019; Badillo, 2019; Badillo et al., 2023). The Spanish government plans to monitor the internet for fake news stories and give a "political response" to such campaigns. This is an essential step towards fighting disinformation in Spain.

We identified three study cases in Spain to identify the disinformation spread to the public sphere:

1. "Only yes means yes" Law. The Integral Guarantee of Sexual Freedom Law, also known as the Sexual Freedom Law and *solo sí es sí* (in Spanish), is a Spanish law active from September 7, 2022, regulating various aspects of sexual violence. The Law focuses on consent and establishes that sexual relations without permission are considered rape. The Law's implementation has been very controversial, as many prisoners who served sentences in Spanish prisons for different sexual crimes were reduced in their sentences and released, so the Government had to modify the Law. Likewise, there have been many hoaxes that have circulated related to this Law.
2. Immigration. According to Gamir-Ríos, Tarullo & Ibáñez-Cuquerella (2021), 68.9% of hoaxes debunked in Spain in 2020 about immigration dealt with aid, violence and illegal entry. This topic is especially relevant during the election periods because immigration issues are a strategic point for political decision-making in the Spanish borders (Arango et al., 2018; International Organization for Migration, 2019; Castro Martínez & Mo Groba, 2020; Camargo Fernández, 2021; Magallon-Rosa, 2021; López-Martín, Sánchez-Núñez & Córdoba-Cabús 2022; European Commission, 2022; European Commission 2023a; European Commission 2023b); Ministerio del Interior, 2023).
3. General election campaign 2023. In 2023, Spain witnessed local elections on May 28 and general elections on July 23. This period provided us with a valuable opportunity to study the phenomenon of disinformation during live political campaigns. Drawing on the research of Sander van der Linden, a renowned social psychologist and director of the Cambridge Social Decision-Making Lab, our analysis focused on hoaxes propagated via a misinformation model. This author identifies six primary tactics used



in misinformation dissemination: impersonation, conspiracy, emotion, polarisation, discrediting, and trolling. A notable study preceding the 2019 UK general election revealed that citizens believed in false political information and actively shared it. This study presented respondents with 24 news statements, gauging their familiarity, beliefs, and sharing behaviour. The prevalent conclusion was that exposure directly increased the likelihood of belief and subsequent sharing. Furthermore, van der Linden's separate survey, "Psychological Inoculation Improves Resilience against Misinformation on Social Media," suggested that psychological strategies can effectively counter misinformation on platforms like social media. Given the back-to-back local, regional, and general elections in Spain in 2023, the dissemination of disinformation was extensive. To combat this, leaders from Spain's ruling socialist party harnessed the power of social networks, influencers, YouTube channels, and platforms like TikTok to fortify public resilience against misinformation and disseminate their government's public policies.

5.3. Hoaxes related to the "Only yes means yes" Law

In the 21st century, social networks are an "essential space for the visibility, debate and defence of feminism" (Tortajada and Vera, 2021: 1). Social media - especially Twitter- and messaging platforms such as WhatsApp and Telegram (Iranzo-Cabrera, 2020) were key between 2017 and 2018 in the globalisation of the #MeToo movement (Mendes et al., 2018). This global sisterhood action among women victims of gender inequality started online and led to demonstrations in public spaces in the North and South of the planet.

One of the responses to this resurgence of feminism -described by some research as the "fourth feminist wave" (Cobo, 2019; Valera, 2019)- has been the use of gendered disinformation on the Internet (Occeñola, 2018) as a tool to question the movement's demands and polarise public opinion. Behind this content is usually neosexism (Tougas, 1995) or modern sexism (Swim et al., 1995), a current of thought that questions the existence of gender inequality and the strategies aimed at correcting it. For Lorente (2013), this neosexism presents feminist demands as an example of inequality because men are not included in these measures.

Thakur et al. (2021) define gender disinformation as intentionally spreading false information about persons or groups based on their gender identity. This type of misinformation or disinformation takes various forms: misogynistic comments and images that reinforce stereotypes and prejudices, manipulation of statistics and digital harassment against personal accounts of women or institutions that promote policies in favour of gender equality, among others.



The distribution of these hoaxes is usually carried out through social networks and sensationalist native media. Furthermore, its purpose is fundamentally political, "understood in a propagandistic or ideological sense: it aims to mobilise public opinion or discredit feminism" (Herrero-Diz et al. 2020: 2010). According to EU Disinfo Lab (2021), the effect is to question women's credibility, design obstacles to their electoral success and ultimately disincentive women from sustaining a political career. "There is more: gendered disinformation weakens democratic institutions by limiting the participation of a significant part of the population and increasing the notion of politics as an inherently "dirty," corrupt, cynical, and violent field, where leadership characteristics associated with women do not have a place", argued.

This has recently been observed in Spain when approving a new comprehensive law to tackle crimes against women's sexual freedom structurally. Driven by the Minister for Equality, Irene Montero, the law promotes affective-sexual education for all educational stages, criminalises conduct that until now went unpunished because it was not included in the Penal Code (such as street harassment and forwarding sexual content) and focuses on consent as the only element that defines whether a sexual assault has taken place, as opposed to the demonstration of the existence of violence that was required until now as a determining factor to recognise an assault as opposed to abuse.

The new measures of the Integral Guarantee of Sexual Freedom Act have been the object of gendered disinformation since its parliamentary processing (Table 1). Among them is a supposed consent contract that men must carry to prove a woman's explicit consent to sex. However, this false document - in image format - has been detected in networks repeatedly since 2018, as reported by the verification platform Maldita. Since then, the hoax has aimed to discredit the feminist demand for the appeal to the consent of people who have sexual relations (<https://links.uv.es/qs6Rgfp>). Another false image distributed through networks announced that the Ministry of Equality would ban the fly on men's trousers in this regulation (<https://links.uv.es/PV1c2Wf>).

Among the strategies detected to humiliate public persons in favour of the new law ideologically, decontextualised statements were extracted. This happened to the magistrate Natalia Velilla, who, in a television interview, responded ironically that she had not read the law (<https://links.uv.es/p0oXVFo>). Another example of manipulation of statements affected Minister Irene Montero, who spoke about sexual consent in the Congressional Equality Commission (<https://links.uv.es/szU343r>). The fragment that went viral on Twitter belongs to a more extensive appearance in which it is specified that she is referring to 16 and 17-year-olds.



However, Maldita has also detected distorted information from supporters of the law. While jurists such as Guijarro (2023) defend in various media that the merger of the crimes of abuse and sexual assault was a requirement of the Istanbul Convention, ratified by Spain in 2014, the Spanish verification platform maintains that nothing in the Convention explicitly and states the need to unify both crimes. This is also pointed out by different experts in criminal law consulted by Maldita.es, who affirm that the text of the Council of Europe did not oblige our country to make this reform. Maldita.es asked the Ministry of Equality about this issue but did not receive an answer (<https://links.uv.es/VN3Qpxk>).

The merging of crimes into a single type (sexual assault) regardless of whether violence or intimidation was involved and the omission of a transitional provision to prevent massive retroactive sentence reductions (as permitted by Article 2.2 of the Penal Code) has resulted in at least 978 reductions in the sentences of those convicted of sexual offences from 7 October 2022 to 31 March 2023 (Consejo General del Poder Judicial, 2023). This was the main reason the Montero law was amended in April 2023, with the support of PSOE and PP. A single offence is maintained in which the penalty will be aggravated if there has been violence or intimidation. This implies the increase of some minimum sentences.

Table 2.- Clarifications and denials produced by Maldita.es on the occasion of the Only yes means yes law.

