

## Study to support the preparation of an EU instrument on to help improve the resilience of our democracies and address the threats of interference in elections through greater transparency in political advertising, and other measures to promote resilient democracy in the EU

### Mapping of national legislation – Finland

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
<b>I. General information about the national legal framework</b>		
<b>National legal act(s)</b> governing political advertising	Party Act Act on Candidate's Election Funding	<p><b>Please provide an overview of how political advertising is regulated in your Member State:</b></p> <p><i>Which legal act(s) is the principal piece of legislation governing political advertising (e.g. national elections act, specific act on political advertising, media act etc.)? How are they interlinked (e.g. via definitions or other common provisions)?</i></p> <p>The primary legislation is the Party Act and the Act on Candidate's Election Funding. The provisions echo and interlink with Act on Freedom of Expression in Mass Media, the Elections Act as well as codes and guidelines. Preparatory acts (Government bills and Constitutional Committee Report) and Department of Justice website <a href="http://www.vaalit.fi">www.vaalit.fi</a> confirm customary interpretation of definitions and understanding relating to all elections. All general rules apply to all forms of political advertising by any means, whether online or offline. This general definition stems from a duty to report campaign costs itemizing elections advertising in different channels including "information and communications networks and other forms of communication" (PA 9 b§1.1 and CEFA 6 §1.3)</p> <p>There are specific rules relating to political advertising on municipal property and self/ co-regulation codes of practice (e.g. placement) since the 1960s. Specific rules also apply relating to access to media</p>

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		<p>such as public channels, and other broadcasting or communications channels.</p> <p><i>Please, specify the principal piece of legislation or other regulations, (self-/co-regulatory codes or guidelines) governing <b>online</b> political advertising, if applicable. Please, provide any other relevant legislation and self-regulatory/co-regulatory instruments applicable to political advertising, political campaigning and parties/candidates funding.</i></p> <p>Journalist Code of Ethics constitutes custom and industry practice for journalists and mass media. The Council for Mass Media (JSN) issues advisory opinions on complaints. Code of conduct applies to all media channels.</p> <p>Communications professionals and providers of communications services abide by the Code of Communications Ethics. Council of Communications Ethics issues opinions on topical issues/practices that are presented to them. Code of conduct applies to all media channels.</p>
Legal and/or statutory <b>definition</b> of the notion of “ <b>political advertising</b> ” and “ <b>online political advertising</b> ” (if applicable)	<p>Party Act 9b§ 1.1</p> <p>Act on Candidate’s Election Funding 6 §1.3</p>	<p><i>Does your national legislation or regulations define political advertising?</i></p> <p>A general definition includes all forms of advertising by parties, candidate or candidate’s support groups during any elections campaign.</p> <p><i>Does your national legislation or regulations define <b>online</b> political advertising?</i></p> <p>A general definition includes all forms of advertising by parties, candidate or candidate’s support groups during any elections campaign.</p>
If not applicable, provide <b>other definitions/terms used in the legislation close to the notion of “political advertising”</b>	<p>Party Act</p> <p>Act on Candidate’s Election Funding 6 §1.3</p>	<p>The Constitutional Committee (Parliament) addressed the issue in its report 3/2010 on the amendment of relevant campaign aid and financing laws. It stated that elections campaigns (vaalikampanja) are always ongoing. This is why it is important to define a specific</p>

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		<p>campaign period (kampanja-aika) where reporting duties and advertising rules apply. This in reference to pre-election campaigns (including also elections period) that start 6 months before and end 2 weeks after election day (Party Act 8§3 and Act on Candidate's Election Funding 2§1). The pre-election period is likely defined based on custom to remove advertising from municipal property and roadways within two weeks after the election.</p> <p>Campaign advertising is indirectly defined through reporting duties relating to paid advertising and use of campaign funds under the Party Act and Act on Candidate's Election Funding. The distinctions made in the Government Bill (HE 6/2010) and Constitutional Committee Report (3/2010) distinguishes general support or issue advertising by others from elections advertising (support group) and campaign advertising (Candidate). The former is exempt from the duty to report if the Candidate is not individually involved, while duties to clearly indicate who has paid for advertising apply to support group, party and candidate advertising. The general duty to identify the source of paid advertising (including private individuals for advertising exceeding 800 euros in municipal elections/1500 euros in parliament, presidential or European Parliament elections) is an accepted limitation on the right to privacy. In this regard, contributors are likened to publishers in 5 § Act on Freedom of Expression in Mass Media. The Candidate's "Support group" (tukiryhmä) covers all people, groups and associations that supports the candidate and must be identified if they pay for political advertising.(HE 13/2009 vp p.1).</p> <p><u>Examples:</u> "partisan advertising", "campaign advertising", "elections advertising and issues based advertising" etc.</p> <p>Please, specify whether the available definitions apply towards specific actors/persons. (e.g. political parties/candidates, media, civil society, online intermediaries or other service providers etc.).</p> <p>Yes. The reporting duties apply to party campaigns and candidate campaigns respectively. All contributions, whether monetary or in the</p>

