



INTERNATIONAL IDEA POSITION PAPER ON THE EUROPEAN DEMOCRACY ACTION PLAN – PROTECTING EUROPEAN DEMOCRACY FROM INTERFERENCE AND MANIPULATION

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The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization with the mandate to support and advance democracy worldwide. Reports that are referred to in this contribution and other knowledge products are publicly available at www.idea.int/publications.

As a trusted democracy partner of the EU both within its borders and worldwide, International IDEA welcomes the preparation of an ambitious European Democracy Action Plan (EDAP) and calls on the EU to defend democracy globally and within the EU. The EDAP could spur progress by providing effective frameworks for regulation and coordination in the EU. The EU's announced push for democracy comes at an opportune moment: Democracy is increasingly under pressure globally, and democratic governance is impacted by information communications technologies, illiberal trends and crises such as the coronavirus pandemic.

International IDEA has the pleasure to share a set of recommendations, focusing on the role of the EU in the important areas of electoral integrity (especially regarding online political advertising, cybersecurity and voting arrangements), the democratic use of artificial intelligence, and the impact of COVID-19 on democracy. We invite the EU as a regional and global actor on democracy to take our recommendations into consideration while developing the EDAP. The recommendations are inspired by our core mission to advance democracy as a universal human aspiration and our values as an enabler of sustainable development that is supported by broad, inclusive and comparative stakeholder dialogues and knowledge.

- **Recommendation 1: Regulate online political advertising and facilitate coordination between regulatory and oversight structures**

Electoral campaigns are central to influencing how people vote and affect their perception of the legitimacy of elections and democracy. Online political advertising and microtargeting present a number of important benefits in facilitating more effective campaigning. However, new outreach possibilities created by information technologies should not undermine fairness of politics and elections and therefore their use should be regulated and monitored.



The EU should:

- **help to address the accountability gap** created by the use of massive amounts of personal data in untransparent ways and the provision of countless ads to different audiences;
- **support the development of regulatory and oversight frameworks** that respect people's freedom of expression, balance voters' right to receive information with their right to privacy, and ensure free and fair elections that are not captured by any narrow interests but serve the public interest;
- **encourage effective oversight** in the absence of clear, agreed-upon definitions of terms, insufficient platform self-regulation, fragmented enforcement responsibilities, insufficient monitoring and analysis capabilities and sometimes poorly resourced oversight agencies; and
- **Facilitate cross-departmental coordination at both the national and European level and ensure coordination with national authorities** through the European Cooperation Network on Elections to make regulatory and oversight frameworks more effective and improve them accordingly.

To achieve these objectives, the EU should consider, within the limits of its competences:

- **Building a proportionate accountability system characterised by:**
 - enhancing the enforcement of the EU General Data Protection Regulation (GDPR). A first step in this direction could be the provision of more guidance and clarifications, which could contribute especially towards the consistency of application of the GDPR;
 - increasing transparency of online political advertising, especially on the use of data and individual targeting to provide clarity on advertisers, protocols and spending: Firstly, transparency in data use and targeting, as people should know why they are being targeted and who is targeting them. Secondly, transparency in who is paying for political advertising, as people should know who is behind an ad and how much money parties and candidates invested into online advertising. It could be useful to establish rules at the EU level to increase platform transparency or set technical standards. Transparency requirements for platforms could cover their use of AI/algorithms, ad content, ad buyers, and the impact on users; and
 - "restoring the human scale" to online political advertising through mandatory limits on the amount and type of data that can be used for targeting.
- **Options for co-regulation and greater transparency at the international level**, including agreements against outside interference and international standardisation or guidelines. This need is particularly due to the cross-border nature of online platforms, which has been consistently cited as a problem across country experiences. International coordination could take the form of mutual cooperation with platforms, including on co-regulation. To help remedy information imbalances and remove obstacles to research, requirements could be set at the international level for more transparency from platforms on their use of AI/algorithms, ad content, ad buyers, and the impact on users. It could also be useful to establish rules at the EU level to increase platform transparency or set technical standards.



- **Investing more in international and inter-agency cooperation** between regulators and oversight agencies and **cooperation with online platforms**. The EU can play a role in providing collective access to those platforms where smaller countries cannot.
- **Developing a better common understanding of the issues at stake**, facilitated by researching the impact of online political advertising and microtargeting, **sharing tools and experiences**, and drawing from the relevant work of NGOs and think tanks. The EU should also contribute to raising awareness of citizens on the impact of online political advertising and microtargeting, and help them to understand whether this issue concerns them and how it can influence their voting preferences.