Headline	Last publication date	Link
The principle of non-retroactivity and the reform of the Only yes means yes law: it will only apply to crimes committed after it enters into force	20/4/23 13:07	https://maldita.es/feminismo/20230420/ley-solo-si-es-si-reforma-no-retroactividad-penas/
Tools, data and sources on the Only yes means yes law reform	20/4/23 12:57	https://maldita.es/feminismo/20230420/herramientas-datos-fuentes-reforma-ley-solo-si-es-si/
The Only yes means yes law: sentence reductions, what judges are basing their sentences on, Equality's position and what experts say	20/4/23 12:55	https://maldita.es/feminismo/20230420/ley-solo-si-es-si-rebajas-condenas/



105 hoaxes about women, feminism and male violence: false facts, trolls and stories that never happened	8/3/23 8:28	https://maldita.es/feminismo/20230308/50-bulos-mujeres-feminismo-violencia-machista-8m/
How the penalties have changed with the reform of the Penal Code brought about by the Only yes means yes law	2/3/23 19:13	https://maldita.es/feminismo/20230302/penas-codigo-penal-solo-si-es-si/
10 questions and answers to understand what has happened to the Only yes means yes law	2/3/23 18:57	https://maldita.es/feminismo/20230302/preguntas-respuestas-solo-si/
What do the jurists who believe that the Only yes means yes law allows for the reduction of sentences and what do those who believe that they cannot be reviewed if they are still imposable think?	27/12/22 16:11	https://maldita.es/feminismo/20221227/juristas-ley-solo-si-es-si-rebaja-penas/
What has happened in La Rioja with the Only yes means yes law for sexual offences?	27/12/22 16:03	https://maldita.es/feminismo/20221227/ley-solo-si-es-si-condenas-la-rioja/
What the Supreme Court ruling says about the 'Arandina case', what it means and what it does not mean concerning the Only yes means yes law	2/12/22 14:33	https://maldita.es/feminismo/20221202/que-dice-sentencia-supremo-arandina-y-relacion-solo-si-es-si/
What happens when something is removed from the Journal of Session and on what occasions have expressions been deleted?	1/12/22 9:26	https://maldita.es/malditateexplica/20221201/borrar-diario-de-sesiones-congreso/

Q&A on the merger of the offences of sexual assault and sexual abuse in the Only yes means yes law and its relation to the Istanbul Convention	29/11/22 19:21	https://maldita.es/malditobulo/20221129/preguntas-respuestas-delitos-agresion-abuso-sexual-solo-si-es-si/
How a decontextualisation of a video can create misinformation: the case of Judge Velilla and the Only yes means yes law	21/11/22 13:16	https://maldita.es/malditateexplica/20221121/descontextualizacion-video-desinformacion-velilla-y-solo-si-es-si/
Only yes means yes law: would it have been fixed with a provision or was there already case law? How has it been done in the past?	18/11/22 19:24	https://maldita.es/feminismo/20221118/ley-solo-si-jurisprudencia-disposicion/
Creating a false profile on social networks used to humiliate or harass is now covered by the Penal Code	3/11/22 19:13	https://maldita.es/malditatecnologia/20221103/perfil-falso-redes-sociales-delito/
No, the Ministry of Equality has not published any "legal consent to sex"	21/10/22 9:30	https://maldita.es/feminismo/20221021/no-el-ministerio-de-igualdad-no-ha-publicado-ningun-consentimiento-legal-para-mantener-relaciones-sexuales/
No, in Spain it is not necessary to "sign a contract" to have sexual relations and the draft of Only yes means yes law does not require it	26/8/22 10:48	https://maldita.es/feminismo/20220826/espana-no-necesario-contrato-mantener-relaciones-sexuales/
No, this document is not an official "consent contract" for sex, nor is it related to the future Only yes means yes law: it	26/8/22 10:47	https://maldita.es/feminismo/20220826/contrato-consentimiento-relaciones-sexuales/

has been circulated since at least 2018.		
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Source: *Maldita.es* (2023)

5.4. Hoaxes Related to Immigration in Spanish Governance

The International Organization for Migration (2019) defines a migrant as any person who moves away from their usual residence, regardless of their legal status, the duration of their stay, the national or international character of the move, and the causes of such movement (whether voluntary or involuntary). Therefore, migration encompasses a wide diversity of life experiences, including international students, politically displaced refugees, and individuals in an irregular status. This conceptualisation holds legal implications and is essential for understanding disinformation, as some international organisations note that these terms are often used interchangeably (Amnesty International, 2022).

According to the European Commission (2022), out of the 447.2 million people in the European Union, 37.5 million were born outside its territorial limits, accounting for 8.4% of the community's population. Alongside Germany and France, Spain is one of the European countries that receive the highest number of asylum requests per year (62,100). In 2023, out of the 37,949 irregular migrants who arrived on European territory, 4,287 entered Spain by sea and land (European Council, 2023a, 2023b; Ministry of the Interior, 2023). Spain's southern territorial borders are essential to the European Union's migratory policy due to its proximity to the Mediterranean and North Africa (Amnistía Internacional, 2022).

Spain's centrality in migration affairs is coupled with a phenomenon of "hyperpoliticization" (Arango et al., 2018) that the topic has experienced over the past decade. Since 2015, the year of the notorious "refugee crisis" caused by a significant increase in migrants arriving at European coasts—reaching 911,000 people (UNHCR, 2015)—several countries have witnessed a conservative shift in their attitude towards migration. This shift has been manifested through the rise of far-right populist parties in countries like Italy and the United Kingdom, capitalising on the issue as a political opportunity to bolster their electoral support and anti-establishment discourses (Gianfreda, 2018). In Spain, this political trend has been represented by Vox, which has leveraged the migration question to gain political relevance within the country. Migration is, in fact, the primary concern of Vox's voters, who are typically located in areas with high migrant populations (Meleiro, 2028).

In general, there are three predominant themes in migration hoaxes at the European level: health, wealth, and identity (Butcher and Neidhardt, 2020). In all cases, migrants are portrayed as threats to specific values and dynamics of the



host countries. For instance, migrants are depicted as potential carriers of diseases, overwhelming the healthcare system and exhibiting aggression (health); they are accused of benefiting from excessive welfare, draining public subsidies, and taking away jobs from the native population (wealth); and they are blamed for attacking culture, imposing sexist norms, and invading public spaces (identity). These narratives contribute to hate speech by perpetuating negative ideas about migrants, altering the public perception, and opening the door to other forms of discrimination (Culloty et al., 2022). Spanish fact-checkers like Maldita have identified specific hoaxes framed in these three categories:

1. Health: No, this assault on a sales clerk did not happen in Spain: it is in the United States (<https://links.uv.es/POIp4M0>).
2. Wealth: No, an immigrant cannot retire with a monthly pension of 720 euros, having worked and resided for only two years in Spain (<https://links.uv.es/ZdKLI8q>).
3. Identity: What do we know about the alleged attempt to boycott a procession in El Vendrell (Tarragona) on April 10, 2022? (<https://links.uv.es/qiwg7iP>).

There are also studies focused on migration hoaxes in Spain. In this case, migration is primarily associated with Muslim and Maghreb culture and religion (Magallón-Rosa, 2021). Another group that has frequently been the target of these narratives is Unaccompanied Foreign Minors, known by their acronym MENA in Spanish. These minors in Spain, without adult supervision, have also been linked to fake news, alleging their violence and lack of respect for Spanish traditions (López-Martín et al., 2022).

These news stories often discredit the most progressive parties, such as the Socialist Party and Unidas Podemos, for their perceived weak stance on migration control (Castro Martínez and Mo Groba, 2020): Maldita has debunked the wrongly attributed statement to Irene Montero on the alleged nationalisation of all migrants (<https://links.uv.es/Bu02DhA>). This perspective aligns with the criticisms raised by right-wing parties, particularly Vox, in recent years against the government, which they consider lenient towards migrants' perceived uncivil behaviour. These criticisms are often framed within an emotional discourse that seeks to tap into feelings of fear and alarmism (Carodo Fernández, 2021).