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		form of products or services must be reported by the candidate. Products or services are valued at net value. However, if market price includes standard discounts (e.g. bulk advertising) the discounted price can be reported.
Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising		<p><u>Has an evaluation of the rules and practices in place for political advertising and/or online political advertising already been carried out and if so, what are the results?</u></p> <p><u>The Act on Candidates Elections Funding was introduced in 2009 and was amended in 2010, 2015, and twice in 2020. Similar review of elections funding provisions apply to the Party Act.</u></p> <p><u>Further to that, is there any draft legislation currently discussed in your Member State relevant for political advertising and/or online political advertising? If so, please provide a brief overview.</u></p> <p>No</p>
<b>II. Political advertising rules during pre-election campaigns</b>		
Definitions of <b>pre-election campaigns in the Member State (if applicable)</b>	Act on Candidate's Election Funding 2 § Party Act 9b§ referring to campaign period	<p><i>Are pre-election campaigns defined in your Member State? If so, how?</i></p> <p>The pre-election campaign period starts 6 months before and ends 2 weeks after elections day.</p>
National rules on <b>paid political advertising</b> during pre-election campaigns	Act on Freedom of Expression in Mass Media	<p><i>Is paid political advertising during pre-election campaigns prohibited or allowed in your Member State?</i></p> <p>Allowed. The Act on Freedom of Expression in Mass Media 1§ includes a general goal of securing freedom of expression. Restrictions on communications are not allowed to the extent they are not necessary in relation to the importance of freedom of expression democratic state based on the rule of law. There are no national requirements for balanced paid advertising. Media houses selfregulate to ensure transparency.</p> <p><i>If prohibited, what is the scope of the ban of paid political advertising?</i></p> <p>N/A</p> <p><i>In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i></p>

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		<p>Paid political advertising is allowed, when the payer can be clearly identified. There are some restrictions on placement of advertising in broadcasting programs (e.g. between shows as opposed to during commercial breaks).</p> <p><i>Please, specify whether such rules during pre-election campaigns are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction.</i></p> <p>The rules in place apply to mass media whether offline or online. There is no enforcement mechanism. Mass media exersizes editorial discretion in line with professional codes of conduct.</p>
<b>National rules on financing of political parties/candidates in relation to political adverts</b>	<p>Party Act Act on Candidate's Election Funding Act on Money Collections</p>	<p><i>Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i></p> <p>Political parties and candidates are exempt from the obligation of applying for a permit for money collection for elections funding. However, reporting duties (incl. sanctions) of Act on Money Collections still apply. In addition the Party Act and Act on Candidate's Election Funding contain specific rules on campaign funding, its use, and itemized reporting of means of political advertising during the pre-election period. The Candidate's election funding may consist of own funds or loans taken, campaign contributions by support groups and other campaign contributions. Campaign contributions from a single donor are limited to 3000 euros in municipal elections, 6000 euros in parliamentary elections and 10000 euros in European Parliamentary elections. Contributions from registered associations of political parties are exempt. This information must be disclosed by elected members or alternate members after the election. The Candidate must disclose the total election campaign costs accompanied by an itemized list of promotional expenditure for ads in newspapers, free newspapers,</p>

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		periodicals, radio, television and data networks, and other communications media, outdoor advertising, as well as productions of newsletter, brochures and printed matter (6§ 1.3). Each donor must be disclosed separately, if the value exceeds 800 euros for municipal elections, 1500 euros in parliamentary election or 2000 euros in European Parliamentary or Presidential elections (6§2). It follows that any paid political advertising earmarked by a donor must clearly identify the donor. The same rules apply to contributions of goods or services which are for reporting purposes measured by net (market) value.
National rules on <b>free political advertising (or free airtime)</b> during pre-election campaigns	Party Act 10 § Yleisradiolaki Ylen ohjelmatoiminnan ja sisältöjen eettiset ohjeet points 34-35. <a href="https://yle.fi/aihe/artikkeli/2017/11/20/ylen-ohjelmatoiminnan-ja-sisaltojen-eettiset-ohjeet-ots">https://yle.fi/aihe/artikkeli/2017/11/20/ylen-ohjelmatoiminnan-ja-sisaltojen-eettiset-ohjeet-ots</a>	<i>Are political parties in your Member State allocated free political advertising during pre-election campaigns? If so, on which media is free political advertising granted?</i> Newspaper media public opinion-section. The Yleisradio Act requires balanced and inclusive reporting and programming on current news and events of social importance. Advertising is prohibited on all Yle media channels. The public service of Yleisradio apply the equality requirement in the Party Act (§10) in program design and allocating access to airtime. Yleisradio may however take into consideration programming aspects when using its editorial discretion (10§2). Yleisradio produces content for radio- and television. This content is freely available on Yle Areena (digital platform) and accessible for free. Content is also shared on other platforms e.g. YouTube. Commercial print media houses adhere to similar standards of openness and inclusiveness in elections programming ensuring a commitment against any form of bribes or corruption. There is no general requirement of balanced free advertising that would apply to all media.
National rules on political advertising on <b>broadcast media</b>	Party Act 10 §	<i>Please, provide a brief description of the national rules on political advertising on broadcast media during pre-election campaigns.</i>

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during pre-election campaigns (incl. public service and private broadcasters)	Yleisradiolaki  Ylen ohjelmatoiminnan ja sisältöjen eettiset ohjeet points 34-35. <a href="https://yle.fi/aihe/artikkeli/2017/11/20/ysten-ohjelmatoiminnan-ja-sisaltojen-eettiset-ohjeet-ots">https://yle.fi/aihe/artikkeli/2017/11/20/ysten-ohjelmatoiminnan-ja-sisaltojen-eettiset-ohjeet-ots</a>	Journalist ethics code. Independent, diverse and inclusive reporting. The Yleisradio Act requires balanced and inclusive reporting and programming on current news and events of social importance. Advertising is prohibited on all Yle media channels. The public service of Yleisradio apply the equality requirement in the Party Act (§10) in program design and allocating access to airtime. Yleisradio may however take into consideration programming aspects when using its editorial discretion (10§2). Yleisradio produces content for radio- and television. This content is freely available on Yle Areena (digital platform) and accessible for free. Content is also shared on other platforms e.g. YouTube.
National rules on political advertising in <b>print media</b> during pre-election campaigns	Act on Freedom of Expression in Mass Media	<i>Please, provide a brief description of the national rules on political advertising in print media during pre-election campaigns.</i> There are no general rules restricting political advertising in print media during pre-elections campaigns. Print media adheres to the Journalist ethics code (industry self regulation) and internal codes of ethics (self regulation). Independent, diverse, transparent and inclusive reporting is the prevailing norm.
National rules on political advertising on <b>online media applicable to political parties</b> , during pre-election campaigns		<i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i> No. Self regulation and contractual provisions vary depending on platform
Particular rules <b>applicable to online platforms and intermediaries</b> , such as social media, for political advertising during pre-election campaigns		<i>Are there any particular rules to online platforms during pre-election campaigns in your Member State?</i> No. Self regulation and contractual provisions vary depending on platform
Specific rules relating to “ <b>false information</b> ”, <b>fake news</b> ” or	Criminal Code Chapter 24  Act on Using Freedom of Expression in Mass Media	<i>Are there specific provisions in your Member State about the dissemination of “untrue information”, “false information”, “fake news” or ‘disinformation campaigns’ during pre-election campaigns?</i>



