



MINUTES

Ninth Meeting of the European Cooperation Network on Elections

25 March 2021

The ninth meeting of the European cooperation network on elections was held on 25 March, chaired by Irena Moozova, Director for Equality and Union citizenship in the Directorate-General for Justice and Consumers.

1. Presentation by DG JUST

DG JUST introduced the political context of the initiative on greater transparency in sponsored political content, and other supporting measures. DG JUST outlined the envisaged options for measures as set out in its inception impact assessment. DG JUST insisted on the complementary nature of its initiative to the Digital Services Act (DSA), and drew attention to the ongoing public consultation as well as to the various past and future stakeholder meetings being organised. DG JUST highlighted the synergies between the different networks, such as the network on disinformation and the European Cooperation Network on Elections.

2. Debrief from the Rapid Alert System

The EEAS Strategic Communications Division presented some highlights from discussions within the Rapid Alert System (RAS) on the topic of political advertising. The RAS enables all EU Member States and relevant EU Institutions to share information about disinformation campaigns and foreign interference in the information space. EEAS as the Secretariat of the RAS and DG JUST as the Secretariat of the ECNE have been working together very closely to ensure cooperation and coordination across all different aspects of disinformation, including in the elections context.

3. Exchange of views

Drawing on the legal mapping coordinated by **DG JUST** and communicated beforehand, Member States presented input on their legal context relevant to political advertising. Member States welcomed the Commission's initiative and agreed with the need to regulate (online) political advertising. Most regulate political advertising through legislation on political party financing (sometimes through demanding transparency requirements) as

well as on electoral campaigns and expenditures, while others do not regulate political advertising at all. There is no uniform approach to definitions, the competent authority and regulation. Some Member States provide for extensive regulation while others regulate less and emphasise monitoring and oversight. Some Member States underlined the necessary focus on political party funding. On future regulation, **NL** are preparing legislation covering political advertising in the framework of the legislation on political party financing. **IE** has submitted a draft bill dedicated to political advertising for pre-legislative scrutiny. It provides for extensive transparency requirements.

Member States expressed their interest in the dashboard on online political advertising activity developed for the March general election and presented by **Dr. Tom Dobber** from the University of Amsterdam¹. The dashboard helped monitor online advertising campaigns on Facebook and Google (and related platforms) linked to particular parties in these elections. **Dr. Dobber** presented his team's findings. Large political parties spent more money on targeted campaigns than smaller ones, and adverts preceded the elections by quite a few months, but ramped up strongly near the date. From a study of ads on Facebook, the team reported that political parties use different targeting criteria depending on their political colour, with apparent differences regarding targeting men, women and young people in urban areas between left and right and more populist parties. There appeared to be two elements to the effects observed: the targeting criteria selected by advertiser, and the internal action of algorithms and platforms. This makes it impossible to know with accuracy how targeting actually works. Ad libraries were described as incomplete, inaccurate, and not comprehensive.

FR, LT, and NL noted the lack of willingness of the platforms to cooperate with Member States. **LT** underlined specifically that ad libraries offer poor data and platforms do not provide all data related to political campaigns nor to closed groups. Another issue is that ads continue to run on platforms during silence periods. The response time of platforms was described as variable and insufficient. **LT** proposed the creation of a hotline for emergency cases and a deeper cooperation between platforms and national political commissions. **FR** noted that online platforms do not fully respect the Code of Practice on disinformation of which they are signatories. Regarding its recently published national Code of Conduct on political advertising, **NL** noted that it was signed by 11 political parties and 5 platforms (Facebook, TikTok, Google, and Snapchat). Political parties committed to several points regarding foreign funding, the use of fake accounts, and respecting the GDPR.

RO specifically underlined the importance of the cross-border dimension of political advertising for Romania. There is a significant number of Romanians living abroad and able to vote in national elections, which are targeted by national political parties. On microtargeting, **FR** highlighted the mechanism through which microtargeting evolves into door-to-door political campaigning, and advised for it to be forbidden. **FR** also stressed that users need to have the proper tools to be empowered. Finally, **FR** underlined the need to regulate targeting tools, which collect a very large range of data on the users, not always

¹ <https://dashboard.politieke-advertenties.nl/dashboard/en/index.html>

related to politics. **EE** has emphasised the importance of online political advertising as the Covid-19 pandemic has shifted the political debate to the online environment.

Several Member States discussed the complementarity between legislative instruments such as the DSA and the Code of Practice on disinformation. **DG JUST** noted that the initiative on greater transparency in sponsored political content is *lex specialis* in this respect. **DG JUST** also noted that the transparency initiative is developed taking into account the DSA as it is currently proposed. It will however adapt to future negotiated changes.

4. Closing remarks

DG JUST outlined the next steps. Member States have been invited to provide feedback in the context of the Open Public Consultation which will close on 2 April.