DG JUST: Study to support the preparation of an EU instrument on to help improve the resilience of our democracies

OPC – Summary of findings

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Valdani Vicari & Associati
ECONOMICS & POLICY

1 Open public consultation

The European Commission welcomes views from European citizens on the issues that concern them in relation to the topic of this study. That is why DG JUST prepared open public consultation that was launched in July and run until August 2020 with the aim of collecting views from various stakeholders on the EDAP

Several stakeholders have already provided their written feedback about the online political advertising. Please follow the link below to view the provided responses. You can also find written feedback saved as PDFs in the OPC folder on the VVA project SP.

Please summarise in the template below the key findings that emerged from the papers.

1.1 Written feedback 1

Quantitative data

1. Does the document provide quantitative data about costs of political advertising (online /offline)? What is the available data at EU / M/S level about spending on campaigns? (% of online, offline). Please summarise the available datasets / databases.

Problem definition

2. Does the document discuss the abusive, non-transparent use of micro-targeting and other non-transparent techniques? What are they key challenges / economic and social impacts / impacts on fundamental rights related to this problem?

Stakeholder	Summary
Access Now (NGO)	Platform business models and content recommender systems impact media freedom and pluralism, the integrity of forming political opinions, and the engagement with online content including the amplification of disinformation. Content recommender systems deployed by online platforms that personalise users' experience significantly contribute to amplification of potentially harmful content, including the spread of disinformation and misinformation online. There are other commercial, for-profit and strategic decisions implemented into algorithmic curation of content that are made behind the scenes and with no awareness of online users or scrutiny of public authorities. Algorithms determine what users will see, which information will be prioritised and what piece of content will be excluded. Recommender systems personalise how the content is being offered to a user, which may have a detrimental impact on democratic discourse and diversity of information.
BEUC (consumer assoc)	Regarding collection and use of behavioural data from consumers using online services and connected devices. This data is aggregated and used to build personality profiles allowing to identify habits, interests, and weaknesses of the user, which are updated in real time and used for a range of purposes: ranging from maximisation of returns on advertising to

	predictive analysis of behaviour and real-time behavioural modification experiments with instant feedback. Such business practices have as of yet remained largely unaffected by the introduction of the GDPR. Business practices of this type are not necessarily a sign of influence by foreign actors, but can also be explained by plain maximisation of profits. The assumption that a citizen will make rational choices when equipped with access to knowledge and the skills for critical assessment may fail where this citizen is targeted with an emotionally charged message, selected on the basis of behavioural data harvested earlier, delivered in a moment of susceptibility.

3. Does the document discuss limited recognition of political advertising by citizens? What are they key challenges / economic and social impacts / impacts on fundamental rights related to this problem?

4. Does the document discuss the use of undeclared sources conducting to misleading cross border political advertising? What are they key challenges / economic and social impacts / impacts on fundamental rights related to this problem?

Stakeholder	Summary
Stiftung Neue Verantwortung e. V. (SNV) (NGO)	It is crucial that COM acknowledges that (unlawful) "interference" refers to more and different activities than it did a few years ago. Interference might still come from governments, e.g. via censorship. Yet, interference might also take the form of citizens being unable to freely form their opinions due to a fear of discrimination or harassment or due to a deluge of false or misleading content online, for instance, which might not emanate from government actors. Such interference is particularly visible during the COVID-19 pandemic
Defend Democracy (NGO)	Hybrid threats to democracy include, but are not limited to, foreign malign election interference and disinformation.
STM (NGO)	Having a final form of vetted and trustworthy article is paramount to ensuring that the academic and public debate is well informed and substantial. Without this, it could lead in the opposite direction – undermining confidence in public policy and government decisions based on science. There are significant problems with an online environment that does not discriminate between verified and non-verified scholarship.
EAVI (NGO)	How can citizens participate responsibly in a democratic society if they cannot navigate news and make informed decisions? How is democracy to survive under these conditions? Even well before Covid-19 it was increasingly difficult for people to distinguish facts from opinions, information from blaring propaganda.
EU DisinfoLab (NGO)	Disinformation should not become a regular political campaigning strategy. Political candidates should commit to respecting best practices for online campaigning and funding should be conditioned on fair and transparent online campaigning. Finally, the present roadmap conflates action against