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<p><b>“disinformation campaigns”</b> during pre-election campaigns</p>	<p>Joint statement by Kuntaliitto and party secretaries 9.2.2021  <a href="https://www.kuntaliitto.fi/tiedotteet/2021/kuntaliitto-ja-puoluesihteerit-vetoomus-vaalirauhan-puolesta">https://www.kuntaliitto.fi/tiedotteet/2021/kuntaliitto-ja-puoluesihteerit-vetoomus-vaalirauhan-puolesta</a></p>	<p>The criminal code Chapter 24 criminalizes spreading of false information or disinformation that causes damage, suffering or general contempt relating to a person (24:9 defamation). Ch 24:9 §2 exempts criticism that otherwise may be disparaging if it concerns the conduct of a person in political office, if it does not clearly go beyond what can be deemed acceptable.</p> <p>The criminalisation of unlawful spread of information that violates privacy (Ch 24:8) does not apply to information, an insinuation or a picture of a person active in politics, that may affect the evaluation of this person's suitability in office, if the information is necessary for evaluation of an important matter of societal relevance. Note industry self regulation as this reflects a general distinction that is applied to editorial discretion below.</p> <p>Gross defamation (Ch 24:10) that is spreading false information or insinuations about a person via mass media or so that it is accessible to a large number of people is criminalized, if it causes great or long term suffering or great harm or damage.</p> <p>The publisher of a homepage of a private person (e.g. blog) in any “electronic communications network” is responsible for its content, including liability for damage caused or criminal acts (Act on freedom of expression in Mass Media 3§2). Under the same act a court may order a service provider to discontinue distribution of a published internet message, if it is evident based on its content that keeping it accessible to the public is criminalized (3 § 3, 18, 22 §).</p> <p>A court decision relating to a criminal conviction for defamation (Ch 24:8-10) can be ordered to be published in the same channels that the false information was distributed. This possibility does not apply to convictions of private persons (Act of Freedom of Expression in Mass Media 23 §).</p> <p>The Association of Finnish Municipalities published a joint statement with the party secretaries of all parties represented in Parliament on Feb 9, 2021 urging all citizens to refrain from violence, threats and undue pressure on candidates and spreading unprofessional</p>



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		communications or false information before municipal elections April 18, 2021. Major mass media outlets (oligopolistic market) self regulate with a commitment against publishing journalistic content that cannot be verified in line with industry best practices. This includes transparent policy relating to publishing content naming individuals in public office. While the rule is to publish content of general interest in particular when it relates to individuals seeking or holding public office, it must be verified and represented in an unbiased manner, including making it available for comment of the named individual.
<b>III. Political advertising rules during elections period</b>		
Definitions of <b>elections period in the Member State (if applicable)</b>	Liikenneviraston ohje vaalimainosten sijoittamisesta liikenneväylien varsille LIVI/625/05.00/2017	<i>How is the elections period defined in your Member State?</i> There is no legal definition of the elections period. However, municipalities allow placement of political advertisements on public property and roadways 1 week before preliminary voting begins – 2 weeks after elections day. There is no legal restriction on political advertising except in the vicinity of polling stations on election day (Elections Act §72). It sets a general prohibition against attempting to interfere with citizen's elections freedom during voting time (9-20 on Elections Day). Parties and candidates abiding by custom end active campaigning the day before Elections Day. Print mass media accepts political advertising in newspapers on Elections Day. Broadcasting media abide by custom to start programming when polling stations close. News media may conduct interviews or show footing from polling stations in line with general elections reporting. In practice political advertising is removed from the public eye within 2 weeks after the election, when the candidates' clean up period runs out (removing advertising from public property).
National rules on <b>paid political advertising</b> during elections period	Elections Act 72§ (public order at polling stations) Liikenneviraston ohje vaalimainosten sijoittamisesta liikenneväylien varsille LIVI/625/05.00/2017	<i>Is paid political advertising during election period prohibited or allowed in your Member State?</i> Allowed with some restrictions as to location and time to secure free elections.

