RANKING DIGITAL RIGHTS

CONSULTATION DRAFT
Best Practices for Business and Human Rights: Targeted Advertising

Note: This document is the third in a series of three documents that are being shared for consultation. The purpose is to obtain expert and stakeholder feedback on the concepts, principles, and standards for company best practice that will in turn inform the development of new indicators for possible inclusion in future iterations of the Ranking Digital Rights (RDR) Corporate Accountability Index. This document should be read last, after the following two documents: 1) *Rationale for RDR's methodology expansion to address targeted advertising* and 2): *Human Rights Risk Scenarios: Targeted Advertising* documents. It builds on the *Risk Scenarios*—short narratives linking company practices to human rights harms—to propose concrete steps that companies should take to mitigate these harms. All of these documents can be downloaded from the RDR website at:

https://rankingdigitalrights.org/methodology-development/2021-revisions/#targeted-advertising.

What are "best practices"?

In the context of the RDR methodology development process, "best practices" are normative statements ("should" statements) about what companies should do (or refrain from doing) in order to prevent or mitigate the risks identified in the *Human Rights Risk Scenarios* document. They will form the basis for *indicators* and *elements*, which are the building blocks of the RDR Index methodology. Elements must describe practices that are technically possible for a company to implement, they must be measurable by examining the company's publicly disclosed information, and there must be a way to benchmark the disclosures of different companies against one another. Here, the best practices are organized into four categories, some of which overlap and intersect with one another, as detailed below (see *Typology of Best Practices*).

Please note that this is a draft document that will be subject to an iterative process of consultation, feedback, and revision. Best practices are intended as provocations to elicit feedback from participants in the consultation. Many represent significant departures from current company practice, and we may ultimately determine that some of the best practices listed here are out of scope for RDR or would be too difficult to evaluate using publicly available

information. Please note that this document does not include best practices that are already reflected in the Corporate Accountability Index [methodology](#).

Typology of best practices

The best practices presented below are grouped into four categories (which do not correspond to the harm categories presented in the *Risk Scenarios* document), some of which overlap:

1. **Business models and the incentives they create**: Companies that derive revenue from targeted advertising have an incentive to manage, shape, and govern the flow of content and information on their platforms in a manner that maximizes advertising revenue. As a result, companies can make choices that boost user engagement with and exposure to paid content but have a negative impact on human rights. This category addresses what policies and disclosures companies should enact in order to prevent human rights harms that can stem from practices meant to maximize targeted advertising revenue.

2. **Advertising content (ad copy)**: The current RDR Index methodology considers disclosures and policies pertaining to user-generated "organic" content but does not evaluate risks posed by either the under-moderation or the over-moderation of paid advertisements. This category addresses how companies' policies concerning advertising content affect human rights.

3. **Targeting parameters (ad metadata)**: Brands and other advertisers can target specific groups of internet users in ways that contribute to discrimination. This category addresses how companies' policies concerning targeted parameters affect human rights.

4. **Guarding against malicious actors**: Companies' targeted advertising infrastructures are designed to meet the needs of commercial advertisers, but can also be used by malicious actors to spread messages that incite human rights violations, or are intended to intimidate or mislead in ways that discourage or prevent people from exercising their human rights.

Best practices

1. Business models and the incentives they create

A. Company disclosures should enable users to understand how a company makes money, and how its business model might influence its decisions in ways that affect human rights.

B. Companies should have publicly disclosed commitments and policies in place to prevent the commercial imperatives driven by the business model from having a negative impact

on human rights.[1]

C. Companies should give users the option to actively opt in to algorithmic content curation[2] This function should not automatically occur by default.

D. Companies should have a publicly disclosed advertising policy that clearly explains whether and how third parties (and which third parties) can use advertising technologies on the platform.

E. Companies should have a publicly disclosed policy that clearly explains whether and how the company prevents third parties from using the platform's advertising technologies in ways that violate human rights.

F. Companies that provide access to a subset of the internet at no monetary cost to users ("zero-rating"), which is subsidized to any extent by advertising, should disclose that they conduct regular human rights impact assessments on such programs, with a particular emphasis on how each program affects privacy and freedom of expression and information.

2. Advertising content (ad copy)

A. Companies should have publicly disclosed content policies for advertising copy that support human rights, notably by prohibiting hate speech and content that incites violence, and publicly disclose how they enforce such policies.

B. Companies should enable third-party oversight of advertising content by making ad copy publicly accessible through a robust programmatic interface.

C. Companies should clearly disclose the circumstances under which they may restrict advertising content or advertiser accounts.

D. Companies should regularly publish data (such as transparency reports) about the volume and nature of actions taken to restrict advertising content or advertiser accounts that violate the company's rules.

E. Companies' user interfaces should clearly differentiate between paid and organic content such as user generated content, organic search results, etc.

F. Companies should require advertising content (ad copy) to include key information about the ads' sponsors and targeting parameters.

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[1] We introduced Element G4.6 for the 2019 Index as an initial effort to address this.
[2] The practice of using an algorithm to order user-generated posts, advertisements, and other content within an online platform, as opposed to (for example) ordering them chronologically.

3. Targeting parameters (ad metadata)

A. Companies should limit advertisers' ability to narrowly segment audiences in ways that may result in a violation or restriction of human rights.

B. Companies should enable third-party oversight of discriminatory ad targeting by making ad targeting parameters publicly accessible through a robust programmatic interface.

C. Companies should disclose clear policies that prohibit advertisers from targeting ads for jobs, housing, and education according to users' assumed age, sex, race, ethnicity, religion, sexual orientation, gender identity, familial status, or other sensitive category.

D. Companies should disclose how they monitor algorithmically generated advertising categories ("affinity groups") to ensure that they do not interfere with human rights.

4. Guarding against malicious actors

A. Companies should disclose that they have policies in place to prevent malicious actors from exploiting the advertising infrastructure to violate human rights, disclose how they enforce such policies, and engage in transparency reporting around the enforcement of such policies.

B. Companies should disclose policies that require automated accounts/content (not human-generated) to be labeled as such.