	disinformation with strategic communications. Countering disinformation narratives and strategies must be separated from the overall fight against disinformation. Mixing the two, or even politicising the fight against disinformation, sets a dangerous precedent for the rule of law in Europe. We call for a renewed EU-wide approach, from focusing solely on foreign interference during electoral periods to instead approaching disinformation holistically, including information manipulation by domestic and pan-European actors.
Office for civil and political rights (Cat Gov) (Public authority)	Fake news have always existed and always had an impact on public opinion, political debate and probably elections results. What internet and the digital world have done is to break the monopoly of information, making it much easier to create media and giving a powerful tool to citizens. However, the viral dissemination of fake news makes it difficult to find out the source, and segmentation of the target audience makes possible almost personalised messages. At the same time, professional media experience serious economic difficulties that endanger its independence, sustainability and future.
ETUC (trade union)	Unbiased information is vital for open and democratic informed debate about elections and political decision-making and is an essential weapon against disinformation. A free and diverse media must be accountable for its content and transparent on ownership and economic interests. Another threat to open and informed democratic debate is interference via fake accounts, social media trolls and state-run outlets. Much focus has been placed on foreign interference but domestic disinformation is at least as big a problem and the distinction between the two is blurred.

5. Does the document discuss difficulties in the application of electoral rules? What are they key challenges / economic and social impacts / impacts on fundamental rights related to this problem?

Stakeholder	Summary
EDiMA (business assoc)	Importance of clarity and understanding of the electoral processes in the MS. EDiMA emphasises the need for transparency in this regard. Protecting democratic elections from harmful disinformation is a joint effort and the roles and responsibilities need to be shared among a wide group of stakeholders - governments, electoral bodies and regulators, campaigners and political parties, online platforms, traditional media as well as watchdogs and users.
Alliance for Healthy Infosphere (AHI) (other)	The EU should establish a permanent structure (working group, group of experts, etc.) tasked with collection and evaluation of different national models concerning digital election campaigns regulation. Findings from such task force should be made available to all EU MS so that they can serve as a blueprint for their own national legislation.
ACT (business association)	Many MS currently impose rules during election periods for broadcasters. These are not necessarily reflected in the online sphere, notably on social networks used by many people as a means of informing themselves on political developments. COM needs to pay attention to the difference between political advertising and the sponsoring/monetisation of content in order to put them forward during election periods to satisfy the interest of third parties or the cause of foreign countries.

6. Does the document discuss potential distortion of competition? What are they key challenges / economic and social impacts / impacts on fundamental rights related to this problem?

Stakeholder	Summary
Access Now (NGO)	The EU should adopt measures that will secure the strict compliance of dominant online platforms with existing legal standards. Legal compliance will guarantee the mitigation of fundamental rights abuses stemming from users' "engagement on steroids," economic revenue as an underlying reasoning behind open recommendations systems and the dominant market position of these actors.
BEUC (Consumer assoc)	Websites are generally driven by profit from digital advertising, therefore the least sophisticated algorithms prioritising simple maximisation of click-through rates can reasonably be expected to always remain the most accessible, and attractive viral content will remain popular irrespective of its objective quality. As a result, platforms featuring content from websites which spread disinformation have little economic incentive to transition to a more pluralistic content selection model.
ACT (business association)	Clear link between the economics of the media sector and the sustainability of democratic discourse. Online platforms are the publishers of the advertisements they display and should take responsibility for the content and placement of these advertisements on their networks. The lack of equivalent rules in the online environment is creating economic and social harm; fuelling a wider public trust crisis with online disinformation threatening to drown out quality news and democratic debate.
Ökotárs - Hungarian Environmental Partnership Foundation (NGO)	Competition rules should guarantee the plurality of media ownership in a way that protects democratic pluralism.
ETUC (trade union)	"Market concentration is a source of medium or high risk for media pluralism in all of the EU countries (…) a possible decline in market plurality remains a ubiquitous element of risk" (Media Pluralism Monitor 2017). The EU must take antitrust measures to diversify media ownership and combat concentration and monopolies of media ownership. There's an even greater concentration of ownership among social media platforms than among traditional print and broadcast media and commercially driven secret algorithms serve to significantly filter the information available on people's accounts.

Policy options

PO1: Soft law measures to promote and clarify the currently applicable EU and national frameworks on the basis of recommendations and potentially professional and industrial codes and standards:

A. Increase the implementation of the Commission's 2018 electoral package and in particular the Recommendation on transparency and combatting disinformation, including

strengthening the sharing of best practice in the framework of the European Cooperation Network on Elections and its links to other relevant structures including the Rapid Alert System on disinformation and the Network and Information Security Cooperation Group;

B. Strengthen the implementation of the commitments set out in the Commission's report on the 2019 European elections and the Action Plan against Disinformation [continue implementing and improve on current implementation, for instance by discussing shared approaches to various issues within the Recommendation, and commitments to implementing best practice];