Table 3.- Clarifications and denials produced by Maldita.es on immigration



Headline	Last publication date	Link
The hoax of the "Maghrebi" who receives €1,800 per month with the PIRMI aid	24/04/2023	https://maldita.es/migracion/20230424/el-bulo-del-magrebi-que-recibe-1800e-con-la-ayuda-pirmi/
No, we do not "pay pensions to more than 100,000 immigrants who never paid taxes"	24/04/2023	https://maldita.es/malditobulo/20230424/no-no-pagamos-pensiones-a-mas-de-100-000-inmigrantes-que-jamas-cotizaron/
"Satanic", "Muslim" and "arrested": hoaxes and misinformation about Pope Francis	19/04/2023	https://maldita.es/malditobulo/20230419/satanico-musulman-detenido-bulos-papa-francisco/
The photo of a gang in Morocco that is used to misinform and attack Moroccan migrants in Spain	18/04/2023	https://maldita.es/migracion/20230418/banda-marruecos-desinformar-marroquies/
No, El País has not tweeted these statements by Yolanda Diaz about "the magic formula that has led Spain to be the fastest growing country"	18/04/2023	https://maldita.es/malditobulo/20230418/tuit-el-pais-yolanda-diaz/
No, an immigrant cannot retire with the pension of 720 euros per month having worked and resided only 2 years in Spain	17/04/2023	https://maldita.es/malditobulo/20230417/inmigrante-pension-720-euros/
No, this video is not of an immigrant crossing at the border of Melilla this Easter: it is from 2022	12/04/2023	https://maldita.es/malditobulo/20230412/video-personas-migrantes-melilla-semana-santa/



Why the female tweeter who spread a hoax about unaccompanied foreign minors is convicted	11/04/2023	https://maldita.es/migracion/20230411/condena-acusacion-persona-bulomenores-extranjeros/
What do we know about the alleged attempt to boycott a procession in El Vendrell (Tarragona) on April 10, 2022?	10/04/2023	https://maldita.es/malditobulo/20230410/boicotear-procesion-vendrell-tarragona-musulmanes/
Which immigrants can vote in the 2023 elections?	04/04/2023	https://maldita.es/migracion/20230404/personas-inmigrantes-votar-elecciones-2023/
Hoaxes and misinformation about the singer Aitana	04/04/2023	https://maldita.es/malditobulo/20230404/bulos-y-desinformaciones-aitana/
Beware of this tweet by Jacinta Rebolledo that says that in Igualdad they have decided "not to condemn" sexual assaults by Maghrebi or African migrants: it is a troll account	29/03/2023	https://maldita.es/feminismo/20230329/jacinta-rebolledo-trol-agresiones-sexuales/
What are climate displaced persons and what protection do they have?	26/03/2023	https://maldita.es/migracion/20230326/clima-desplazados-climaticos-proteccion/
32 hoaxes and false information from the Twitter account 'El Puntual 24H'	15/03/2023	https://maldita.es/malditobulo/20230315/cuidado-desinformaciones-sin-pruebas-de-la-cuenta-de-twitter-el-puntual-24h/
When Pedro Sánchez promised in 2015 to repeal the gag law.	14/03/2023	https://maldita.es/malditahemeroteca/20230314/sanchez-2015-derogar-ley-mordaza/
No, this is not an announcement of a "massive regulation" of immigrant people for the elections	10/03/2023	https://maldita.es/malditobulo/20230310/regulacion-masiva-inmigrantes-elecciones/



The new employment law and the "priority treatment" of LGTBIQ+ people in job search	08/03/2023	https://maldita.es/malditateex-plica/20230308/prioridad-personas-lgtbi-sepe-busqueda-empleo-ley/
105 hoaxes about women, feminism and male violence: false data, trolls and stories that never happened	08/03/2023	https://maldita.es/feminismo/20230308/50-bulos-mujeres-feminismo-violencia-machista-8m/
No, this video is not of migrants trying to disrupt a Krampus parade in Austria	01/03/2023	https://maldita.es/malditobulo/20230301/no-inmigrantes-no-interrumpieron-desfile-en-austria/
More than 168,000 people fleeing Ukraine have applied for temporary protection in Spain: Alicante and Barcelona, where most have been requested	24/02/2023	https://maldita.es/migracion/20230224/proteccion-temporal-ucrania-alicante-barcelona/
No, this assault on a sales clerk did not happen in Spain: it is in the United States.	16/02/2023	https://maldita.es/malditobulo/20230216/agresion-dependienta-tienda-inmigrante-espana/
No, Cadena Ser has not published Froilán's declarations saying that he is "ready to join the PSOE" after the "scandal" of the after party in Madrid	10/02/2023	https://maldita.es/malditobulo/20230210/cadena-ser-froilan-militar-psoe/
No, this tweet about alleged statements by an advisor to Irene Montero about nationalizing "all immigrants" to avoid "news of rapes at the hands of foreigners" is not from 'El Mundo': it's a self-described parody account	09/02/2023	https://maldita.es/malditobulo/20230209/declaraciones-asesora-irene-montero-violaciones-inmigrantes/



No, this video of a black man assaulting a church and beating a priest is not in the Canary Islands: it's a church in Guyana	08/02/2023	https://maldita.es/malditobulo/20230208/video-hombre-negro-asaltando-iglesia-pegando-cura-canarias/
How Twitter troll accounts impersonate migrant or promigration people to misinform	28/01/2023	https://maldita.es/migracion/20230128/cuentas-trol-twitter-migrantes/
Beware of Twitter profile MohaLahman sharing content about migration and Islam: it's a troll account	24/01/2023	https://maldita.es/malditobulo/20230124/cuenta-trol-twitter-mohalahman-migracion/
Beware of Twitter profile MashouSalma sharing content on migration and Islam: it is a troll account	23/01/2023	https://maldita.es/malditobulo/20230123/cuenta-twitter-salma-islam/
Tech in a click: Google Maps Timeline, ChatGPT for copying and police-use biometrics	14/01/2023	https://maldita.es/malditatecnologia/20230114/tech-clic-google-maps-chatgpt-biometria/
Hoaxes that kill: the real consequences of misinformation	02/01/2023	https://maldita.es/malditobulo/20230102/bulos-que-matan-las-consecuencias-reales-de-la-desinformacion/

Source: Maldita.es (2023)

5.5. Hoaxes related to the local and regional elections (MAY, 2023)

Disinformation is often associated with political turmoil and moments of political organisation. Electoral campaigns encompass both characteristics as they involve potential changes in institutions, leading political parties to vie for prominence in the political arena and mobilise voters towards their proposals. In fact, the prevalence of disinformation is closely tied to such periods in democratic life. Academics have identified the use of hoaxes and inaccurate information during past presidential elections, such as the George H. W. Bush vs Michael Dukakis contest in 1988 (Poulsen & Young, 2018).



The phenomenon of disinformation has experienced a resurgence with the maturation and sophistication of digital platforms. The Internet has substantially transformed political communication, offering new avenues to connect with voters directly, analyse population behaviour, and personalise messages for specific targets. The professionalisation of this sector, coupled with new technical capabilities, led to disinformation strategies during the election when Donald Trump was elected President of the United States. The circulation of hoaxes and fake news during this period sparked a broader debate on the potential risks and effects of communication technologies on democracy (Allcott & Gentzkow, 2017).

Following this episode in American history, other political events gained international prominence due to the impact of polarised, emotional, and false content on public opinion, such as the Cambridge Analytica scandal during the Brexit referendum. In Spain, the first cases of disinformation strategies were observed concerning the use of bots to spread inflammatory messages during the Catalan referendum in 2017 (Stella et al., 2018). Two years later, during the 2019 General Elections, such strategies became normalised in the Spanish political arena (López-García et al., 2021).

In this context, previous research has identified disinformation with a particular nature, with topics closely tied to the political moment (Rojano et al., 2020). Fake news frequently conveyed polarised content through social networks and addressed issues relevant to the electoral context, such as political fraud. Technical tools like bots to engage polarised internet users and spread false content remained highly active during this period (Pastor-Galindo et al., 2020).

The Spanish political landscape has undergone profound changes, with the rise and fall of political parties with different ideologies challenging conventional bipartisanship and questioning the power of traditional political organisations in the country (Orriols & Cordero, 2016). In fact, the 2019 General Elections in Spain were held twice due to the inability to form a government. In addition to these elections, the Spanish population also voted in Regional and Municipal Elections and the European Parliament Elections that year.

The last elections were held on 28 May³². Members of the regional parliaments -except for the Basque Country, Catalonia, Galicia, Andalucía and Castilla y León- and municipal councils were elected. According to Maldita, the usual

³² After the failed results obtained in the elections of 28 May 2023 of the PSOE, which currently governs in coalition with the extreme left in Spain, Pedro Sánchez, Spain's Prime Minister, called General Elections for 23 July 2023. This report was already closed at the time, so there are no references to disinformation during the campaign general elections.

electoral campaign hoax formats have been repeated: impersonation of candidates, photos and videos out of context and manipulation of the media.

Regarding the candidates, several cases have been detected in which politicians from different parties appear under the influence of alcohol and drugs. One example is this video (<https://links.uv.es/e87qjCr>) in which the speech of the president of Más País, Íñigo Errejón, has been slowed down to make it look as if he has problems with his pronunciation.

