Pillars of progress

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Imperative fortification

There is an urgent need to safeguard the Indian democracy from harmful impacts of deepfakes by strengthening the legal framework, raising public awareness, and implementing media verification procedures

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As India is amidst the 2024 general elections, deepfake technology poses a significant threat to the integrity of its democratic processes. The recent incident involving a deepfake video of Union Home Minister Amit Shah, allegedly circulated by members of the opposition, highlights a burgeoning threat to electoral integrity in India. Moreover, earlier, deepfakes of popular stars like Aamir Khan and Ranbir Kapoor were pictured saying Prime Minister Narendra Modi had failed to keep campaign promises and address critical economic issues during his two terms. These episodes serve as a crucial wake-up call, prompting an urgent need for comprehensive strategies to mitigate such threats. This piece explores the nature of deepfakes, the inadequacy of current regulations, the potential risks to electoral integrity, and the strategic measures necessary to combat these challenges.

Deepfakes

Deepfake technology employs sophisticated machine learning and generative artificial intelligence algorithms to synthesize human-like attributes in videos and audio clips. These advanced algorithms are capable of analysing extensive datasets that include countless examples of human facial expressions, vocal nuances, and body movements. By processing this data, the technology can generate audio-visual content that is extraordinarily realistic, making it nearly indistinguishable from genuine recordings.

Originally, the development of deepfake technology was aimed at applications within the realms of entertainment and media. For example, it allowed filmmakers to create more compelling visual effects and provided a tool for artists to experiment with new forms of digital expression. However, the powerful capabilities of deepfakes have also made them a tool for more nefarious purposes, particularly in the domain of political manipulation and misinformation.

The capacity of deepfakes to convincingly depict public figures saying or doing things they never actually did poses a significant threat. This is especially true in politically sensitive contexts where the authenticity of information is crucial. For instance, a deepfake could be used to create a fake speech or statement by a political leader, potentially stirring confusion and conflict among the public.

Current regulations

Currently, India lacks specific legislation targeting the unique challenges posed by deepfakes. The Information Technology Act, 2000, offers some recourse with provisions like Sections 66D and 66E, which deal with identity theft and electronic privacy breaches, respectively. However, these laws do not cover the broader implications of deepfakes, such as their capacity to spread false information. Similarly, Sections 67, 67A, and 67B address the dissemination of obscene content but fail to encompass the non-obscene manipulations typical of political deepfakes. This legal gap highlights the need for updated regulations that can effectively address the nuances of AI-generated content.

Risks to electoral integrity

The risks of deepfakes in the electoral context are significant and multifaceted. By creating content that can deceive the public, deepfakes erode trust in the media and the political process, potentially influencing election outcomes through falsehoods. Incidents such as the

manipulated videos of Union Home Minister Amit Shah and prominent Bollywood actors like Aamir Khan and Ranbir Kapoor are stark examples of how deepfakes can be utilised to mislead voters and tarnish the reputations of public figures. Such manipulations directly threaten the fundamental democratic principle of informed decision-making, infringing on the public's right to credible information as outlined in Article 19(1)(g) of the Constitution.

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This challenge is compounded by the rapid spread of these deepfakes across social media platforms, where the velocity of information dissemination often exceeds the capacity for accurate verification. The ease with which these convincing fabrications can be shared and viewed by millions makes it incredibly difficult to control their propagation and influence. As a result, the public may struggle to distinguish between authentic and altered content, leading to confusion and misinformation. Effectively identifying and managing these deepfakes is crucial, as their potential to sway public opinion and disrupt the electoral process is immense.

Comprehensive counter strategies

To effectively counter the threat of deepfakes, especially in electoral contexts, a multifaceted approach that includes legal, technological, and educational strategies is crucial.

Specialised AI monitoring unit: The Election Commission of India should create a dedicated unit focused on AI technologies. The unit would be equipped with the latest technology to accurately identify deepfake content, analyse its origins, and assess its impact. In addition to monitoring, this unit would have the authority to impose stringent penalties on individuals or entities found to be creating or deliberately spreading deepfakes during elections. This proactive approach would serve as a deterrent against the misuse of deepfake technology, aiming to maintain the integrity and trustworthiness of information during election periods.

Interim guidelines and legislative action: In the absence of specific laws targeting the unique challenges posed by deepfakes, the Ministry of Electronics and Information Technology needs to develop interim rules to manage these risks until appropriate legislation is passed. The EU Artificial Intelligence Act can be used as a basis for such interim rules. These rules would act as a temporary yet robust framework to curb the misuse of deepfake technology, offering clear definitions and protocols for identifying and handling deepfake incidents.

Public education and awareness: Public education and awareness are critical in equipping citizens with the knowledge to discern between authentic and altered content. Educational campaigns should be launched to illuminate the nature and impact of deepfakes, emphasising the techniques used in their creation and the potential consequences of their circulation. These initiatives can empower citizens to critically evaluate the authenticity of the

information they consume, especially during critical times such as elections. By improving digital literacy, the public becomes a key stakeholder in preventing the spread of misinformation.

Media accountability: Media outlets also play an essential role in preventing the proliferation of deepfakes. It is crucial that media organisations be mandated to rigorously verify the sources of politically sensitive content before publication. This involves implementing advanced verification processes and training journalists in the use of tools designed to detect deepfakes. Moreover, establishing strict liability for media houses that fail to verify their sources or that disseminate deceptive content could serve as a significant deterrent. Such measures would ensure that media outlets remain vigilant and responsible stewards of information, upholding their duty to provide accurate and reliable news to the public.

Conclusion

The threat posed by deepfakes to India's electoral integrity is both real and immediate. As technology continues to evolve, so must the strategies to counteract its potential misuse. By upgrading the legal framework, promoting public awareness, and ensuring rigorous media verification processes, India can protect its democratic processes from the corrosive effects of deepfakes. Addressing this issue effectively will safeguard the foundational values of truth and transparency in the political arena, ensuring that the electoral choices of the citizenry are informed and genuine.

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