C. New soft-law measures to promote the aims of the initiative, such as through:
    a. Codes of conduct applicable to other actors in the political advertising process (for instance political parties) to conduct campaigning fairly and, for example, limit the number of adds, or the targeting methods used, and support for the development professional standards and industry self-regulation contributing to enhanced transparency/accountability;
    b. Funding e.g. to support capacity building, pooled resources, and joint exercises; as well as to support citizens getting transparent information (and being better informed) on political communications (including with better tools to deal with techniques like microtargeting), to participate in the political debate, hold actors to account, and to form political decisions un-coerced;
    c. Information campaigns directed to citizens and to relevant groups, such as journalists, to increase media literacy and raise awareness on political advertising and the techniques associated with it;
    d. Recommendations to Member States to support transparency, accountability and oversight, for instance by updating rules and investigatory powers, converging relevant rules and cooperating in monitoring and enforcement across borders [These are further steps, building on what we have learned from the implementation of the existing Recommendation, which would seek to drive coordinated action to deliver the objectives of the intervention by soft law measures which are not already covered there;
    e. Recommendations to European and national political parties and foundations to adopt practices which support transparent political advertising, in its financing, preparation, placement and dissemination.

D. Parties and campaigners could also voluntarily promote greater transparency in political advertising and meaningful, timely financial disclosure standards.

PO2: Targeted legislation to increase transparency and establish the same standard for economic operators across the Union engaged in the preparation, placement, dissemination and financing of political advertising within the internal market, and to support the oversight of this standard, by introducing:

A. Common, enlarged definitions of certain key terms, such as political and issues-based advertising;

B. An obligation to provide a minimum standard of specific transparency, tailored to all the various relevant economic actors (including those not in direct contact with citizens, and those not established in the EU)[1]. It would include complementary obligations to those addressed to online platforms in the proposed Digital Services Act. It would include more limited obligations for certain actors. In aggregate this transparency obligation would enable at least the following to be known during a relevant period (and where appropriate and practicable, in real time according to a standardised electronic format) about every political advert circulated online to users:
    a. (where relevant) the campaign, issue or person the political advert is connected to;
    b. who paid and how much, and what support services or material assistance (for instance behavioural profile targeting) were paid for;
    c. targeting criteria (beyond GDPR);
    d. relevant anonymised data about dissemination;
    e. further information to ensure fairness in the context of political advertising, for instance duration of circulation, numbers of interactions etc, specific additional transparency concerning the use of targeting and other techniques (origin of data, size of groups targeted etc).
C. Additional obligations to retain and disclose on request certain data (obligations to keep records to enable audit/certifications, regulatory oversight);
D. Further measures to ensure that prominence is given to official factual information of public interest (e.g. opening hours of the voting stations);
E. The main competent body and out-of-court arrangements to settle disagreements about transparency;
F. <u>In the context of European elections</u>, an obligation on European political parties to ensure that the political advertising they place is funded, prepared, placed and disseminated to a high standard of transparency, including:
    a. through the durable labelling of political adverts placed through any medium;
    b. making publicly and timely (updated regularly during the campaign period) information available online regarding the advertising activities placed by the party, or directly on its behalf, detailing as a minimum each advert, its circulation, the amounts spent and the use of targeting and amplification.

[1] Tailoring of obligation is envisaged to take into account the size and impact of the actor and its activities on the relevant market and democratic process, and the nature of these activities, as well as the wider EU law framework and the commitment to ensure that EU interventions are proportionate and respect the principle of subsidiarity and the fundamental rights of citizens.

Accordingly, obligations to make certain information public are envisaged for very large online platforms which would complement those envisaged in the Digital Services Act. Corresponding obligations could apply to other actors who disseminate political advertising. All such actors could also be required to know certain information about their clients and to retain this information/provide anonymised and aggregated data for reporting purposes. A broader obligation applicable to more service providers to retain certain information regarding relevant transactions, and to disclose this to competent authorities where required by law could also be imposed.

PO3: Legislation harmonising specific conditions and criteria in the context of political advertising, to establish a common basis for its use and its regulation within national and European electoral processes, including:

A. Common minimum rules regarding the financing of political advertising, including access financing, banking services and disclosure requirements;
B. Measures to enable the limitation and/or banning of:
    a. political advertising during certain periods;
    b. certain techniques in targeting and amplifying political advertising.
C. Measures to foster the development of co-regulation, for instance to provide a procedure and basic principles for establishing such standards, and a process for sanctions and a route for redress.