Impersonations and fake news have particularly affected women politicians, as is the case of the candidates for the presidency of the Community of Madrid for the PP, Isabel Díaz Ayuso (<https://links.uv.es/bXbX5nb>), and Más Madrid, Mónica García (<https://links.uv.es/Utimm60>). Even mainstream media outlets, such as El País, have been impersonated, reporting on alleged fraud by the Vox candidate for Valencia (<https://links.uv.es/4X7BnZG>).

Decontextualisation is another of the strategies used to disrupt the information campaign. It can be seen in the use of videos and images recorded before the election campaign - even in 2019 - and which are linked to campaign events (<https://links.uv.es/2rHcUlk>). Several have also been generated on this, a dating moment of alleged vote-buying in Melilla and Tenerife.

Finally, allegedly official images were detected on networks and private messaging platforms. It is an alleged document from the Anti-Corruption Prosecutor's Office -for an alleged investigation against Indra, which is not responsible for the vote count, but for transmitting the provisional count data at the ballot box-. Also circulating is an image of a supposed fragment of the Boletín Oficial del Estado, which states that the government has changed the electoral law so that other people can vote for us if we live. According to the hoax, voters abroad no longer have to request and receive their votes. They only have to prove their identity.

As can be seen, the main objective of this content is ideological, aimed at harming candidates and political parties. They point to actions carried out by the candidates or their closest environment, by the parties or supporters of their political parties. The content talks about alleged attempts at electoral fraud, legislative changes and last-minute decisions. Surprisingly, there is always some content in which the actor or actors are immigrants (<https://links.uv.es/dbJRCJ7>).



Table 4.- Clarifications and denials produced by Maldita.es on institutional politics during campaign

Headline	Last publication date	Link
What about crimes committed before and after the reform of the 'only yes is yes' law: questions and answers	25/04/2023	https://maldita.es/feminismo/20230425/reforma-ley-solo-si-es-si-no-retroactividad-preguntas-respuestas/
No, these are not the real notes of former Prime Minister Mariano Rajoy	25/04/2023	https://maldita.es/malditobulo/20230425/cartilla-notas-mariano-rajoy/
Who were José Antonio Primo de Rivera and Miguel Primo de Rivera? Some facts to distinguish the founder of the Falange from his father, the dictator	24/04/2023	https://maldita.es/malditateexplica/20230424/jose-antonio-primo-de-rivera-miguel-quien-es-quien-exhumacion/
No, Bildu has not named favourite son "the ETA who shot Miguel Ángel Blanco" in the town of "Arralde": it is a hoax	24/04/2023	https://maldita.es/malditobulo/20230424/predilecto-etarra-disparo-angel/
The hoax of the "Maghreb" who receives € 1800 per month with the help of PIRMI	24/04/2023	https://maldita.es/migracion/20230424/el-bulo-del-magrebi-que-recibe-1800e-con-la-ayuda-pirmi/
No, the Parliament of Denmark is not holding in this video a debate to 'recognize Catalonia as an independent country': the subtitles are manipulated	24/04/2023	https://maldita.es/malditobulo/20230424/parlamento-dinamarca-video-debate-reconocer-cataluna-pais-independiente-subtitulos-manipulados/
No, we do not "pay pensions to more than 100,000 immigrants who never contributed"	24/04/2023	https://maldita.es/malditobulo/20230424/no-no-pagamos-pensiones-a-mas-de-100-000-inmigrantes-que-jamas-cotizaron/
The disinformation narrative that says that rain is prevented in Spain and favoured in Morocco to be "the new garden of Europe"	21/04/2023	https://maldita.es/clima/20230421/marruecos-huerta-europa/



Tools and sources to follow what is happening in Doñana	21/04/2023	https://maldita.es/clima/2023/0421/herramientas-fuentes-informacion-donana/
No, this image of Alberto Núñez Feijóo with Marcial Dorado in "a barbecue" is not real: it is a montage	20/04/2023	https://maldita.es/malditobulo/20230420/fejoo-marcial-dorado-imagen-narcotraficante-barbacoa/
No, the animal welfare law does not guarantee "the feast of the lamb 2023" nor has Unidas Podemos said that it "allows that sacred festivity"	20/04/2023	https://maldita.es/malditobulo/20230420/puntual-24h-bienestar-animal-cordero/
The principle of non-retroactivity and the reform of the law of 'only yes is yes': it will only have effect on crimes committed after its entry into force	20/04/2023	https://maldita.es/feminismo/20230420/ley-solo-si-es-si-reforma-no-retroactividad-penas/
Tools, data and sources on the reform of the 'only yes is yes' law	20/04/2023	https://maldita.es/feminismo/20230420/herramientas-datos-fuentes-reforma-ley-solo-si-es-si/
The law of 'only yes is yes': reductions in sentences, what judges are based on, the position of Equality and what the experts say	20/04/2023	https://maldita.es/feminismo/20230420/ley-solo-si-es-si-rebajas-condenas/
What do we know about this video about sex education classes for sixth grade children in a public school in Alicante?	20/04/2023	https://maldita.es/malditobulo/20230420/video-clases-educacion-sexual-colegio-publico-alfas-del-pi-alicante/
No, the "#Amatuchocho" campaign in which Monica Naranjo appears is not related to the Equality plan endowed with 20,000 million euros	20/04/2023	https://maldita.es/feminismo/20230420/amatuchocho-monica-naranjo-igualdad/
No, 'eldiario.es' has not tweeted that Franco will be able to return to the Valley of the Fallen: it is an account that calls itself a 'troll'	19/04/2023	https://maldita.es/malditobulo/20230419/eldiario-tribunal-estrasburgo-franco-valle-de-los-caidos/
No, Pedro J. Ramírez has not 'gathered' evidence involving Morocco, ETA and the PSOE in the attacks of 11-M: it is an old hoax that returns	19/04/2023	https://maldita.es/malditobulo/20230419/pedro-j-ramirez-pruebas-marruecos-eta-psoe-11-m/



Disinformation about Indra and the elections in Spain	19/04/2023	https://maldita.es/malditobulo/20230419/indra-elecciones-recuento-votos/
No, this guide on sexual and reproductive rights does not correspond to a primary education textbook: it is focused on young women from 1st year of baccalaureate	19/04/2023	https://maldita.es/malditobulo/20230419/guia-derechos-sexuales-reproductivos-libro-educacion-primaria-mujeres-juvenes-1o-bachillerato/
No, it is not true that there was a fire in the archive of the Ministry of Health	18/04/2023	https://maldita.es/malditobulo/20230418/incendio-archivo-ministerio-sanidad-documentos-covid/
The photo of a gang in Morocco that is used to misinform and attack Moroccan migrants in Spain	18/04/2023	https://maldita.es/migracion/20230418/banda-marruecos-desinformar-marroquies/
The hoax that states that there are "1,600 registered voters of Maghrebi origin" in a flat in Barcelona to vote and receive social aid	18/04/2023	https://maldita.es/malditobulo/20230418/magrebies-empadronados-piso-barcelona/
One in six employed people in Spain works in the public sector in 2022	18/04/2023	https://maldita.es/malditateexplica/20230418/ocupados-espana-sector-publico/
No, El País has not tweeted these statements by Yolanda Díaz about "the magic formula that has led Spain to be the country that grows the most"	18/04/2023	https://maldita.es/malditobulo/20230418/tuit-el-pais-yolanda-diaz/
The social bonds and the husband of Mónica García: he has renounced the thermal after the publication of El Debate y Más Madrid affirms that he renounced the electric bonus as soon as it was known that he charged it	18/04/2023	https://maldita.es/malditateexplica/20230418/monica-garcia-bono-social-termico-renuncia/
The help of the thermal social bonus to the husband of Mónica García: how many times he has received it and when he has renounced it	18/04/2023	https://maldita.es/malditateexplica/20230418/monica-garcia-bono-social-termico-electrico-ayudas/
No, the director general of water did not "order the draining of the swamps this summer"	17/04/2023	https://maldita.es/clima/20230417/director-agua-teodoro-estrela/



