

CODES OF CONDUCT ON THE RISE: FAIR AND ETHICAL POLITICAL CAMPAIGNING ONLINE

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SUMMARY

With elections scheduled to take place in more than 50 countries, affecting nearly half the global population, 2024 will be a hallmark year for democracy. In Europe alone, key national elections will take place in Austria, Belarus, Belgium, Croatia, Finland, Georgia, Iceland, Lithuania, Moldova, North Macedonia, Portugal, Romania, Russia and Slovakia. The European Parliament elections in June will determine the trajectory of the European Union amid formidable challenges.


This Policy Brief delves into the role of voluntary self-regulation for political parties, particularly within the digital realm, as a means to rebuild trust in their election campaigns.¹ It explores the usage of codes of conduct to guide online political campaigning in the European context, taking the European Parliament elections as an example. It sheds light on various types of voluntary commitments and provides recommendations for their development more broadly. On the basis of insights from the negotiation process that led to the adoption of the Dutch Code of Conduct on the Transparency of Online Political Advertising ([International IDEA 2021](#)), the brief offers a nuanced exploration that aims to inspire the formulation of analogous codes of conduct through co-creation processes among peers.

Despite the fact that regulatory frameworks increasingly cover democratic discussion online, the inherent tensions involved in upholding freedom of expression as a fundamental right hinder regulators in fully ensuring ethical conduct in political campaigns through legislative measures. Soft-law solutions, such as codes of conduct, have therefore emerged as essential complements to existing regulatory frameworks in addressing challenges to free and fair debate online without infringing on freedom of speech.

This Policy Brief delves into the role of voluntary self-regulation for political parties, particularly within the digital realm.

¹ This Policy Brief is about voluntary, non-legally binding codes of conduct. Some countries, such as Ireland, have legally binding standards in place.

To craft codes of conduct for transparent and ethical political campaigning, customization based on the distinctive electoral context and specific needs of signatories and other key stakeholders, such as political parties, electoral authorities and civil society, is crucial. Leveraging its experiences in facilitating and researching codes of conduct for political campaigning, the International Institute for Democracy and Electoral Assistance (International IDEA) proposes a non-exhaustive, 15-step checklist for the development of codes of conduct:

- 1  Identify key stakeholders
- 2  Explore political support and non-partisan backing for the initiative
- 3  Align with applicable legal frameworks
- 4  Set out the objectives, values and intended impact
- 5  Engage a neutral facilitator to provide expertise, negotiate and mediate
- 6  Develop a workplan and communicate timelines
- 7  Ensure that the process is transparent
- 8  Mind inclusive language to encourage broad endorsement
- 9  Enable initial target signatories to co-create pledges
- 10  Explore comprehensive coverage
- 11  Formulate specific and measurable commitments
- 12  Promote internal compliance
- 13  Ensure public awareness and public availability
- 14  Agree on independent monitoring and reporting requirements
- 15  Consider investing in an impact assessment and post-election review

1. INTRODUCTION

Political campaigns traditionally thrive on robust public debate, but the landscape has undergone a transformation in recent years, propelled primarily by the rise of online campaigning ([International IDEA 2021: 1](#)). While new approaches offer notable advantages for engaging with voters and communicating party platforms, there is increasing global discourse regarding the potential for the unethical use of these techniques ([International IDEA 2021](#)). Recent elections underscore the escalating trends of online political campaigning, with EUR 43 million spent on digital political advertising in Europe ahead of the 2019 European Parliament elections ([European Council 2023](#)).

In its discussion of new EU rules on the transparency of online advertising, the Council of the European Union ([2023: 4](#)) notes that, '[t]he supply of and demand for political advertising are growing and increasingly cross-border in nature'. This growth has also led to new challenges: a recent Eurobarometer survey highlights that EU citizens consider false or misleading information and foreign interference as major threats to democracy ([European Commission 2023a](#)). Hate speech and opaque campaign financing are also issues of increasing significance: 46 per cent of respondents emphasized the importance of electoral campaigns and debates devoid of hate speech, manipulation and lies as a key element that defines free and fair electoral campaigns, while an additional 35 per cent underscored transparency about who finances candidates and political parties as pivotal elements ([European Commission 2023a](#)).

Problematic online campaign practices can take many forms (example cases from across Europe related to the use of automatic bots, misleading attributions and abuse against individual candidates are provided in [Butcher and Greubel 2021](#) and [Kovalčíková and Weiser 2021](#)). Establishing rules and restrictions regarding online campaigns requires careful navigation by decision makers of the tensions between limiting potential harms (such as to the right to privacy, protection of personal data, psychological profiling, vote dissuasion and foreign intervention, among others) and upholding freedom of expression, including the right to seek, receive and impart information and ideas ([Heinmaa 2023: 18](#)). In Europe, this freedom is enshrined in article 10 of the European Convention on Human Rights ([Council of Europe 1950](#)) and article 11 of the Charter of Fundamental Rights of the European Union ([European Union 2000](#)). Soft-law solutions can complement existing regulatory frameworks to address some of the potential harms while avoiding the problematic curtailment of freedom of speech, as they can establish standards without imposing legal restrictions on fundamental rights.