7. PO1: Does the document discuss the positive / negative impacts of the policy option 1 and its sub-options?

Stakeholder	Summary
Computer & Communications Industry Association (business assoc)	EU Code of Practice on Disinformation is useful to address disinformation as it creates room for discussions among different parties, notably the EU institutions and digital service providers. EU could consider creating an associated Forum, like it did with illegal content and the EU Internet Forum.
Stiftung Neue Verantwortung e. V. (SNV) (NGO)	EDAP needs to use a range of available tools, including well-funded programmes for civil society and other institutions. Emphasis on the role of civil society and active citizen participation. EDAP should empower citizens through a combination of regulation and education. Citizens need to be educated to spot and tackle disinformation and other potential interferences to their decision-making processes. Journalism and digital news literacy programmes for all ages can empower citizens in this regard.
STM (NGO)	Funding and education programmes could be powerful instruments to support media literacy and non-governmental efforts to deliver accurate information and contribute to a democratic and plural environment. Ad hoc frameworks could also be facilitated by the EC for multiple stakeholders to discuss how disinformation on platforms could be curbed further, including by exploring labelling solutions and the implications of ranking in search.
EAVI (NGO)	Stressing the need for people to acquire adequate media-related skills as a precondition for freely and actively participating in civic and political life. Increased media literacy can make a substantial contribution toward solving the problem of disinformation. This needs to be fundamental to the overall strategy. Also, important to keeping in mind the future scenario we will soon have to deal with, due to the constant state of flux regarding technology, business models, commercial and political interests. Welcoming the principle to promote media literacy actions and their funding, whether through direct funding of projects or support for civil society organisations. Primary importance of each citizen's capacity to foster a resilient info-ecosystem that is both respectful of freedom of expression and

	the role of the respective citizens who, with adequate media literacy, are capable of detecting interferences in elections (for instance). A robust media literate society is fundamental to this coordinated approach and lays the groundwork for enabling MS and international partners to cooperate more effectively using information sharing networks and strategic communication campaigns.
EDiMA (business association)	The media sector is a crucial part to ensure the spread of high-quality information. We advocate for a stronger commitment from the media sector to collaborate in the fight against disinformation, e.g. through the Code of Practice on Disinformation. This would facilitate better collaboration between the stakeholders on a more holistic approach to tackling the issue.
Alliance for Healthy Infosphere (AHI) (other)	Create a designated contact/office for each EUMS responsible for (among other things) the delivery of comprehensive databases about political advertisements, as well as reported and deleted content.
EU DisinfoLab (NGO)	Funding of a decentralised network of journalists, academics, fact-checkers and open-source investigators. This would be best achieved through a decentralised approach for a civil society ecosystem, comprising journalists, academics, fact-checkers, and open-source investigators. The EU must have an ambitious framework to fund this civil society ecosystem. This would guarantee the healthy participation and empowerment of independent organisations to both counter disinformation and hold platforms accountable to democratic principles. Their findings would eventually provide evidence for the competent authorities to act. Also, important to guarantee the physical and psychological well-being of those tackling disinformation. Lessons learnt from the Code of Practice on Disinformation: standards should be set regarding access to data from the online platforms, as well as consistent definitions and processes such as a mechanism for online platforms to respond to reported cases of information manipulation. Regarding consumer protection, users should be notified in cases where they have been exposed to dis- or misinformation. This should be accompanied by a clear oversight mechanism and possible sanctioning powers for the regulator.
Office for civil and political rights (Cat Gov) (Public authority)	It is not a question of censoring or restricting freedom of speech and publication, but of administrations guaranteeing the existence of public, neutral and professional media and news agencies, with a local, national and also European scope. At the same time, we need taxation and legal measures in order to make possible the sustainability and professionalism of private and independent media.
ETUC (trade union)	The Code of Practice on Disinformation needs to be greatly improved. ETUC welcomes the EC's initiative to create the European Digital Media Observatory and supports further developing it. EU action against domestic as well as foreign disinformation needs to be stepped up to support timely monitoring, professional journalism and fact-checking and promotes media literacy. Exchange between EEAS rapid alert system and the EC's national election networks (of national electoral bodies)

	should be developed and involve civil society and fact checkers as well as the Digital Media Observatory across the EU and in each MS. The promotion of media literacy and active citizenship is vital for building up the EU's resilience to anti-democratic threats. The EU should support MSs to ensure that promotion of critical thinking, democratic values and human rights, civic engagement and the responsible use of new technologies are supported in education and training.