Beware of the Twitter profile Jacinta Rebolledo that states that Podemos asks "forgiveness to all Muslims" who have felt "offended by the processions of Holy Week": it is a troll account	17/04/2023	https://maldita.es/feminismo/20230417/jacinta-rebolledo-perdon-musulmanes-procesiones/
Misinformation blaming wind energy for forest fires: to build wind farms, it is not necessary to requalify the land and fire does not prevent the environmental impact statement	17/04/2023	https://maldita.es/clima/20230417/eolica-incendios-asturias-recalificacion/
No, the European Parliament does not "oblige the Spanish State to withdraw the recognitions, honours and streets to all agents" of communism and Stalinism in Spain	17/04/2023	https://maldita.es/malditobulo/20230417/no-el-parlamento-europeo-no-obliga-al-estado-espanol-a-retirar-los-reconocimientos-honores-y-calles-a-todos-los-agentes-del-comunismo-y-estalinismo-en-espana-4/
No, in Denmark everyone who receives some kind of social assistance is not disqualified from voting	17/04/2023	https://maldita.es/malditobulo/20230417/no-en-dinamarca-toda-persona-que-recibe-algun-tipo-de-ayuda-social-no-esta-inhabilitada-para-votar/
News in the postal vote for the municipal and regional elections of 28-M: repeal of the begged vote and request the vote by internet	17/04/2023	https://maldita.es/malditateexplica/20230417/novedades-voto-correo-elecciones-municipales-2023/
How to unsubscribe from receiving electoral propaganda from political parties	17/04/2023	https://maldita.es/malditateexplica/20230417/baja-propaganda-electoral-partidos-politicos-ine/
No, an immigrant cannot retire with a pension of 720 euros per month having worked and resided only 2 years in Spain	17/04/2023	https://maldita.es/malditobulo/20230417/inmigrante-pension-720-euros/
The 183 municipalities indicated by the INE by the increase in the census are governed by 19 parties, especially PP (90) and PSOE (61)	17/04/2023	https://maldita.es/malditodato/20230417/municipios-censo-electoral-poblaci%C3%B3n-PSOE-INE/
No, the Government has not approved that "health agents can	14/04/2023	https://maldita.es/malditobulo/20230414/encuesta-salud-



enter homes to collect health data and even record"		sanidad-casas-grabar-datos-privacidad/
What do we know about the candidacy for competitive exams to the Police of Torrelodones in which a person presented a notarial act to be considered a woman?	14/04/2023	https://maldita.es/malditobulo/20230414/trans-pruebas-acceso-policia-municipal-torrelodones/
The alleged hacking of Indra in the elections: Indra only transmits provisional data and would not affect the final results	14/04/2023	https://maldita.es/malditobulo/20230414/supuesto-hackeo-indra-resultados-elecciones/
No, the Court of Human Rights in Strasbourg has not annulled gay marriage or affirmed that there is no right to same-sex marriage.	14/04/2023	https://maldita.es/malditobulo/20230414/no-el-tribunal-de-derechos-humanos-de-estraburgo-no-ha-anulado-el-matrimonio-gay-ni-ha-afirmado-que-no-exista-derecho-al-matrimonio-homosexual/
Castilla-La Mancha's new land law and land expropriations: questions and answers	13/04/2023	https://maldita.es/malditateexplica/20230413/preguntas-respuestas-ley-terrenos-castilla-la-mancha/
No, these photos of a woman with sexual positions are not from a school, nor is it a course aimed at children and minors: it is a university in Canada with adults	13/04/2023	https://maldita.es/feminismo/20230413/mujer-posturas-sexuales-escuela-menores-universidad/
What happened with Ferrovial's move to the Netherlands: questions and answers	13/04/2023	https://maldita.es/malditateexplica/20230413/ferrovial-fusion-traslado-paises-bajos/
No, this video is not of a crossing of immigrants at the border of Melilla this Easter: it is from 2022	12/04/2023	https://maldita.es/malditobulo/20230412/video-personas-migrantes-melilla-semana-santa/
The disinformation that points to wind farm projects in Asturias located in municipalities with fires	12/04/2023	https://maldita.es/clima/20230412/parques-eolicos-asturias-incendios/
Why we must be careful with the contents that speak of a supposed saving in taxes per inhabitant	12/04/2023	https://maldita.es/malditateexplica/20230412/ahorro-impuestos-reducciones-ciudadanos/



No, the man arrested for mistreating his eight children is not "Arab": he is Spanish	10/04/2023	https://maldita.es/malditobulo/20230410/medico-maltratar-ocho-hijos-arabe/
No, in this photo of Irene Montero and Pablo Iglesias there is not a line of cocaine: it is a part of the bag	10/04/2023	https://maldita.es/malditobulo/20230410/irene-montero-iglesias-foto-rama-cocaina/
Privately run hospitals in Madrid: if they are publicly owned they are still public hospitals	10/04/2023	https://maldita.es/malditateexplicita/20230410/hospital-gestion-privada-madrid/
No, Podemos has not demanded an end to the processions so as not to offend the "Muslims"	10/04/2023	https://maldita.es/malditobulo/20230410/no-podemos-no-ha-exigido-el-fin-de-las-procesiones/
What do we know about the alleged attempt to boycott a procession in El Vendrell (Tarragona) on April 10, 2022?	10/04/2023	https://maldita.es/malditobulo/20230410/boicotear-procesion-vendrell-tarragona-musulmanes/
No, Muslims will not "sue Spain" for Holy Week processions	10/04/2023	https://maldita.es/malditobulo/20230410/no-los-musulmanes-no-demandaran-a-espana-por-las-procesiones-de-semana-santa/
No, Pedro Sánchez has not tweeted that "Holy Week will be renamed Inclusive Spring Week"	10/04/2023	https://maldita.es/malditobulo/20230410/no-pedro-sanchez-no-ha-tuiteado-que-la-semana-santa-pasara-a-llamarse-semana-inclusiva-primaveral/
No, Pedro Sánchez has not tweeted about Holy Week that it cannot be "allowed that in a modern democracy there is a whole week dedicated to such a Francoist and macho religion"	10/04/2023	https://maldita.es/malditobulo/20230410/no-pedro-sanchez-no-ha-tuiteado-que-no-se-puede-permitir-que-en-una-democracia-moderna-haya-una-semana-entera-dedicada-a-una-religion-tan-franquista-y-machista/
The importance of highlighting the publication date of an article so as not to decontextualize it and become misinformation	08/04/2023	https://maldita.es/malditateexplicita/20230408/fecha-publicacion-tiempo-bulo/



No, the image of the Basilica of Covadonga burned is not from the fire of Asturias of this 2023: it was taken in February 2021	07/04/2023	https://maldita.es/clima/20230407/incendio-asturias-basilica-covadonga/
Why the data do not indicate a relationship between the regional elections and the waves of fires in Asturias	05/04/2023	https://maldita.es/clima/20230405/incendios-asturias-elecciones-autonomicas/
The hoax of the premiere in Spain of the film 'Corpus Christi' that "shows Jesus and his disciples as homosexuals"	05/04/2023	https://maldita.es/malditobulo/20230405/corpus-christi-estreno-pelicula-jesus-homosexual-espa%C3%B1a-gobierno/
Public procurement costs: differences between basic budget, estimated value and award amount	05/04/2023	https://maldita.es/malditateexplica/20230405/contratos-publicos-coste-licitacion-vocabulario/
No, this video does not show how the Government of Spain "sets fire to the forests": it is the US and they are paratroopers training with flares	05/04/2023	https://maldita.es/clima/20230405/gobierno-pega-fuego-bosques-video/
No, it is not true that cars do not "have to do with climate change" as Xavier Trias says	04/04/2023	https://maldita.es/clima/20230404/coches-cambio-climatico-xavier-trias/
Which immigrants can vote in the 2023 elections?	04/04/2023	https://maldita.es/migracion/20230404/personas-inmigrantes-votar-elecciones-2023/
The rules governing the dates of the 2023 election year: municipal, regional and general	04/04/2023	https://maldita.es/malditateexplica/20230404/fechas-elecciones-2023-municipales-autonomicas-generales/
No, these wind farms are not built on ground burned in a forest fire, nor are they in Spain	03/04/2023	https://maldita.es/clima/20230403/monte-quemado-parque-eolico-crisis-climatica/
No, this graffiti on the monument of the Sacred Heart of Jesus on Mount Naranco is not current: it is from 2016	03/04/2023	https://maldita.es/clima/20230403/incendio-asturias-naranco-pintada/
TikTok as a political tool to campaign and reach young voters	03/04/2023	https://maldita.es/malditatecnologia/20230403/tiktok-herramienta-politica-para-