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		<p><i>If prohibited, what is the scope of the ban of paid political advertising? In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i></p> <p>Advertising cannot be displayed or announced in the vicinity of polling stations during elections period either preliminary voting polling stations or polling stations on elections day. It is not clearly defined how this restriction is applied in practice relating to preliminary voting places, since post offices may be located on public or private property. There is no right to campaign on private property (e.g. shopping centers). Paid advertising on public property is removed, if it does not comply with customary rules relating to size, placement and form.</p> <p><i>Please, specify whether such rules during elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction (e.g. enforcement of 'silence periods' online)</i></p> <p>No. Foreign private individuals and party-affiliated support groups may contribute to campaigns and advertise their view online. Candidates are not allowed to accept contributions in the form of paid advertising from foreign enterprises or governments. This prohibition applies to all media channels. State aid for parties may be withdrawn for violations of the Party Act. There is no prior restraint on political advertising online.</p>
National rules on financing of political parties/candidates in relation to political adverts	Puoluelaki 10.1.1969/10 Act on Candidate's Election Funding	<p><i>Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i></p> <p>All political advertising must clearly show who has paid for them. The Act on Candidate's Election Funding sets reporting duties including transparency relating to advertising paid for by the candidate or the candidate's support group (tukiryhmä). The support group includes</p>

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		anyone or any entity that supports the candidate. Reporting duties may be divided by the party or the candidate, but the catch all provision sets a clear rule of transparency. It is prohibited to receive funds from an unknown source. Foreign private individuals and party-affiliated support groups may contribute to campaigns and advertise their view online. Candidates are not allowed to accept contributions in the form of paid advertising from foreign enterprises or governments.
National rules on <b>free political advertising (or free airtime)</b> during elections period	Liikenneviraston ohje vaalimainosten sijoittamisesta liikenneväylien varsille LIVI/625/05.00/2017 Kuntaliiton suositus	<i>Are political parties in your Member State allocated free political advertising during elections period?</i> Municipalities are not obliged to allow political advertising on its property. However, customary rules apply 1 week before preliminary voting begins until 2 weeks after the election. Municipalities provide stands for all parties (all candidates) at marketplaces or central gathering locations during the elections period. Municipalities also allow candidates to place advertising (signs) along roadways during the elections as long as strict placement, size and format rules are adhered to. Access must be granted on a non-discriminatory basis (Party Act 10§). It is also customary to allow for parties to have a central location for “soup kitchen” advertising, where candidates can meet people. As a matter of public order all parties have their tents in the same location with equal access to citizens. TV-debates (puheenjohtajatentti) are organized by Yleisradio before each election, where all party leaders represented in Parliament (currently 9) are invited. This is a practice that applies to all elections. The debates are issue-based and there may be several leading up to an election. The debates are broadcast live on TV and available on Yleareena (free digital service) for a year. In 2021 municipal elections there have been similar party leader debates organized by e.g. the teachers’ union that have been streamed live and shared on Youtube. Commercial broadcasters also invite party leaders for similar discussions either individually or together (e.g. podcast series).
National rules on political advertising on <b>broadcast media</b>	Laki televisio- ja radiotoiminnasta 744/1998 Chapter 4 <a href="https://finlex.fi/fi/laki/alkup/1998/19980744#Pidp446158848">https://finlex.fi/fi/laki/alkup/1998/19980744#Pidp446158848</a>	<i>Please, provide a brief description of the national rules on political advertising on broadcast media during elections period</i>

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during elections period (incl. public service and private broadcasters)		<p>The Television and Radio Broadcasting Act sets the general rule that advertising must be recognizable as such and distinguished from other programming. Single advertisements may only be played exceptionally (21 §). News and current events programming cannot be interrupted by advertising, if it lasts less than 30 minutes.</p> <p>Advertising that offends human dignity, religious or political convictions may not be presented (23 §) on tv or radio. Its content cannot discriminate based on race, gender or citizenship. The picture or voice of individuals who regularly present or take part in news or current events programming may not be used in advertising (21 § 2).</p> <p>Sponsors may not affect the content or timing of programming contrary to the principle of independent media (journalist code). The name and logo of sponsors are clearly identified at the beginning and end of sponsored programming. Sponsorship is defined by the purpose of promoting a company name, trademark, imagery, activity or products. The definition does not include political or ideological sponsorship (2 § 1.10).</p>
National rules on political advertising in <b>print media</b> during elections period		<p><i>Please, provide a brief description of the national rules on political advertising in print media during elections period</i></p> <p>There are no restrictions on political advertising in print media during the elections period. News media may self regulate by closing the public opinion section for Candidates during the elections period in keeping with the general obligation to allow equal access. There is no mandatory rule, however, it links to editorial discretion (limited space) to control media content. There is no obligation to print opinions offered to the public opinions section of a newspaper. Most newspapers only offer this section online to their subscribers (pay wall).</p>
National rules on political advertising on <b>online media applicable to political parties</b> , during elections period		<p><i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i></p> <p>The recommendation of the Data Protection Ombudsman is directed to Candidates in terms of respecting the privacy of contributors in</p>

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		political advertising, but also in processing personal data (e.g. email addresses).
Particular rules <b>applicable to online platforms and intermediaries</b> , such as social media, for political advertising during elections period		<i>Are there any particular rules to online platforms during elections period in your Member State?</i> No.
Specific rules relating to <b>“false information”, “fake news” or “disinformation campaigns”</b> during elections period	Criminal Code Chapter 24  Act on Using Freedom of Expression in Mass Media  Joint statement by Kuntaliitto and party secretaries 9.2.2021 <a href="https://www.kuntaliitto.fi/tiedotteet/2021/kuntaliitto-ja-puoluesihteerit-vetoomus-vaalirauhan-puolesta">https://www.kuntaliitto.fi/tiedotteet/2021/kuntaliitto-ja-puoluesihteerit-vetoomus-vaalirauhan-puolesta</a>	<i>Are there specific provisions in your Member State about the dissemination of “untrue information”, “false information”, “fake news” or “disinformation campaigns” during elections period?</i> The criminal code Chapter 24 criminalizes spreading of false information or disinformation that causes damage, suffering or general contempt relating to a person (24:9 defamation). Ch 24:9 §2 exempts criticism that otherwise may be disparaging if it concerns the conduct of a person in political office, if it does not clearly go beyond what can be deemed acceptable. The criminalisation of unlawful spread of information that violates privacy (Ch 24:8) does not apply to information, an insinuation or a picture of a person active in politics, that may affect the evaluation of this person's suitability in office, if the information is necessary for evaluation of an important matter of societal relevance. Gross defamation (Ch 24:10) that is spreading false information or insinuations about a person via mass media or so that it is accessible to a large number of people is criminalized, if it causes great or long term suffering or great harm or damage. The publisher of a homepage of a private person (e.g. blog) in any “electronic communications network” is responsible for its content, including liability for damage caused or criminal acts (Act on using freedom of expression in Mass Media 3§2). Under the same act a court may order a service provider to discontinue distribution of a published internet message, if it is evident based on its content that keeping it accessible to the public is criminalized (3 § 3, 18, 22 §).

