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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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 early in February and runs until early April 2021 with the aim of collecting views from various stakeholders.

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.

https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12826-Transparency-of-political-advertising/feedback?p_id=19290619

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

1.1 Written feedback 1 (Association of Commercial Television in Europe (ACT))

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.

No

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?

Only with regard to the policy options but not their impacts

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?

No

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

The document mentions the role of issue-based advertising: given the fact that they are not disclosed, issue-based ads often contribute more to the outcome of elections than actual political advertising placed by political parties or candidates.

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?

The document states that most of the "manifestly bad" political advertising online is not done directly by political parties or candidates, but rather by interest groups, and is not declared. As such, "an initiative that would focus solely on official political parties or candidates would completely miss the mark".

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?

No

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

[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.

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. In the context of European elections, 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.

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?

Not explicitly but the document does state that soft law approaches, such as codes of conducts, recommendations and media literacy campaigns, may effectively complement legislation but would not be enough on their own. "As previous attempts to encourage online platforms to self-regulate have shown, without hard law, it will be impossible to guarantee the same levels of protections for citizens online and offline and a level playing field in this area".

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

The document states that minimum standards of transparency would have a positive impact: a high-level of transparency is key because while it is typically clear who is responsible for a specific

political communication and political advertising offline, it is next to impossible to identify sponsors of political ads online.

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

Not regarding impacts

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

It argues that electoral law and, more broadly, political advertising rules, vary amongst member states, and so the best legislative instrument to address the issue of political advertising would be an EU directive.

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…)

No

Conclusions

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

The document makes recommendations based on the policy options set out in the inception impact assessment, namely: - National rules related to the financing of political advertising should fully apply to online activities - Restrictions on political advertising (e.g. bans) should apply online as they do offline for traditional media - Certain practices related to the targeting and amplification of political and issue-based advertising should be limited or banned There should be: - Minimum standards of transparency, including who paid for the advertising and targeting criteria - Measures to ensure accountability, in particular when it comes to the content of political advertising - Oversight by a regulatory body - Effective penalties and enforcement Issued-based advertising should be in scope

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

ACT perspectives on the Digital Services Act (August 2020) Digital Services Act, DSA | ACT (acte.be) briefly discusses political advertising and the lack of a level playing field (page 19):

"Having media strictly regulated while large online platforms can micro target voters and promote political campaigns with no transparency nor regulatory oversight is seriously affecting the broadcasters' capacity to with compete and risks drowning out quality news at great cost with severe impacts for our democratic processes. We encourage European policy-makers to adopt rules for online political and issue ads advertising in order to ensure greater transparency and limit practices that erode the democratic discourse".

1.2 Written feedback 2 (Avaaz)

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.

Only to a very limited extent in the US context ("Facebook allowed Donald Trump-supporting Super PAC, America First Action, to spend around $287,500 and run at least 451 ads on Facebook's platform between 19 August and 16 September 2020").

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?

Yes, the document discusses targeting extensively, including a new form of non-transparent online targeting in the US: Super PACs, politicians and other partisan groups have paid "influencers" and publishers on social media platforms to create and post what often deceptively appears to be organic political content.

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?

Yes, the document states that it is often difficult to recognise paid-for political material and distinguish it from other political content. The document describes how influencers (see Q2), especially those appearing as "regular people" with fewer than 10,000 followers, evoke trust and are well positioned to sway the behaviour of their followers.

The EU's initiative must provide proposals to address the broadest range of political advertising, including apparently organic content.

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?

Not in relation to *cross border* political advertising

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?

Not electoral rules exactly, but the document explains that political influencer posts do not qualify for the stricter rules imposed by Instagram, Facebook, and Twitter on political advertising due to the fact that payment occurs off-platform

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?

No

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

Avaaz "does not believe that the track record of the global online social media giants, in terms of data handling or combatting disinformation, supports the idea that non-binding measures without a regulatory back stop are likely to be the fix the system so badly needs". If soft law is to be used as an industry response pending a proper legislative framework, Avaaz would recommend adopting tactics such as incentivising preferred behaviours (e.g. platforms are given a seat at the table in high level discussions if targets are met; providing "traditional" incentives such as tax breaks, subsidies, quotas or permits).