To consult the full text of a report on online political advertising and microtargeting, click [here](https://www.idea.int/news-media/news/exchange-practices-regarding-understanding-regulation-and-oversight-online-political).
<https://www.idea.int/news-media/news/exchange-practices-regarding-understanding-regulation-and-oversight-online-political>

- **Recommendation 2: Ensure cybersecurity in elections**

The digitalization of electoral processes within and outside the EU will continue. Cyber-attacks against electoral institutions and stakeholders can be expected to remain an entry point for actors trying to undermine citizen trust in democratic processes. Inter-agency collaboration within and between countries has been established as an essential countermeasure. The EU should consider:

- Building on and strengthening the European Cooperation Network on Elections (ECN), initially created to protect the 2019 elections to the European Parliament, to encourage continuous inter-agency cooperation on cybersecurity in elections within and between member states.
- Utilizing the ECN as a permanent mechanism for identifying emerging risks and developing countermeasures for elections not only at the EU, but also at the national level.
- Fostering exchanges between the ECN and experts or institutions in like-minded countries outside the EU on cybersecurity in elections.
- Recognizing that the EU and the ECN can be role models for protecting cybersecurity in elections globally. The sharing of related experiences, including through external democracy assistance, will help to enhance synergies with the EU Action Plan for Human Rights and Democracy.

To consult the full text of a report on inter-agency cooperation on cyber security in elections, click [here](https://www.idea.int/publications/catalogue/cybersecurity-in-elections).

<https://www.idea.int/publications/catalogue/cybersecurity-in-elections>



– **Recommendation 3: Ensure the safe use of Artificial Intelligence in Democracy**

Artificial intelligence is impacting human rights as well as democratic processes at large, both of which are key EU concerns. In the field of democratic governance, artificial intelligence (AI) can be applied to increase the effectiveness and efficiency of democratic institutions and processes. However, its use can also have disruptive effects on democracy, as is demonstrated with the Cambridge Analytica scandal, deep fakes in election campaigning and AI-inspired political surveillance. The EU’s pioneering role in both addressing the risks and spearheading AI innovations domestically can support its standing internationally.

Therefore, the EU should:

- Prioritise protecting individuals by taking a human-centric approach to addressing AI-related challenges at the EU level, including the need to increase leverage to enforce privacy laws;
- Promote AI literacy and seek to ensure civic engagement in AI and political decision-making to help civil society understand how AI works and contribute to its democratic oversight;
- Help create trust through transparency and raising awareness in order to maximize opportunities and minimize risks related to AI and democracy;
- Promote multi-stakeholder input and cross-sectoral collaboration in addressing the challenges and opportunities related to AI;
- Consider putting specific emphasis on AI and democracy in its AI policies. While several international actors focus mostly on human rights and the ethical challenges of AI, the EU could fill an important gap by assuming a leadership role on democracy and AI and issues such as maintaining an equal political playing field.
- Recognize that the EU’s policy making can be a role model on AI and democracy globally, for instance through the work of the EU High-Level Expert Group on Artificial Intelligence (AI HLEG) or coordination within the European Cooperation Network on Elections. The EU could share related experiences, including through external democracy assistance, helping to enhance synergies with the EU Action Plan for Human Rights and Democracy. DG JUST can work more closely with the EEAS, DG DEVCO and DG NEAR to pursue this goal;
- Support EU Member States in balancing legally established access to data with user privacy, corporate interests and the adoption of norms in this field;
- Invest in the capacity of national governments to monitor the impact of AI on democracy, including through oversight agencies, such as data protection agencies and electoral management bodies.

To consult the full text of “Roundtable report: Artificial Intelligence, Mapping priority areas for EU assistance to democratic development”, visit: <https://www.idea.int/news-media/news/international-idea-supports-european-commission-unpacking-artificial-intelligence>



- **Recommendation 4: Enhance democracy at the EU level**

European political parties are one of the cornerstones of democracy in the EU. Their role in the European democratic framework and connection with citizens should be enhanced. The EU could consider:

- Promoting citizens' understanding of EU policymaking by facilitating and supporting EU education in school curricula throughout Europe, promoting citizen engagement in European Parliament elections and effectively communicating on EU decision making throughout the legislative process.
- Fostering the creation of structures and online platforms to allow citizens and civil society to hold European leaders and institutions accountable and increase access to platforms, e.g. by lifting any paywalls.
- For European political parties, i) improving transparency of revenues and spending patterns to enhance understanding and public perceptions of legitimacy, ii) redistributing part of public funding to European political parties in equal shares to redress imbalances between larger and smaller parties and to safeguard the democratic space at the EU level, iii) supporting political diversity at the EU level and fostering viability of newly established parties, iv) introducing separate European election campaign grants with strict spending requirements to increase visibility and safeguard their operational budgets.