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		<p>A court decision relating to a criminal conviction for defamation (Ch 24:8-10) can be ordered to be published in the same channels that the false information was distributed. This possibility does not apply to convictions of private persons (Act of Freedom of Expression in Mass Media 23 §).</p> <p>The Association of Finnish Municipalities published a joint statement with the party secretaries of all parties represented in Parliament on Feb 9, 2021 urging all citizens to refrain from violence, threats and undue pressure on candidates and spreading unprofessional communications or false information before municipal elections April 18, 2021.</p>
<b>IV. Political advertising rules outside of elections period</b>		
National rules on <b>paid political advertising</b> outside of elections period	<p>JSN-Julkisen sanan neuvosto - Journalistin eettiset ohjeet (industry self regulation)</p> <p>VEN- Viestinnän eettinen neuvottelukunta (industry self regulation) -viestinnän eettiset ohjeet</p>	<p>Is paid political advertising during elections period prohibited or allowed in your Member State?</p> <p>Allowed.</p> <p>If prohibited, what is the scope of the ban of paid political advertising?</p> <p>If allowed, are there restrictions on paid political advertising?</p> <p>No. General advertising and consumer protection rules apply, it must be clear to consumers who is behind the advertising or promotional material that may be interpreted as journalistic content. Usually this means that the source of the message and possible conflicts of interest must be identified.</p> <p>Please, specify whether such rules outside of elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction.</p> <p>The Journalist code of ethics applies to journalists and news media in all forms of mass media. This code does not apply to communications professionals or any social media content per se (e.g. website, blog). However, the Council of Communications Ethics (VEN) was founded by main actors in the field of professional communications services. Members include both Viesti ry and ProCom communications</p>

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		<p>professional's union; Marketing Finland representing commercial companies or organisations offering communications services; and JAT public sector communications professionals. Together their members commit to the Code of Communications Ethics. The Council offers advisory opinions on specific issues that replicate the basic principles of transparency and professionalism in all media. The Council has emphasised that the line between promotional and journalistic content should not be blurred, and naming and clearly identifying the source of paid advertising constitutes best practice. These recommendations apply to all communications professionals offering services as industry best practices. VEN has expressly considered issues relating to paid advertising, transparency towards those interviewed relating to possible external funders of media content, and best practices relating to organizing closed “pre-launch” events for members of the media (not press conferences). They have also recommended campaign or events websites to abide by rules of transparency in social and print media. (opinions VEN 2015/2, VEN 2017/1, VEN 2018/1-2 and VEN 2020/1). The recommendations are not sanctionable or binding.</p>
<p><b>National rules on financing of political parties in relation to political adverts</b></p>	<p>Party Act (8b §)</p>	<p><i>Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i></p> <p>Elections campaigning is ongoing and it is difficult to draw the line between normal activity in political office and campaigning. Only the period immediately preceding elections (6 months before- 2 weeks after) is relevant for reporting and disclosure purposes. Parties may not receive more than 30 000 euros from a single donor per calendar year. However, the restriction does not apply to close associations (lähiyhteisö) or funds received intestate. Foreign individuals or associations ideologically linked to the party may donate funds. However, donations from other foreign actors whether public or private</p>



Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		may not be accepted (8b§3). The general prohibition covers political advertising also during pre-election and election periods.
National rules on <b>free political advertising (or free airtime)</b> outside of elections period	Party Act 4 §	<i>Are political parties in your Member State allocated free political advertising outside of elections campaigns?</i> No. There may be use of e.g. municipal facilities. General rules against corruption of public officials or abuse of public office restricts directing public support or funds to any party or candidate.
National rules on political advertising on <b>broadcast media</b> outside of elections period (incl. public service and private broadcasters)	Party Act 10 §	<i>Please, provide a brief description of the national rules on political advertising on broadcast media outside of elections period</i> No restrictions. Editorial discretion.
National rules on political advertising in <b>print media</b> outside of elections period	Party Act 10 §	<i>Please, provide a brief description of the national rules on political advertising in print media outside of elections period</i> No restrictions. Editorial discretion.
National rules on political advertising on online media <b>applicable to political parties</b> , outside of elections period		<i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i> No. Self regulation based on contract may be included in end-user agreements
<b>V. Rules and obligations applicable to online platform operators and intermediaries of political advertising</b>		
Particular rules <b>applicable to online platforms and intermediaries</b> such as social media for political advertising	Laki sähköisen viestinnän palveluista 7.11.2014/917 Laki sananvapauden käyttämisestä joukkoviestinnässä 13.6.2003/460	<i>Are there any particular rules applicable to online platforms in your Member State (e.g. disclosure requirements to users, record-keeping requirements, reporting requirements)?</i> No, only general obligations apply for operating a service. A court may order a platform to discontinue spread of criminal material and release information to public officials as regulated by law. <i>If so, which are the online platforms operators and other intermediaries concerned by the legislation/guidelines/self-regulatory code?</i> All operators operating in Finland.