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

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

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

No

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…)

No

Conclusions

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

Avaaz urges that the following solutions be implemented alongside any new obligations on the transparency of sources of advertising and its targeting:

- A three-step process for service providers to 'detoxify' their algorithms based on: detecting and downgrading known pieces of misinformation and content from systematic spreaders; demonetising systematic spreaders; clear labelling for content from systematic spreaders and providing links to additional information.
- Implementation and enforcement of transparent advertising policies (including ID and location verification for advertisers)
- Ensuring ad regulation efforts cover a sufficient period before and after elections
- Incentivising preferred behaviours (see Q7)

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

On the role of influencers in online targeting: University of Texas at Austin, Social Media Influencers and the 2020 U.S. Election: Paying 'Regular People' for Digital Campaign Communication (Oct. 2020), https://mediaengagement.org/research/social-media-influencers-and-the-2020-election/

1.3 Written feedback 3 (Computer and Communications Industry Association(CCIA))

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.

No

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?

No

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?

No

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?

No

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?

No

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?

No

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

The document suggests that online advertising, sponsored political content included, is already addressed by a few on-going initiatives, and continues to develop as service providers respond to evolving market demand for transparency and measurability.

(As a result:) "the degree of transparency in digital advertising is already high compared to other advertising formats".

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

The document points out that there are several on-going initiatives that will have an impact on political advertising. This includes the Digital Service Act (DSA) proposal, the work on strengthening the Code of Practice on Disinformation, the enforcement of EU data protection rules, and the implementation of the revised Audio-visual Media Services Directive.

Adding another layer of rules would potentially create confusion.

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

As Q8

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

Yes, the document states that with different regulatory regimes on political ads across the Member States, more guidance at EU level would help steer common practices preventing isolated initiatives at national level.

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…)

No

Conclusions

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

The document states that if there is political consensus towards a new intervention from the European Commission, CCIA would recommend a set of clear rules that establish (i) what constitutes political advertising in the EU; (ii) who can run political ads, and when; and (iii) the extent to which cross-border political advertising is permitted. Further guidance on advertisers' standards and responsibilities, and service providers' transparency measures, could then be developed via self-regulatory tools and multiparty stakeholder efforts.

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

No

1.4 Written feedback 4 (European Association of Communications Agencies (EACA))

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.

No

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?

In relation to the GDPR, the document points out that data controllers must ensure to collect the appropriate consent before using personal data for micro-targeting. Relating to transparency and targeting, the document mentions the AdChoices Icon, that demonstrates that companies involved in serving ads online are respecting the self-regulatory principles in a way that empowers consumers. EACA members that are involved in online political advertising would welcome the implementation of such an icon for political ads. However, in order for it to be meaningful and effective, it would need to be enshrined in law.

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?

No

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?

Only to state that national regulation stipulates what kind of disclosures must be made in terms of funding

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?

The document states that service providers, including communications agencies, that are involved in political advertising must abide by the laws of a given country. For example, if a Member State protects the anonymity of a donor or grants political parties the right not to reveal the amount sponsored, then a service provider cannot do anything about that. As such, the starting point for an EU-level initiative should be the harmonisation of national laws.

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?

The document states that a common set of rules would help address barriers to the single market and legal uncertainties related to cross-border political advertising. Such rules would then also apply to online platforms established outside the EU and whose terms and conditions can vary significantly.

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

Not impacts as such

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

The EACA favours harmonisation: it does not make sense to start by looking at "all actors involved" in these activities.

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

Not impacts as such

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

At a high level, the document acknowledges that having a common set of rules in this field is not only essential to ensure the digital single market, i.e. making it possible and easier to advertise

across EU borders. Having the right to express and disseminate one's political views and messages – which includes advertising them - is a building block of democratic participation and European society.

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…)

Conclusions

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

The document recommends the EC to avoid unnecessary regulation and look at existing legislation first (GDPR, national rules on funding disclosures in elections) before introducing new laws. It also recommends the use of an AdChoices Icon (see Q2).