		hacer-campana-llegar-votantes-jovenes/
Misinformation Blaming Environmentalists and Environmental Protection Laws for Wildfires	01/04/2023	https://maldita.es/clima/20230401/ecologistas-culpa-incendios-forestales/
No, if you share this video of playgrounds in hospitals, you will not be donating money "for childhood cancer" in hospitals in Madrid	31/03/2023	https://maldita.es/malditobulo/20230419/video-donacion-cancer-infantil-hospital-madrid/
No, Aitana has not said in 'La Resistencia' that the State "can expropriate" Mercadona for the rise in prices	31/03/2023	https://maldita.es/malditobulo/20230331/aitana-mercadona-resistencia-expropiar/
The pardon of Laura Borràs: requested by the court that condemns her and must be decided by the Government	30/03/2023	https://maldita.es/malditateexplica/20230330/sentencia-laura-borras-indulto/
No, Angela Rodriguez 'Pam' has not "asked to eliminate the subject of mathematics" and "put one of sex education"	30/03/2023	https://maldita.es/malditobulo/20230330/angela-rodriguez-pam-matematicas-asignatura-educacion-sexual-raices-cuadradas/
No, the man snorting a substance in this video is not an MEP	30/03/2023	https://maldita.es/malditobulo/20230330/esnifa-parlamento-europeo/
Trans Law Deadlines and Requirements for Sex Change: Questions and Answers	29/03/2023	https://maldita.es/malditateexplica/20230329/ley-trans-plazos-requisitos-menores/
Why it cannot be said that Madrid's healthcare is the best in Europe according to the EU Regional Competitiveness Index	29/03/2023	https://maldita.es/malditodato/20230329/sanidad-comunidad-madrid-mejor-europa-indice-regional-competitividad/
No, Elena Salgado has not died this March 29, 2023	29/03/2023	https://maldita.es/malditobulo/20230329/elena-salgado-no-ha-muerto-/
Beware of this tweet by Jacinta Rebolledo that says that in Equality they have decided "not to condemn" the sexual assaults of Maghrebi or African migrants: it is a troll account	29/03/2023	https://maldita.es/feminismo/20230329/jacinta-rebolledo-trol-agresiones-sexuales/



No, with the trans law "three months are not necessary" to obtain a sex change as Angela Rodriguez 'Pam' says	29/03/2023	https://maldita.es/malditodat/20230329/plazos-minimos-cambio-sexo-ley-trans-angela-rodriguez-pam/
No, the tweets of Yolanda Díaz, Ione Belarra and Pablo Iglesias announcing an agreement between Sumar and Podemos are not real	28/03/2023	https://maldita.es/malditobulo/20230328/sumar-podemos-tuits-acuerdo/
No, Felipe González has not died this March 28, 2023	28/03/2023	https://maldita.es/malditobulo/20230328/felipe-gonzalez-no-ha-muerto/
From government to campaign: fifteen ministers have left their portfolio to stand for election since 1990	28/03/2023	https://maldita.es/malditodat/20230328/ministro-gobierno-abandona-cartera-candidato-elecciones-autonomicas/
Beware of these supposed traffic fines that include a QR code: Madrid City Council warns that they are false	28/03/2023	https://maldita.es/timo/20230328/multa-traffic-madrid/
No, the government has not changed the electoral law so that they can vote for you in the external vote	28/03/2023	https://maldita.es/malditobulo/20230328/boe-elimina-solicitud-voto-elector-exterior/
No, the new director of the Civil Guard is not this actress of 'Camera Café'	27/03/2023	https://maldita.es/malditobulo/20230327/directora-guardia-civil-actriz-camera-cafe/
No, this photo of Isabel Díaz Ayuso in the Assembly of Madrid in which she wears a low-cut dress is not real: it is a montage	27/03/2023	https://maldita.es/malditobulo/20230327/isabel-diaz-ayuso-pecho-vestido/
No, Las Palmas de Gran Canaria has not been "confined in 15-minute concentration camps"	27/03/2023	https://maldita.es/clima/20230327/las-palmas-confinamiento-15-minutos-gran-canaria/
There is no evidence that in Spain there are 400,000, 470,000, 445,568 or 450,000 politicians charging a "sueldazo"	27/03/2023	https://maldita.es/malditobulo/20230327/no-hay-pruebas-de-que-en-espana-haya-470-000-politicos-cobrando-un-sueldazo/
No, the speech attributed to Emmanuel Macron against the "hypocrisy of progressive intellectuals" is not real: it is a hoax	24/03/2023	https://maldita.es/malditobulo/20230324/discurso-emmanuel-macron-progresistas-bulo/



The hoax that Gabi Garcia is trans and has killed the fighter Barbara Nepomuceno in combat	24/03/2023	https://maldita.es/malditobulo/20230324/Gabi-Garcia-Nepomuceno-trans-muere-luchadora-victima/
Data, verifications and context of the motion of censure of Vox with Ramón Tamames	23/03/2023	https://maldita.es/malditodato/20230323/mocion-censura-tamames-vox-abascal-sanchez/
What do we know about the illustration of a girl looking at her genitals that supposedly "appears in a textbook for 4-year-olds in Castellón"?	23/03/2023	https://maldita.es/malditobulo/20230323/libro-texto-castellon-nina-genitales/
The procedures that pensioners have to do before April: they are not new and failing to comply with them has no definitive consequences on their pension	22/03/2023	https://maldita.es/malditateexplica/20230322/documentos-tramites-pension-marzo/
What do we know about this image of a forearm of a "girl" after a supposed phalloplasty?	22/03/2023	https://maldita.es/malditobulo/20230322/faloplastia-imagen-ni%C3%B1a-operacion-seguridad-social/
What do we know about the campaign 'Gender rebels' of the City Council of Getafe (Madrid)? According to the consistory and the authors, it is aimed at teachers	22/03/2023	https://maldita.es/malditobulo/20230322/campana-rebeldes-de-genero-ayuntamiento-getafe/
No, the fighter who beats other women in this video is not trans: it's a hoax	22/03/2023	https://maldita.es/feminismo/20230322/Gabi-Garcia-bulo-mujer-trans-video/
What do we know about the human remains of the Pico Reja grave piled up in a cemetery in Seville?	22/03/2023	https://maldita.es/malditobulo/20230322/restos-humanos-cementerio-sevilla/
No, sex change through the Civil Registry cannot be obtained on the same day with the trans law	22/03/2023	https://maldita.es/malditobulo/20230322/cambio-sexo-ley-trans/
Questions and answers about the Animal Welfare Act	21/03/2023	https://maldita.es/malditateexplica/20230321/preguntas-respuestas-ley-bienestar-animal/
Motions of censure in data: more frequent in the last five years and only one has gone ahead	20/03/2023	https://maldita.es/malditodato/20230320/mocion-censura-tamames-vox-datos/



The change of sex in the Civil Registry is not achieved on the same day: questions and answers of the deadlines of the trans law	17/03/2023	https://maldita.es/malditateexplicita/20230324/cambio-sexo-registro-civil-ley-trans/
Carmena's respirator hoax: Alwise Pérez, convicted of violating the honour of the former mayor of Madrid	17/03/2023	https://maldita.es/malditobulo/20230317/carmena-alwise-respirador-bulo-condenado/
No, Health has not "admitted" that 14 batches of vaccines caused 200 deaths in Spain: how to interpret pharmacovigilance reports	17/03/2023	https://maldita.es/malditobulo/20230317/14-lotes-vacunas-provocaron-muertos/
No, Stefonknee Wolscht, a 57-year-old trans Canadian, doesn't go to school with 5-year-olds	17/03/2023	https://maldita.es/malditobulo/20230317/stefonknee-wolscht-trans-canadiense-colegio-ninos/
No, the City Council of Soria has not spent 20,000 euros on a workshop called "Píntate el Toto"	16/03/2023	https://maldita.es/feminismo/20230316/taller-pintate-toto-soria/
The Cercanías in the Community of Madrid: depends on the Ministry of Transport, although it is integrated into the Regional Transport Consortium of Madrid	15/03/2023	https://maldita.es/malditateexplicita/20230315/quien-gestiona-cercanias-madrid/
No, "deputies of Unidas Podemos" have not asked the Government to "close all" Mercadona supermarkets	15/03/2023	https://maldita.es/malditobulo/20230315/podemos-cierre-mercadona-bulo/
No, feminists have not called for "banning guitars" because "they are macho"	15/03/2023	https://maldita.es/feminismo/20230315/no-las-feministas-no-han-pedido-prohibir-las-guitarras-porque-son-machistas/
The case of the repentant girl after undergoing a gender reassignment operation: questions and answers	14/03/2023	https://maldita.es/malditateexplicita/20230314/joven-trans-gallega-arrepentida/
No, this photo of a mailbox decorated with the LGTBI flag on which Che Guevara's face is painted is not real: it is a montage	14/03/2023	https://maldita.es/malditobulo/20230314/foto-buzon-correos-bandera-lgtbi-cara-che-guevara/
No, this photo of Pablo Iglesias with Nicolás Maduro is not real: it is a montage	14/03/2023	https://maldita.es/malditobulo/20230314/no-esta-foto-de-pablo-iglesias-con-nicolas-