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		<p><i>Are there any particular rules applicable to online platforms to set up means to fight disinformation?</i></p> <p>Yes. Removing content based on court order. Self regulation may introduce stricter editorial policy for political content either by prohibiting content or removing it.</p>
<b>VI. Transparency rules for political parties/candidates funding</b>		
Rules on <b>direct public funding<sup>1</sup> to political parties and/or candidates</b>		<p><i>Are there provisions for direct public funding to political parties in your Member State? Please give a brief description.</i></p> <p>Yes. Parties that are represented in Parliament are given party aid. Parties that have received 2% of votes, but not secured a seat in Parliamentary elections are entitled to 1/3 party aid. Party youth or women's associations are also entitled to state aid. Aid may be recalled, if the party does not abide by internationally recognized principles.</p>
Rules on <b>indirect public funding<sup>2</sup> to political parties and/or candidates</b>	Party Act § 8b Act on Candidate's Election Funding § 4	<p><i>Are there provisions for indirect public funding for electoral campaigns in your Member State? Please give a brief description and specify transparency provisions.</i></p> <p>A party may not receive contributions from the state, municipalities, municipalities, state or municipal businesses, public-law associations, establishments or foundations or from companies in which the state or a municipality has a controlling influence.</p>

<sup>1</sup> Public funding refers to funds or resources provided by the State/Government to political parties and/or candidates . Depending on the form in which public resources are made available, public funding is divided into direct public funding or indirect public funding. Direct public funding corresponds to the allocation of direct public funds to political parties and/or candidates in the form of money, usually as bank transfers but at times in cash or cheque. See more information at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/default>

<sup>2</sup> Indirect public funding is when resources with a monetary value are provided by the Government to political parties and/or candidates. Such resources may be, for instance, granting of media access (free advertising slots in publicly owned media), interest-free loans for paying registration fees or mounting a basic election campaign, free printing and distribution of ballot papers, use of Government buildings for meetings and rallies, tax-free donations etc. . See the list of indirect public funding of parties and candidates at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/pca02a4>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		<p>A candidate may not receive contributions for the election campaign from the state, municipalities, municipalities, state or municipal business, public-law associations, institutions or foundations or from companies in which the state or a municipality has decisive influence.</p> <p>General hospitality rules were discussed in preparatory materials. The Bill suggested that the limit be drawn at providing coffee for guests. The Constitutional Committee stated that this interpretation was too narrow. Reasonable food or catering and traditional commemorative gifts are included in general hospitality. Renting offices or a venue for events is not considered prohibited indirect public funding.</p>
Rules on free or subsidised access to media for political parties and/or candidates	<p>Ylen ohjelmatoiminnan ja sisältöjen eettiset ohjeet (OTS) 17.11.2017  <a href="https://yle.fi/aihe/artikkeli/2017/11/20/ysten-ohjelmatoiminnan-ja-sisaltojen-eettiset-ohjeet-ots">https://yle.fi/aihe/artikkeli/2017/11/20/ysten-ohjelmatoiminnan-ja-sisaltojen-eettiset-ohjeet-ots</a></p>	<p><i>Are there provisions for free or subsidized access to media for political parties in your Member State? Please give a brief description and specify transparency provisions.</i></p> <p>Public broadcasting company Yleisradio's programming focuses on content of public and societal relevance. There is a detailed policy on how transparency is secured, when exercising editorial discretion. Paid advertising is prohibited in Yle media channels by the Act on Yleisradio.</p>
Rules on foreign contributions to political parties and political campaigns	<p>Party Act            Act on Candidates Elections Funding</p>	<p><i>Is there a ban on contributions from foreign interests (i.e. foreign countries and governments, foreign companies, foreign organisations, foreign private persons) to political parties and/or to candidates during political campaigns in your Member State?</i></p> <p>Foreign individuals or associations ideologically linked to the party may donate funds. However, donations from other foreign actors whether public or private may not be accepted (8b§3) by the Party or by Candidates. There is an annual limit on the amount a single donor can contribute to a political party (EUR 30,000 per calendar year), which is valid for all types of private funding. The general prohibition</p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		covers political advertising also during pre-election and election periods.
<b>VII. Monitoring and enforcement of national rules on political advertising by national authorities</b>		
National (or regional/local if applicable) <b>authority or body responsible</b> for monitoring national rules on political advertising		<i>Who is responsible for monitoring national rules on political advertising, (e.g. political communications and advertisement messages, the balanced presence and equity of all political candidates)?</i> Department of Justice and Valtion tarkastusvirasto
Particular measures for <b>supervising online political advertising</b> within and outside elections periods	Party Act Act on Candidates elections funding	<i>How are national rules on political advertising, including online, ensured in your Member State, if these exist? What are the enforcement powers of the relevant authority/body, as well as procedural safeguards?</i> Breach of reporting duties can be ordered to be remedied on pain of fine. Party aid can be withdrawn or ordered to be returned, if (gross) violations in party activity, the political promotion of the party or candidates, do not abide by established rules of international law. For example, images of shooting practice at a youth association's summer meeting, where posters of leading politicians were targets raised the issue of ordering recall of state aid for the youth association and possible reductions in future aid for the main party.
<b>Sanctions, penalties and remedy measures</b> applicable in violation of the law	Party Act	<i>How are national rules on political advertising enforced in your Member State and what sanctions and remedy measures are applicable?</i> Relating to the party activity a decision to withdraw party aid can be made in Cabinet full session (valtioneuvosto). This is to ensure diverse political representation of views in decision making, rather than giving sole discretion to e.g. the Prime Minister. This sanction was considered appropriate in a democracy based on the sensitivity of the issue, in lieu of administrative or criminal sanctions. (Constitutional Committee). The maximum amount is the amount of party aid for the ongoing period.