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

1.5 Written feedback 5 (European Publishers Council (EPC))

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.

No, although it is stated that at least 50% of money spent on political advertising and campaigning goes to global platforms where online political advertising is largely unregulated and campaign material is not required by law to be truthful or factually accurate, or to state who is paying for it.

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?

Only with regard to transparency standards to be adhered to in political advertising

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?

The document mentions that when the political advertising algorithms which determine prominence are hidden, neither consumers, the authorities nor independent organisations have

the means to scrutinise or review relevant information about how political candidates are promoted and who is funding the advertising.

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?

Not discussed in detail

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?

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?

The document states that implementing a set of clear and consistent rules for the European internal market would help guarantee a level playing field for both European and third-country service providers

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

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

Only at a high level i.e. the document states that once clear regulatory rules on transparency of political advertising are in place, citizens will be able to make more informed decisions and authorities can scrutinize campaigns and their funding and take action when needed.

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

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

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…)

Conclusions

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

The EPC reminds the EC that it is crucial to define political advertising precisely in order to differentiate this from issue-based advertising.

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

Democracy disrupted, Information Commissioner's Office (UK), published in 2018 Democracy disrupted? Personal information and political influence (ico.org.uk)

The report intends to 'draw back the curtain' on how personal information is used in modern political campaigns. It summarises the policy findings from the UK Information Commissioner's data analytics investigation, making recommendations in respect of the transparent and lawful use of data analytics in political campaigns in the future.

1.6 Written feedback 6 (Google)

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.

No

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?

Yes, the document outlines the importance of defining 'micro-targeting' (which varies across institutions and organisations) and outlines Google's policy regarding the targeting of election ads.

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?

Only at a high level: the document stresses that enhancing the media literacy of citizens is crucial to tackle the phenomenon of disinformation. Google is working closely with experts from the public, private and the non-profit sectors to address this issue in a multi-disciplinary way.

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?

No

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?

Not existing 'rules' as such, the document mentions the challenges posed by regulating issues-based ads: a stand-alone category that are highly contextual and "notoriously difficult to identify reliably, especially as the definition is fluid and will change and evolve during a campaign". Without a direct connection to a voting issue, issue-based ads can be difficult to define and "solve". *"The definition of 'issues of public interest' is neither clear nor static over time or homogeneous across member states (as the notion of 'public interest' is tied to a country's culture and political environment, among many other factors). To the extent of our knowledge, no entity in Europe or abroad is currently empowered or legitimate to determine what specific issues or ads are 'of public interest' in a way that would be acceptable to all member states, and whose process for determining what constitutes 'public interest' would have been determined robust enough by all interested parties. As such, we don't believe that it is possible to effectively treat such ads or sponsored content in ways that would be different from that of other ads".*

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?

No

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

Not explicitly in relation to impacts

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

In relation to issues-based advertising, Google believes that the burden of determining the public interest question (see Q5) would be burdensome and would create a significant discrepancy between online and offline advertising. Google believes that the solution to this problem is the introduction of identity verification to all advertisers on its platforms.

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

Not explicitly in relation to impacts

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

Google would welcome additional legal clarity to prevent further regulatory fragmentation across the EU

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…)

Conclusions

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

The document lists nine considerations that should be taken into account by policy makers: ● Agree on clear and workable definitions of political ads. ● Ensure that transparency requirements allow for enough flexibility to take into account the differences between services. ● Prevent the risks that information can be used by bad actors to game systems, that commercially sensitive information is exposed, or that user privacy is affected. ● Ensure that libraries for political advertisement do not disclose business sensitive information. ● Clarify that the ads libraries should not be required to cover ads that were disapproved or removed for policy violations. ● Provide online platforms enough flexibility to build ads libraries, taking into account differences of their services and scale in which they are operating. ● Ensure meaningful transparency without causing risks to user privacy or risking advertisers' sensitive information. ● Take into account the complexity around issue-based advertising. ● Respect the Country of Origin, which is a cornerstone of the EU's internal market, and clarify certain provisions under the Digital Services Act.

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

Google's policy in relation to contextual targeting https://blog.google/technology/ads/update-our-political-ads-policy/