8. PO2: Does the document discuss the positive / negative impacts of the policy option 2 and its sub-options?

Stakeholder	Summary
Stiftung Neue Verantwortung e. V. (SNV) (NGO)	Reasoned regulation is necessary for tech companies that are integral to citizens' opinion formation processes. This includes binding transparency and accountability rules for political advertising and reporting standards for content moderation, among other things. The EDAP should also drive modernization of EU and national campaign finance regulation. This empowers citizens by ensuring accountability for those actors trying to reach them with (paid) political messages. EDAP needs to use a range of available tools, such as legislation, recommendations to member states and well-funded programs for civil society and other institutions. The development of the EDAP should be in sync with other Commission initiatives, most crucially the Digital Services Act, and involve diverse stakeholders, especially considering the EDAP's emphasis on the role of civil society and active citizen participation.
Access Now (NGO)	EU should ensure that content distribution tools are sufficiently transparent, and that effective remedy and redress mechanisms are always easily accessible and available to online users. Transparency and control approach proposed: 1) user-centric transparency that seeks to empower users to have control over information they receive and impart; 2) meaningful transparency necessary for effective public oversight and 3) a data access framework that will allow researchers, experts, and civil society organisation to conduct research on how content is being curated that will inform evidence-based policy making. This approach must be combined with a robust enforcement of the EU data protection law, in particular in the area of adtech. The initiatives under EDAP should be in line with reforms that should be covered by the DSA legislative package including minimum transparency and accountability requirements imposed on online platforms. The legislative framework should allow for third party auditing of algorithmic decision making and mandate human rights impact assessments exercised by independent stakeholders, such as civil society organisations and public authorities. The EDAP should ensure that these requirements apply horizontally to tackle the described issues in a systematic way. The EDAP should include specific EU actions against propaganda by public officials and governments.

	To achieve content diversity the main policy goal should focus on creating the conditions under which users can actually find and choose between diverse content themselves.
EDiMA (business association)	EDAP presents a unique opportunity to clarify important definitions such as misinformation, harmful misinformation and disinformation. This way, the EU institutions will be able to better grasp the measures needed to address these related but distinct practices. The Commission should prioritise its policy action in the area of political advertising outlining measures applicable to all relevant actors, including advertisers, such as political parties and candidates, and support Member states to equip their competent electoral authorities with the appropriate means, coordinated action and sanctions, where necessary. Regarding the potential extension of the application of offline requirements to the online world, the Commission should carefully assess on a case-by-case basis which of those provisions make sense to apply in an online environment, such as campaign financial rules, and how to best complement measures already taken by online platforms in this space as reported during the months prior to the 2019 European elections. Regarding next steps on disinformation, EDiMA understands the need for transparency and reporting. However, reporting requirements need to be reasonable to allow for effective reporting (i.e. supported by enough data to make it worthwhile) and tailored reporting (i.e. bearing in mind reports will include sensitive information, and not everything can be made public). Each online platform is different and they take a variety of actions to fight harmful disinformation. Therefore, reporting on platforms' actions will always require a certain level of differentiation and a combination of qualitative and quantitative indicators - preventing it from developing unified measurements and KPIs. While platforms are dedicated to providing more transparency to users and regulators, they also need to protect trade secrets, prevent bad actors from gaming the systems and respect existing privacy legislation. While we believe transparency is pivotal in addressing the common objectives of ensuring free and fair elections in the EU and beyond, we caution against attempts to harmonize processes in ways that would not allow the needed flexibility for companies to determine how to best present their data.
Alliance for Healthy Infosphere (AHI) (other)	With the bulk of political advertising having moved to the digital realm, there is an urgent need for national authorities to have full and complex overview of the spending on political campaigns on digital platforms. While many national legislations contain such obligation, it concerns only the individual political parties/candidates, while the social media platforms, where such ads are hosted, are not required to report spending of political campaigns. By creating such obligation for the relevant social media platforms, national election authorities would be given a more precise picture of the actual spending and would also be able to identify potential violation of election campaign legislation (such as the ban on foreign funded campaigns or campaigning by non-registered subjects, etc.). Digital platforms need to implement measures which respect national legislations during the time of election campaigns, as currently there are

	discrepancies between how digital platforms implement rules on political content and rules defined in national legislations of EUMS. Ensure the enforcement of rules that secure that transparency of targeted ads and thus increase the users' awareness. Social media platforms are used for conducting political advertising. When such advertising is defined by national laws of the MS, platforms should be required to communicate and cooperate with authorities to ensure the law is not breached by providing comprehensive information on the political advertising on their platforms. Information about money spent by political parties/representatives on paid ads should not be indicated by social media platforms in bulk sums, but each ad should have a specific sum. Social media should also provide more detailed information on who is being targeted by political ads and why. Disclaimers indicating that a post is a paid ad should not disappear when such post is shared by other users.
BEUC (consumer association)	The assumption that a citizen will make rational choices when equipped with access to knowledge and the skills for critical assessment may fail where this citizen is targeted with an emotionally charged message, selected on the basis of behavioural data harvested earlier, delivered in a moment of susceptibility. In this context, merely enforcing disclosure of sources of funding as proposed by the Roadmap is likely to be insufficient. This is due to a phenomenon "disengaged consumer" where the consumer assumes that all providers apply abusive practices in one way or another and chooses not to be concerned by them.
Office for civil and political rights (Cat Gov) (Public authority)	More transparency is needed, forcing the platforms from which fake news are disseminated to provide information (follow the money) on the source of this misinformation.
ETUC (trade union)	ETUC calls on the Commission to further develop and propose the regulation on social media and digital platforms to increase transparency of all aspects of political advertising: financing, labelling and disclosure rules, and disinformation. Necessary to consider accountability of players in the ecosystem who profits from spreading misleading and sensational content. Disinformation is a symptom of unaccountable digital markets, constant tracking and unlawful handling of personal data. Dominant social media companies make profits by generating profiling data from tracking the use of content regardless of its veracity. This type of data manipulation demands full and proper enforcement of the GDPR. Need to address the dominant market positions of digital and media companies and consider mandatory interoperability, putting in place the means to allow communication to flow across platforms.
News Media Europe (business association)	Exposing readers and viewers to a diversity of thoughts and opinions without discrimination of editorial lines, political opinions or information medium is necessary for a living democracy, especially in times of elections. In addition, alghoritmic transparency is required to ensure that news outlets can fairly compete for audiences online.