Study to support the preparation of an EU instrument on to help improve the resilience of our democracies and address the threats of interference in elections through greater transparency in political advertising, and other measures to promote resilient democracy in the EU

Mapping of national legislation – Finland

## Annex – List of relevant legislation

- In this Annex, please list all the sources provided in the second column of the table

Name of the sources	Link to the sources	Sources translated into EN
Puoluelaki 10.1.1969/10	<a href="https://finlex.fi/fi/laki/ajantasa/1969/19690010">https://finlex.fi/fi/laki/ajantasa/1969/19690010</a>	Act on Parties 10/1969
Vaalilaki 2.10.1998/714	<a href="https://www.finlex.fi/fi/laki/ajantasa/1998/19980714?search%5Btype%5D=pika&amp;search%5Bpika%5D=vaalilaki#O1L6P72">https://www.finlex.fi/fi/laki/ajantasa/1998/19980714?search%5Btype%5D=pika&amp;search%5Bpika%5D=vaalilaki#O1L6P72</a>	Election Act 714/1998 Unofficial translation (amendments up to 316/2016 included) <a href="https://finlex.fi/en/laki/kaannokset/1998/en19980714_20040218.pdf">https://finlex.fi/en/laki/kaannokset/1998/en19980714_20040218.pdf</a>
Laki ehdokkaan vaalirahoituksesta 24.4.2009/273	<a href="https://finlex.fi/fi/laki/ajantasa/2009/20090273">https://finlex.fi/fi/laki/ajantasa/2009/20090273</a>	Act on Candidate's Election Funding 273/2009 Unofficial translation: <a href="https://finlex.fi/en/laki/kaannokset/2009/en20090273.pdf">https://finlex.fi/en/laki/kaannokset/2009/en20090273.pdf</a>
Laki sananvapauden käyttämisestä joukkoviestinnässä 13.6.2003/460	<a href="https://www.finlex.fi/fi/laki/ajantasa/2003/20030460">https://www.finlex.fi/fi/laki/ajantasa/2003/20030460</a>	Act on Freedom of Expression in Mass Media (460/2003)
Laki sähköisen viestinnän	<a href="https://www.finlex.fi/fi/laki/ajantasa/2014/20140917">https://www.finlex.fi/fi/laki/ajantasa/2014/20140917</a>	Act on Electronic Communications Services 917/2014.

palveluista 7.11.2014/917		
Järjestyslaki 6 § 27.6.2003/612	<a href="https://www.finlex.fi/fi/laki/ajantasa/2003/20030612">https://www.finlex.fi/fi/laki/ajantasa/2003/20030612</a>	Act on Public Order 917/2014. Sec. 6 prohibiting advertisements or announcements endangering public order or safety due to glaring or distracting light, or similarity to traffic signs or otherwise posing a risk to public safety.
Tieliikennelaki 73 § 10.8.2018/729	<a href="https://www.finlex.fi/fi/laki/ajantasa/2018/20180729#L4P73">https://www.finlex.fi/fi/laki/ajantasa/2018/20180729#L4P73</a>	Act on Roadtraffic 729/2018 Sec 73 prohibiting placement of distracting or non-permitted devices on roads
Kokoontumislaki 22.4.1999/530	<a href="https://www.finlex.fi/fi/laki/ajantasa/1999/19990530#L1P1">https://www.finlex.fi/fi/laki/ajantasa/1999/19990530#L1P1</a>	Act on Freedom of Assembly (530/1999)
Rahankeräyslaki Chapter 5 5.7.2019/863	<a href="https://www.finlex.fi/fi/laki/ajantasa/2019/20190863#L5">https://www.finlex.fi/fi/laki/ajantasa/2019/20190863#L5</a>	Act on Money Collections 863/2019 (Ch 5- Elections Collections)
Yleisradiolaki 22.12.1993/1380	<a href="https://www.finlex.fi/fi/laki/ajantasa/1993/19931380">https://www.finlex.fi/fi/laki/ajantasa/1993/19931380</a>	Act on Yleisradio 1380/1993 (public broadcasting company)
Laki televisio- ja radiotoiminnasta 744/1998 Chapter 4	<a href="https://finlex.fi/fi/laki/alkup/1998/19980744#Pidp446158848">https://finlex.fi/fi/laki/alkup/1998/19980744#Pidp446158848</a>	Act on Television and radiobroadcasting 744/1998.
HE 6/2010 vp-hallituksen esitys puoluelain, ehdokkaan vaalirahoituksesta annetun lain ja rahankeräyslain muuttamisesta	<a href="https://www.finlex.fi/fi/esitykset/he/2010/20100006.pdf">https://www.finlex.fi/fi/esitykset/he/2010/20100006.pdf</a>	Government Bill (HE 6/2010) proposing amendment of Party Act, Act on Candidate's Elections Funding and Act on Money Collections
Laki rikoslain muuttamisesta 531/2000	<a href="https://www.finlex.fi/fi/laki/alkup/2000/20000531">https://www.finlex.fi/fi/laki/alkup/2000/20000531</a>	Act on changes to the Criminal Code 531/2000 (Chapter 24)