		maduro-no-es-real-es-un-montaje/
News of the Organic Law of the University System (LOSU): questions and answers	13/03/2023	https://maldita.es/malditateex-plica/20230313/nueva-ley-universidades-claves/
How the whistleblower protection law affects businesses and the public sector: questions and answers	13/03/2023	https://maldita.es/malditateex-plica/20230313/ley-proteccion-denunciantes-informantes/
What is a motion of censure and what are the steps to table one?	13/03/2023	https://maldita.es/malditateex-plica/20230313/que-es-una-mocion-de-censura-y-cuales-son-sus-requisitos/
Beware of this tweet from the account Jacinta Rebolledo that says that "you can successfully implant a fertilised egg in the large intestine of the trans": it is a troll account	13/03/2023	https://maldita.es/feminismo/20230313/jacinta-rebolledo-ovulo-fecundado-trans/
Beware of the Twitter profile Valentivalente who has tweeted that breastfeeding is a "sexist act": it is a troll account	13/03/2023	https://maldita.es/malditobulo/20230313/valentivalente-cuenta-trol-lactancia-materna-bebes-violadores/
Beware of the profile Jacinta Rebolledo that shares the hoax of the mailbox decorated with the LGBTBI flag and the face of Che Guevara: it is a troll account	13/03/2023	https://maldita.es/feminismo/20230313/jacinta-rebolledo-bandera-lgtbi-che-quevara/
No, there is no evidence that the name Vox comes from "a fascist propaganda magazine" of "Nazi Germany" that was also called that.	13/03/2023	https://maldita.es/malditobulo/20230313/nombre-vox-viene-revista-propaganda-fascista-alemania-nazi/
No, this image of Irene Montero, Ione Belarra and Isa Serra showing their breasts is not real: it is a montage	13/03/2023	https://maldita.es/malditobulo/20230313/irene-montero-ione-belarra-isa-serra-pechos-montaje/
No, this is not an announcement of "mass regulation" of immigrants for elections	10/03/2023	https://maldita.es/malditobulo/20230310/regulacion-masiva-inmigrantes-elecciones/



No, the image of two women holding banners with contradictory messages for and against men is not real: it is a montage on a photograph published by El País in 2018	10/03/2023	https://maldita.es/malditobulo/20230310/pancartas-mujeres-mensajes-favor-contra-hombres-fotografia-el-pais/
The order of the Andalusian Government on health agreements that includes primary care: questions and answers	09/03/2023	https://maldita.es/malditateexplica/20230309/preguntas-respuestas-borrador-gobierno-andaluz-conciertos-atencion-primaria/
What is the MEI, the Intergenerational Equity Mechanism for pensions that affects your payroll	09/03/2023	https://maldita.es/malditateexplica/20230309/que-es-el-mei-mecanismo-equidad-intergeneracional-pensiones/
Beware of the profile Jacinta Rebolledo who states that "we are going to take the case of @Jenytrans17 to the sexual prosecutor's office": it is a troll account	09/03/2023	https://maldita.es/malditobulo/20230309/cuidado-perfil-jacinta-rebolledo-fiscalia-sexual-jenytrans-cuenta-trol/
The new Employment Law and the "priority treatment" of LGTBIQ + people in the search for employment	08/03/2023	https://maldita.es/malditateexplica/20230308/prioridad-personas-lgtbi-sepe-busqueda-empleo-ley/
The feminist movement in the crosshairs of disinformers: these are the hoaxes and narratives they use to misinform	08/03/2023	https://maldita.es/feminismo/20230308/movimiento-feminista-punto-miradesinformadores/
No, this attack on a doctor who treats a veiled woman is neither current nor in Spain: it is in Russia	08/03/2023	https://maldita.es/malditobulo/20230308/agresion-medico-mujer-velo-rusia/
The Junta de Castilla y León responds to Maldita.es that "there is not" a draft protocol on abortion announced by Vox	08/03/2023	https://maldita.es/malditodato/20230308/transparencia-castilla-leon-protocolo-aborto/
Twitter troll profiles posing as feminists: how they change their names to keep intoxicating the debate	08/03/2023	https://maldita.es/feminismo/20230308/perfiles-trols-twitter-feministas-nombres-intoxicando-debate/
The scams with which they try to sneak it for International Women's Day	08/03/2023	https://maldita.es/feminismo/20230308/timos-dia-internacional-mujer/

Troll accounts posing as "socialist", "Podemos" and "feminist" profiles to manipulate public discourse	07/03/2023	https://maldita.es/malditobulo/20230307/trol-cuentas-manipular-discurso/
No, 'La Vanguardia' has not published that "PACMA will denounce any aggression against the nurse of the Vall d'Hebron who protested against Catalan": it is a montage	07/03/2023	https://maldita.es/malditobulo/20230307/la-vanguardia-pacma-denuncia-enfermera/
No, this video of Isabel Díaz Ayuso inaugurating the "Duque de Feria Infant School" is not true	07/03/2023	https://maldita.es/malditobulo/20230307/isabel-diaz-ayuso-inauguracion-escuela-infantil-duque-de-feria/
No, Público has not published an article entitled "empowering sex" about a campaign by the Ministry of Equality on "the other penetrations"	07/03/2023	https://maldita.es/feminismo/20230307/publico-articulo-campana-sexo-empoderante-penetraciones/
Beware of the WhatsApp chain that warns that the Government has "offered" the European Union to reduce pensions between 30 and 40%: it moves from 2020	07/03/2023	https://maldita.es/malditobulo/20230307/rebajar-pensiones-gobierno-union-europea/
Beware of the profile Jacinta Rebolledo who states that "they have registered in Congress a request for Podemos advisers to become career officials": it is a troll account	07/03/2023	https://maldita.es/feminismo/20230307/jacinta-rebolledo-asesores-podemos-funcionarios-cuenta-trol/
Hoaxes and misinformation about the president of the Community of Madrid, Isabel Díaz Ayuso	06/03/2023	https://maldita.es/malditobulo/20230306/bulos-sobre-isabel-diaz-ayuso/
Is it tax fraud not to declare a gift or the money our grandmother gives us? Questions & Answers	06/03/2023	https://maldita.es/malditateexplica/20230306/declarar-dinero-paga-abuela-donaciones/
No, this is not a video of Ayuso in the "act of installation of the first stone of the Space Center of the Community of Madrid Carrero Blanco"	06/03/2023	https://maldita.es/malditobulo/20230306/isabel-diaz-ayuso-video-centro-espacial-carrero-blanco/
Beware of the tweet of 'Jenytrans17' that asks "biological" women to "stay at home" in the 8-	06/03/2023	https://maldita.es/feminismo/20230306/jenytrans17-



M demonstration: it is a troll account		mujeres-biologicas-manifestacion-8m/
Beware of the tweet of 'EspigaRoja19' about "commemorating 11M as the beginning of the Spanish social revolution": it is a troll account	03/03/2023	https://maldita.es/malditobulo/20230303/tuit-espigaroja19-11m-revolucion/
The misinformation about the tweet "half a dozen dead useless old people" that was used to say that a councillor of Podemos published it and now they say that it is from Vox	03/03/2023	https://maldita.es/malditobulo/20230303/tuit-ancianos-muertos-vox/
No, Unidas Podemos has not suggested abolishing ice cream because 'they are macho': it is satirical content	03/03/2023	https://maldita.es/malditobulo/20230303/podemos-abolir-helados-machistas/
How the penalties have been modified with the reform of the Criminal Code that entails the law of 'only yes is yes'	02/03/2023	https://maldita.es/feminismo/20230302/penas-codigo-penal-solo-si-es-si/
10 questions and answers to understand everything that has happened with the law of 'only yes is yes'	02/03/2023	https://maldita.es/feminismo/20230302/preguntas-respuestas-solo-si/
General revaluation of pensions and the variation of personal income tax: questions and answers	02/03/2023	https://maldita.es/malditateexplica/20230302/revalorizacion-pensiones-subida-irpf/
Pensions, personal income tax and "double taxation": questions and answers	02/03/2023	https://maldita.es/malditateexplica/20230302/pensiones-irpf-rendimiento-de-trabajo/
Rita Maestre and the appointment for the midwife at the Hospital 12 de Octubre: the hospital affirms to Maldita.es that it only gives nursing and paediatric appointments for newborns	02/03/2023	https://maldita.es/malditobulo/20230302/rita-maestre-cita-matrona/
No, Ramón Tamames has not said that he leads the motion because "Rajoy can not continue a single day more at the head of the Government"	02/03/2023	https://maldita.es/malditobulo/20230302/ramon-tamames-mocion-censura-gobierno-rajoy/