	Scrutiny of ad placements and demonetisation of fake news. Platforms should comply with online accountability, transparency and data sharing obligations to allow research community and regulators to adapt measures to the evolving reality, but also for journalists to understand and report on the threats to the democratic debate.
Eugenio Domenech Redondo (EU citizen)	Financial transparency of political parties is essential to prevent some debts through information for other countries who are opposite to our values. We have to penalise and persecute the financial support to political parties that comes from certain countries/political regimes.

9. PO3: Does the document discuss the positive / negative impacts of the policy option 3 and its sub-options?

Stakeholder	**Summary**
BEUC (Consumer association)	The Roadmap should be complemented by a robust toolkit aimed at prevention of business practices built on surveillance, data harvesting and behavioural manipulation. Due to the interdisciplinary nature of the issue, a holistic approach is in order if the aim is to safeguard democracy against manipulation build on exploitative use of consumer data. This approach should include i.a. guaranteeing strict enforcement of GDPR and the adoption of a strong ePrivacy Regulation. It should also promote measures to fight disinformation at its source, including a sector inquiry to investigate the link between advertising revenue policies of platforms and dissemination of disinformation.
ACT (business association)	Europe to act at several levels including extending AVMSD measures and tackling disinformation by regulating online political content and ads that are not already subject to editorial control rules. Commission should adopt a strong co-regulatory framework to address disinformation as suggested by the ERGA. The Code of Practice is not enough to tackle the problem. ACT is concerned that without an ambitious and clear agenda towards co-regulation this will lead to more fragmentation with MSs adopting their own legal framework in ways that may be harmful to providers of quality and balanced news. Flesh out a co-regulatory framework for disinformation applied to large online platforms and social networks. > Lack of transparency, access to relevant/useful datasets, third party oversight has been a major impediment. Algorithms used by online platforms and social networks, combined with micro-targeting practices, may include biases influencing public opinion. These biases may be defined by platforms and social networks themselves or used by third parties. Algorithms being protected by trade secret, the only way to tackle the phenomenon is to give full access to algorithms to an independent authority which could audit those as well as associated source code. Correlatively, it means that online platforms and social networks should cooperate closely with this independent authority. > KPIs – strong indicators as part of the assessment tools used need to effectively describe meaningful progress within and between platforms signed up to the CoP. > A meaningful sanctions regime should be put in place to ensure the co-signatories have an incentive to act. This will allow for a co-regulatory process that is

	financially self-sufficient rather than resting on public contributions. > Structured dialogue with regular consultations including with the regulators.
ETUC (trade union)	EU legislation against media monopolies and dominant market positions should be monitored, enforced systematically and strengthened.
Malte Zimmer (EU citizen)	Electoral manipulation is a case for criminal law, not for an action plan. Electoral manipulation is an active distortion by data forgery. This crime is not similar to mistaken information or disinformation.
Eugenio Domenech Redondo (EU citizen)	Necessary to create a professional control over the media. It could be a permanent commission not interfered by politicians, but maybe professional members who watch for transparency in every media channel. Misinformation or manipulation of facts could be penalised.