PeVM 3/2010 – perustuslakivalio kunnan mietintö HE 6/2010 vp Hallituksen esitys puoluelain, ehdokkaan vaalirahoituksesta annetun lain ja rahankeräyslain muuttamisesta	<a href="https://www.eduskunta.fi/FI/vaski/Mietinto/Documents/pevm_3+2010.pdf">https://www.eduskunta.fi/FI/vaski/Mietinto/Documents/pevm_3+2010.pdf</a>	Report by the Constitutional Committee on proposal for amendment of Party Act, Act on Candidate's Elections Funding and Act on Money Collections
HE 13/2009 vp Hallituksen esitys Eduskunnalle laiksi ehdokkaan vaalirahoituksesta ja eräiksi siihen liittyviksi laeiksi	<a href="https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Documents/he_13+2009.pdf">https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Documents/he_13+2009.pdf</a>	Government Bill (HE 13/2009) on Act on Candidate's Election funding and related laws.
Oikeusministeriö www.vaalit.fi	<a href="https://vaalit.fi/vaalimainonta">https://vaalit.fi/vaalimainonta</a>	Department of Justice website on elections information – elections advertising
Oikeusministeriö www.vaalit.fi	<a href="https://vaalit.fi/vaalimainoksen-maksajan-nimi">https://vaalit.fi/vaalimainoksen-maksajan-nimi</a>	Department of Justice website on elections information – naming paid elections advertising
Kuntaliitto ja puoluesihteerit: vetoomus vaalirauhan puolesta 9.2.2021	<a href="https://www.kuntaliitto.fi/tiedotteet/2021/kuntaliitto-ja-puoluesihteerit-vetoomus-vaalirauhan-puolesta">https://www.kuntaliitto.fi/tiedotteet/2021/kuntaliitto-ja-puoluesihteerit-vetoomus-vaalirauhan-puolesta</a>	Joint statement by Association of Finnish Municipalities and party secretaries 9.2.2021
Julkisen sanan neuvosto (JSN) Journalistin ohjeet	<a href="https://www.jsn.fi/journalistin_ohjeet/">https://www.jsn.fi/journalistin_ohjeet/</a>	Council for Mass Media Guidelines for Journalists and an Annex <a href="https://www.jsn.fi/en/guidelines_for_journalists/">https://www.jsn.fi/en/guidelines_for_journalists/</a>

Viestinnän eettinen neuvottelukunta (VEN) eettiset ohjeet	<a href="http://ven.fi/ohjeet/viestinnan-eettiset-ohjeet/">http://ven.fi/ohjeet/viestinnan-eettiset-ohjeet/</a>	Council of Ethics for Communication Communications Code of Ethics <a href="http://ven.fi/in-english/communication-code-of-ethics/">http://ven.fi/in-english/communication-code-of-ethics/</a>
Ylen ohjelmatoiminnan ja sisältöjen eettiset ohjeet (OTS) 17.11.2017	<a href="https://yle.fi/aihe/artikkeli/2017/11/20/ysten-ohjelmatoiminnan-ja-sisaltojen-eettiset-ohjeet-ots">https://yle.fi/aihe/artikkeli/2017/11/20/ysten-ohjelmatoiminnan-ja-sisaltojen-eettiset-ohjeet-ots</a>	Yleisradio code of ethics for programming and content
Kuntaliiton suositukset vaalimainonnasta	<a href="https://www.kuntaliitto.fi/">https://www.kuntaliitto.fi/</a> Yleiskirjeet (ei aktiivisia) <a href="https://www.kuntavaalit.fi/haku?s=yleiskirje%20ulkomainonnasta&amp;f%5B0%5D=topics%3A561">https://www.kuntavaalit.fi/haku?s=yleiskirje%20ulkomainonnasta&amp;f%5B0%5D=topics%3A561</a>	Recommendations on elections advertising by Association of Finnish Municipalities
Liikenneviraston ohje vaalimainosten sijoittamisesta liikenneväylien varsille LIVI/625/05.00/2017	<a href="https://julkaisut.vayla.fi/pdf8/2017_Ohje_vaalimainosten_sijoittamisesta_liikennevaaylien_varrelle.pdf">https://julkaisut.vayla.fi/pdf8/2017_Ohje_vaalimainosten_sijoittamisesta_liikennevaaylien_varrelle.pdf</a>	TRAFICOM Instructions for placement of campaign advertising along roads of traffic
Tietosuojavaltuutettu-Tietosuojan muistilista vaalimainontaan Kuntavaalit 2017	<a href="https://tietosuoja.fi/documents/6927448/9666681/Tietosuojan+muistilista+vaalimainontaan.pdf/aecb2631-3053-4d84-a7bb-b9482767cd88/Tietosuojan+muistilista+vaalimainontaan.pdf">https://tietosuoja.fi/documents/6927448/9666681/Tietosuojan+muistilista+vaalimainontaan.pdf/aecb2631-3053-4d84-a7bb-b9482767cd88/Tietosuojan+muistilista+vaalimainontaan.pdf</a>	Dataprotection Ombudsman – Points to remember relating to data protection in campaign advertising – Municipal elections 2017
Sanomamedia eettinen ohjeisto 28.10.2014	<a href="https://www.sanoma.com/fi/sijoittajat/hallinnointi/eettinen-ohjeisto/">https://www.sanoma.com/fi/sijoittajat/hallinnointi/eettinen-ohjeisto/</a>	Sanoma Media Code of Conduct <a href="https://www.sanoma.com/en/investors/corporate-governance/code-of-conduct/">https://www.sanoma.com/en/investors/corporate-governance/code-of-conduct/</a>
Alma Median Code of	<a href="https://www.almamedia.fi/docs/default-source/code-of-conduct/alma-media_code-of-conduct-2016_fi.pdf?sfvrsn=2">https://www.almamedia.fi/docs/default-source/code-of-conduct/alma-media_code-of-conduct-2016_fi.pdf?sfvrsn=2</a>	Alma Media Code of Conduct

Study to support the preparation of an EU instrument on to help improve the resilience of our democracies and address the threats of interference in elections  
through greater transparency in political advertising, and other measures to promote resilient democracy in the EU  
Mapping of national legislation – Finland

Conduct-eettinen ohjeistus, 20.6.2016		
SuomiAreena-website	Large free annual political event organized in July in connection with Pori Jazz Music Festival. <a href="https://suomiareena.fi/vastuullisuus#gs.v1uuu2">https://suomiareena.fi/vastuullisuus#gs.v1uuu2</a>	Large free annual political event organized in July in connection with Pori Jazz Music Festival by commercial media company MTV3. Broad television and news media coverage.