To consult the full text of a discussion paper on “Reconnecting European Political Parties with European Union Citizens”, click [here](https://www.idea.int/publications/catalogue/reconnecting-european-political-parties-european-union-citizens).
<https://www.idea.int/publications/catalogue/reconnecting-european-political-parties-european-union-citizens>

• **Recommendation 5: Countering threats to democracy resulting from the global health crisis**

The coronavirus pandemic poses serious threats to democracy. Many governments around the world, including in Europe, have assembled emergency powers that restrict human rights and enhance state surveillance, often disregarding legal constraints, checks and balances, and time frames for restoring constitutional order. At the same time, COVID-19 also provides opportunities for European democracies. The pandemic will accelerate innovations, including ICT-related, from which the EU and its member states stand to benefit.

Therefore, the EU should:

- Unequivocally denounce member states that fight the pandemic by amassing emergency powers that unnecessarily restrict civil liberties, limit the free flow of information, or threaten to enhance state surveillance without respect for privacy.
- Include dedicated COVID-19 and democracy criteria in its rule of law and democracy monitoring reports in member states. Make use of existing monitors, trackers and other tools



that follow the impact of COVID-19 on democracy and human rights in Europe, such as the '[Global Monitor of COVID-19's Impact on Democracy and Human Rights](#)'.

- Establish a forward-looking 'European COVID-19 and Democracy Expert Panel' to assess how COVID-19 will change the rules and operation of democracy in Europe, including the accelerated use of information communications technologies in democracy, the introduction of special voting arrangements, and the use of emergency powers under future public emergencies.
- Invest in organisations that can help the EU build expertise regarding the administration of elections under health pandemics and make this expertise available through the European Cooperation Network on Elections.
- Recognize that the EU could play a role in experience sharing to encourage the introduction of special voting arrangements in elections globally, e.g. through the European Cooperation Network on Elections (ECN). The ECN could share related national experiences, including through external democracy assistance, enhancing synergies with the EU Action Plan for Human Rights and Democracy. DG JUST can work more closely with the EEAS, DG DEVCO and DG NEAR to pursue this goal.

To consult relevant resources on the impact of COVID-19 on democracy, visit:

- [A Call to Defend Democracy: https://www.idea.int/news-media/multimedia-reports/call-defend-democracy](https://www.idea.int/news-media/multimedia-reports/call-defend-democracy)
- [Global Monitor of COVID-19's Impact on Democracy and Human Rights https://www.idea.int/gsod-indices/#/indices/world-map?covid19=1](https://www.idea.int/gsod-indices/#/indices/world-map?covid19=1)
- [Global overview of COVID-19: Impact on elections: https://www.idea.int/news-media/multimedia-reports/global-overview-covid-19-impact-elections](https://www.idea.int/news-media/multimedia-reports/global-overview-covid-19-impact-elections)
- [Government responses to Covid-19, http://constitutionnet.org/state-of-emergency](http://constitutionnet.org/state-of-emergency)
- [Inter Pares: Parliaments' Responses to the COVID-19 Pandemic: https://www.inter-pares.eu/parliamentary-innovations-times-crisis](https://www.inter-pares.eu/parliamentary-innovations-times-crisis)
- [Exchange of practices between European EMBs on special voting arrangements \(SVAs\): https://www.idea.int/news-media/news/exchange-practices-between-european-embs-special-voting-arrangements-svas](https://www.idea.int/news-media/news/exchange-practices-between-european-embs-special-voting-arrangements-svas)

To consult the Joint Statement with 5 demands for an ambitious European Democracy Action Plan, as coordinated by the European Partnership for Democracy and supported by International IDEA and other organisations, see <https://epd.eu/wp-content/uploads/2020/09/joint-statement-on-european-democracy-action-plan-coalition-of-46.pdf>