10. Does the document discuss the positive impact of the EU level intervention overall?

Stakeholder	Summary

11. Does the document discuss the negative impact of the EU level intervention overall? (e.g. in relation to subsidiarity rule, impact on fundamental rights, administrative costs…)

Stakeholder	Summary
Computer & Communications Industry Association (business assoc)	Critical to acknowledge that disinformation is often not illegal per se, so tackling it requires a different set of tools and policies than when addressing illegal content. It is critical to ensure that the freedom of expression is protected. Decision on what type of content should stay up/be taken down should not be defined by private players nor political regimes. Policymakers have to be careful to not place too much power to determine falsehoods in the hands of intermediaries or governments, without adequate and timely oversight processes, particularly by the judiciary.
Stiftung Neue Verantwortung e. V. (SNV) (NGO)	Digital platforms and governments working together to address disinformation, but this also raises questions about *what* institutions and push/suppress *what* content under *what* conditions.
Anonymous	Laws that target "hate speech" are increasingly being used to chill free expression, manipulate national and international discourse and silence political dissent in an opportunistic way, especially during elections. Removing "disinformation" gives the organisation (EU) the power to censor information based on ideological disagreement. Free speech should be the primary concern. EU should adopt a more liberal approach to expression and the media.
News Media Europe (business association)	Caution against an interventionist approach that would lead to over-removal of content and limit freedom of expression. Hence the right balance likely lies in a mix of hard and soft laws, with targeted intervention and incentives towards platforms to act more in line with public interest.

Malt Zimmer (EU citizen)	Fear for a new era of centralised phased information controlled by authorities or their committees. A better way to overcome disinformation or belief in false information is better, objective, neutral education.

Conclusions

12. Does the document provide any specific recommendations / examples of best practises about problems related to the online political advertising?

Stakeholder	Summary
Defend Democracy (NGO)	Strongly recommends a more coherent approach regarding hybrid threats to democracy. EU must look beyond protecting fundamental rights and regulating technology platforms and broaden its scope to include deterring geopolitical and security threats. This also means preventing stove-piping by: 1) crossing silos between DG Justice, DG Connect, DG Home Affairs and the European External Action Service (EEAS), and 2) aligning the European Democracy Action Plan and the new Digital Services Act with the new Security Union strategy. The EU Commission may consider a dedicated, cross-silo Defend Democracy task force or coordinator.
Public Libraries 2030 (NGO)	Welcomes the EDAP but call for a greater recognition of the work of civil society and public institutions such as public libraries to be recognised for their work on citizen engagement, meaning that they are a crucial democratic infrastructure needed to achieve the objectives set out in the roadmap. In particular objectives on democratic participation, citizen engagement and disinformation. Public libraries helping communities learn relevant media literacy skills needed to navigate the information landscape and fostering democratic engagement.
Computer & Communications Industry Association (business assoc)	Addressing disinformation and protecting election integrity requires the participation of many involved entities such as governments, regulators, election authorities, political parties, NGOs/civil society, online platforms, publishers and general public. An initiative that would not reflect this multitude of actors would not be effective. Addressing disinformation by focusing on removals is not sufficient and could have adverse effects. The solution requires a broad set of tools and activities, incl. promoting authoritative content, supporting fact-checking efforts, and providing media literacy training to the public. Each online platform is different and each platform thus takes different actions to address disinformation. Therefore, reporting on platforms' actions will require a certain level of differentiation, which makes it difficult to develop unified measurements and performance indicators to assess the efficiency of these efforts.
Anonymous (UNESCO)	UNESCO could be added as a key partner for international cooperation (EDAP). Emphasis on international and multi-stakeholder cooperation to build the capacity of journalists and fact checkers to cover elections, counter disinformation, in an environment that enables journalists' safety and press

	freedom. Encourage greater public access to information through disclosure of information from electoral commissions.
STM (NGO)	A better understanding by platforms, journalists, and the general public, of the process of publishing and the importance of seeking out the "version of record", peer reviewed in a trusted journal, is a simple and easily communicated way of understanding what is a trusted source.
EAVI (NGO)	Discussions should be underpinned by the right of people to be correctly informed: Everyone should be able to access authoritative quality information, regularly and easily. In other words, it is a right to transparency. Art. 19 of the Universal Declaration of Human Rights (1948): "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." Placing recipients and citizens' interests back into the debate would shift perspectives and represent a strategi opportunity for the EU to regain their citizens' trust.
EAVI (NGO)	Allocation of significant financial resources and EC budget to civil society organisations to permit them to operate meaningfully toward the EC's stated mission.
Access Now (NGO)	EU to shift focus from swift removals of online content hosted by online gatekeepers to how content is actually being distributed and amplified for platforms' profit. Overall policy recommendation for the EC to tackle the issues presented in the European Democracy Action Plan Roadmap is to make sure that the legislative and non-legislative measures are systematic. Many aspects of these questions will be covered by the Digital Services Act legislative package and potentially in initiatives on artificial intelligence and automated decision-making systems, while the relationship between the initiatives under the EDAP and these other EU policies is not clear. The EDAP should create an umbrella under which the complex content governance issues that are tackled from a digital and competition policy angle are also understood as a democracy and rule of law issue. To achieve content diversity, the EU should create the conditions under which users can find and choose between diverse content themselves instead of simply supplying a diversity of information based on criteria determined by platforms. Meaningful transparency of content recommender systems embedded in broader rules to empower users and ensure fundamental rights safeguards for automated decision-making systems is absolutely essential in achieving this goal.
EDiMA (business association)	We underline the need for consistency and coherence among different but coexisting EU policy instruments that address many of the same policy objectives and challenges from slightly different angles (e.g. Digital Services Act, AVMS, EC Action Plan on Disinformation and Communication to tackle COVID 19 infodemic, to name a few).
Alliance for Healthy	Increasing capacities to counter disinformation on institutional level across the EU is important. Cooperation within the EU should be strengthened via encouragement of the exchange of information between MS's authorities, for