Source: Maldita.es (2023)



6. Conclusions

This report about political and legal aspects of disinformation in Portugal, and Spain provides an in-depth examination of the multi-faceted challenges of disinformation in these two countries. Through this report, we comprehensively analysed the legal framework and regulations designed to combat this issue. Spain and Portugal have shown a proactive approach to constructing a legal structure that recognises the dangers of disinformation—practically, adapting and adopting the European Governance, as stated by most experts, such as Magallón-Rosa (2019). In this sense, coordinated European policies on disinformation are lacking. These frameworks should not only highlight the intent of the governments to address the problem but also underscore the need for adaptability in a rapidly evolving digital age. We must not forget that the ever-changing nature of the media landscape necessitates that these laws remain dynamic, adaptable, and updated.

Furthermore, the report delves into the political communication environment of the two countries. Politics, by its inherent nature, is susceptible to the spread of misleading information. Hence, understanding the broader communication landscape is paramount in devising effective strategies to counteract disinformation.

Through six case studies, three in Portugal (Inflation, Parliamentary elections and Invasion of Ukraine; and three in Spain (Law of Only yes means yes, Immigration and local and regional elections 2023), we try to identify the hoaxes that have been disseminated in the public sphere and how they have impacted citizens and society.

As we can observe, disinformation is more prevalent in political issues than other topics due to factors related to human psychology, media dynamics, and the nature of political discourse. Furthermore, three main reasons contribute to this phenomenon:

Emotional Engagement: Political issues often evoke strong emotions and beliefs, making people more susceptible to information confirming their views or aligning with their biases. Therefore, disinformation creators use these emotions to spread false narratives that resonate with targeted audiences, further polarizing opinions and deepening divisions.

Power and Influence: Political disinformation offers the potential for significant power and influence. By spreading false information, malicious actors can manipulate public opinion, sway elections, and undermine trust in democratic institutions. This motive drives individuals and groups to fabricate or amplify misleading content for personal, ideological, or strategic gains.



Media Ecosystem: The rapid spread of disinformation is facilitated by the evolving media landscape, which includes social media platforms and online news sources. These platforms prioritize sensational content and prioritize engagement metrics over accuracy. Thus, disinformation can quickly gain traction through algorithms that promote clickbait and emotionally charged content, making it difficult to discern reliable information from false narratives.

The convergence of these factors results in a higher prevalence of disinformation in political contexts. For example, misinformation can fuel conspiracy theories, amplify echo chambers, and create a distorted reality where false claims are widely accepted as truth. In addition, addressing this issue requires a multifaceted approach involving media literacy education, fact-checking efforts, platform regulations, and responsible political discourse to counter the spread of disinformation and promote informed citizenry.

In synthesising the findings, it becomes evident that while both countries have taken commendable steps, the battle against disinformation is ongoing. Continued vigilance, international cooperation, and a commitment to fostering a well-informed citizenry are imperative. As disinformation methods evolve, so must the tools and regulations designed to combat them. Finally, the efforts of Spain and Portugal serve as notable examples, offering valuable insights for other countries grappling with similar challenges.



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8. Anexo I

Table 1. Academic publications on economic and legal aspects of disinformation in Spain (2029-2023)

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Sources: own elaboration



IBERIFIER – Iberian Media Research & Fact-Checking

IBERIFIER is a digital media observatory in Spain and Portugal funded by the European Commission, linked to the European Digital Media Observatory (EDMO). It is made up of thirteen universities, five fact-checking organizations and news agencies, and five multidisciplinary research centers.

Its main mission is to analyze the Iberian digital media ecosystem and tackle the problem of misinformation. To do this, it focuses its research on five lines of work:

1. Research on the characteristics and trends of the Iberian digital media ecosystem.
2. Development of computational technologies for the early detection of misinformation.
3. Fact-checking of misinformation in the Iberian territory.
4. Strategic reports on threats of disinformation, both for public knowledge and for the authorities of Spain and Portugal.
5. Promotion of media literacy initiatives, aimed at journalists and informants, young people and society as a whole.

For more information look for the project website iberifier.eu and the Twitter account [@iberifier](https://twitter.com/iberifier)

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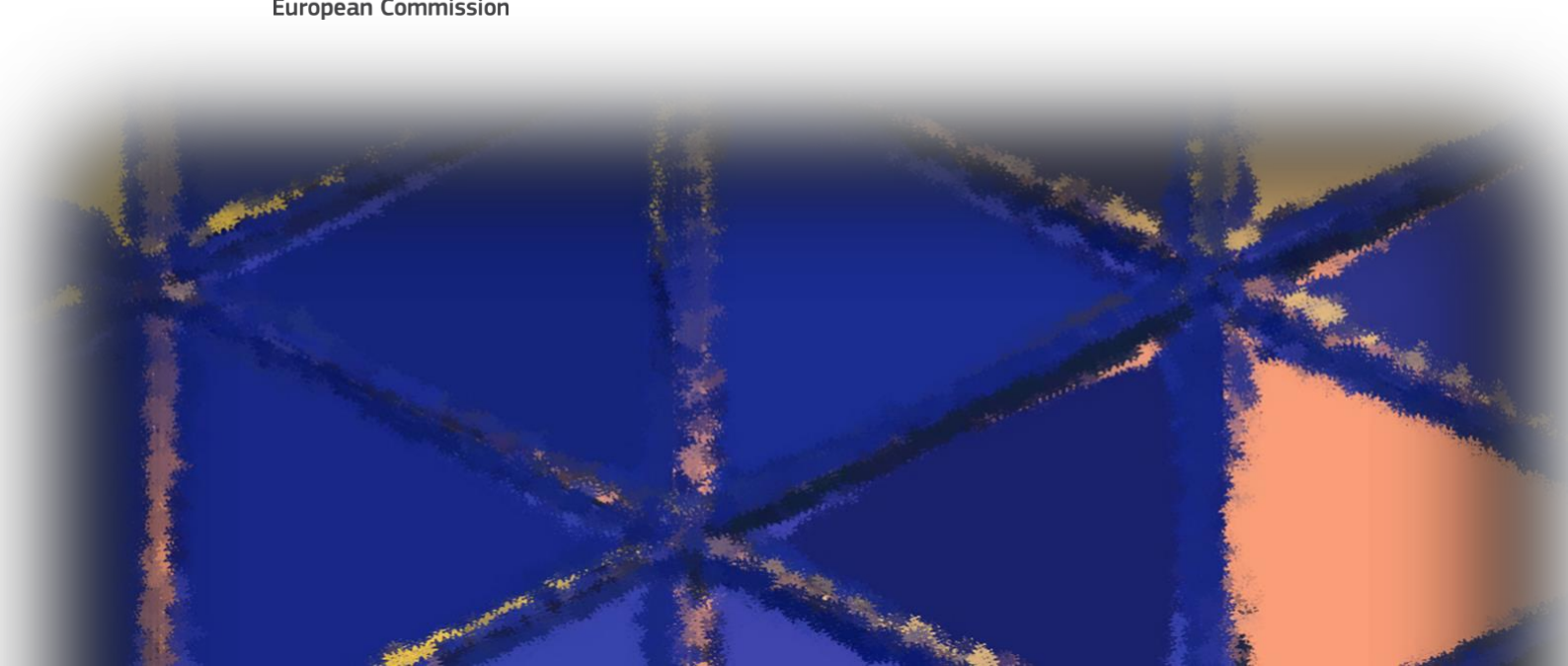


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