Infosphere (AHI) (other)	example by the establishment of a Strategic communication unit focusing on disinformation and strategic communication within the EU. Lack of internal-facing body (compared to EEAS and Task Forces as outward-facing institutions) – not taking into account the fact that vast amounts of disinformation and harmful narratives are perpetuated by domestic actors within the EU. Therefore, restructuring DG COMM to acquire new capacities focusing on monitoring, analysing and countering disinformation concerning the EU and its policies within the EU online and media space. Strengthened cooperation between the MS and online platforms and researchers in every state.
BEUC (consumer association)	Interlinking three areas of EU law including consumer protection due to being rooted in the consumer-trader relationship; data protection in view of being based on privacy-invasive business practices; and competition law given the limitation of choice in a market dominated by a small number of large Internet companies. The Roadmap should be complemented by a robust toolkit aimed at prevention of business practices built on surveillance, data harvesting and behavioural manipulation. Due to the interdisciplinary nature of the issue, a holistic approach is in order if the aim is to safeguard democracy against manipulation build on exploitative use of consumer data. This approach should include i.a. guaranteeing strict enforcement of GDPR and the adoption of a strong ePrivacy Regulation. It should also promote measures to fight disinformation at its source, including a sector inquiry to investigate the link between advertising revenue policies of platforms and dissemination of disinformation.
EU DisinfoLab (NGO)	We call for a renewed EU-wide approach, from focusing solely on foreign interference during electoral periods to instead approaching disinformation holistically, including information manipulation by domestic and pan-European actors. When attribution can be established, it should be made public by EU institutions, and relevant sanctions should be considered. Any new regulatory initiatives against online information operations should be considered with great caution. Instead of regulating content, we should create the right conditions for resilience in society.
News Media Europe (business association)	Integrate the promotion of authoritative content conducive to diluting misinformation on social media. Therefore giving prominence to professional news content online should form part of the EU strategy.
ETUCE (Trade Union)	Importance of promoting common values such as tolerance, non-discrimination, equality, solidarity, and respect for human dignity and diversity which are the basis for a democratic society in which every citizen's voice is heard and respected. Education plays a crucial role in preparing open-minded, critical-thinking and active citizens who care about their society, the world and the environment they live in. Education to take more prominent and multi-dimensional place in the strategy. EDAP highlights the importance of strengthening media literacy and critical thinking. These two together with e-safety are part of a more complex concept of "digital citizenship" which encompasses a range of competences that harness the

	benefits and opportunities in the online world while building resilience to potential harms (including fake news).

13. Does the document provide any other useful information for the study?

Stakeholder	Summary
Stiftung Neue Verantwortung e. V. (SNV) (NGO)	While the use of digital infrastructure and communication platforms for political debates and processes can support democratic participation, it also poses risks for democracy. Some of the issues mentioned in the roadmap, e.g. the spread of public health disinformation or the dangers to election integrity, can in part be attributed to the current setup of the digital sphere, where many dominating platforms seek revenues solely through targeted advertising, which might create the incentive to show the most "engaging" content/advertising, even (or especially) if it is discriminatory, disputed or outright disinformation.
OZPSaV of Slovakia (Trade Union)	Education should take a much more prominent and multi-dimensional place in a European strategy on strengthening and promoting democracy (democratic citizenship education). Also, insert inclusion and equality as one of the main dimensions of the EDAP.
Eumans (other)	We welcome the focus on the promotion of democratic resilience and citizens participation to improve election integrity. Further efforts to strengthen participatory democracy are needed. Invest resources to raise voters' awareness of what is at stake and what practical consequences there might be.
Ökotárs - Hungarian Environmental Partnership Foundation (NGO)	Distorted reporting contributes to the vilification and stigmatisation of CSOs defending democratic values, exacerbated by the lack of access to media outlets. Without the help of a balanced an unbiased media (print, electronic and online) environment, CSOs have difficulties in conveying their message to broader audiences.