In the 2019–2024 legislative term, the EU took significant steps to regulate the digital sphere, including areas pertaining to digital political campaigning ([European Commission n.d.](#)). To address the remaining gaps within the scope of its competence, the European Commission, as part of the Defence of Democracy Package, introduced a Recommendation on inclusive resilient

The supply of and demand for online political advertising are growing and increasingly cross-border in nature.

electoral processes in December 2023 ([European Commission 2023b](#)). The Commission Recommendation urges political parties and campaign organizations to adopt campaign pledges and codes of conduct focused on election integrity and fair campaigning ([European Commission 2023c](#)). It recommends incorporating pledges covering aspects such as disinformation, misleading or hateful content, manipulative behaviour, amplification tactics, inclusive political discourse, deep fakes, the representation of undeclared interests, financial transparency and transparency of political advertising, and cyber hygiene. To maximize impact, the signatories are encouraged to further independent observation of the commitments outlined in the code of conduct they endorse.

Like a compass, a code of conduct provides direction and guidance, helping to maintain course when challenges arise. It serves as a checklist, helping political parties, candidates, media, citizens and other election stakeholders to monitor political campaigns.

2. NAVIGATING ETHICAL POLITICAL CAMPAIGNS THROUGH CODES OF CONDUCT

In the realm of elections, codes of conduct can be considered to provide a framework for agreed ethical guidelines, principles or standards for behaviour in campaigns.² They can help protect the integrity of political campaigns, upholding democratic values such as equality, accountability, transparency, privacy, fairness and safety ([International IDEA 2021](#)). Codes of conduct may go by different names, such as charters and codes of practice, codes of integrity or codes of ethics.

Committing to a code of conduct signals a party's or candidate's dedication to ethical campaigning, demonstrating their willingness to be held accountable for their actions, thus helping to generate peer pressure and media attention ([Jaurisch 2021](#)). When multiple parties endorse a code of conduct, it establishes shared standards, fostering a more equitable playing field for political campaigns. A code could therefore help to mitigate the relatively low levels of public trust and confidence in political parties, supporting the fulfilment of the heightened legal and ethical expectations of voters (Thomas 2014). Like a compass, a code of conduct provides direction and guidance, helping to maintain course when challenges arise. It serves as a checklist, helping political parties, candidates, media, citizens and other election stakeholders to monitor political campaigns.

The structure of codes of conduct can range from a declaration on behalf of the signatories to a contract that states formal commitments but is not legally binding. Different factors that may affect the final structure of a code include its goals, the process of how it was developed and what types of commitments were made, as well as whether any mechanisms for monitoring and sanctioning are outlined or forward-looking provisions provided ([Heinmaa 2023: 54–55](#)).

² This Policy Brief is centred around codes of conduct for transparent and ethical online campaigning. International IDEA also has an international track record of designing and advising on codes of conduct for election administrators and for political parties in post-conflict and transitioning democracies (see <https://www.idea.int>).

Codes may also vary with regard to how specific and measurable the elaborated commitments are: the more clearly elaborated a commitment in terms of its goals and benchmarks, the better. For example, a commitment to a maximum spending limit will be easier to check than a commitment to keep (micro) targeting within undefined ethical limits (Zinnbauer 2021). Beyond elaborating measurable commitments, it is also advisable to consider specifying reporting mechanisms and how signatories might be held accountable for actions that go against the code of conduct—for example, through an independent body. Timely development and adoption will facilitate the inclusion of an effective oversight system and any reporting and administration requirements that signatories can agree on.

3. CASE STUDY: THE DUTCH CODE OF CONDUCT FOR TRANSPARENT ONLINE POLITICAL ADVERTISING

Setting standards and bridging legislative gaps

The Dutch Code of Conduct on the Transparency of Online Political Advertising (International IDEA 2021) was signed ahead of the parliamentary elections in 2021 and was facilitated by International IDEA at the request of the Dutch Ministry of the Interior and Kingdom Relations, following a unanimously adopted motion from the Netherlands House of Representatives requesting action on the part of the Minister of the Interior (Ollongren 2020). The code was signed by 11 political parties represented in parliament at the time and 4 major global online platforms (Facebook, Google, Snapchat, TikTok). The agreed text helped to address manipulative campaigning and increase the amount of information available on the purchasers of ads, on the amount of money spent on ads and on the reach of ads ahead of the 2021 parliamentary elections in the Netherlands (Rathenau Instituut 2021).

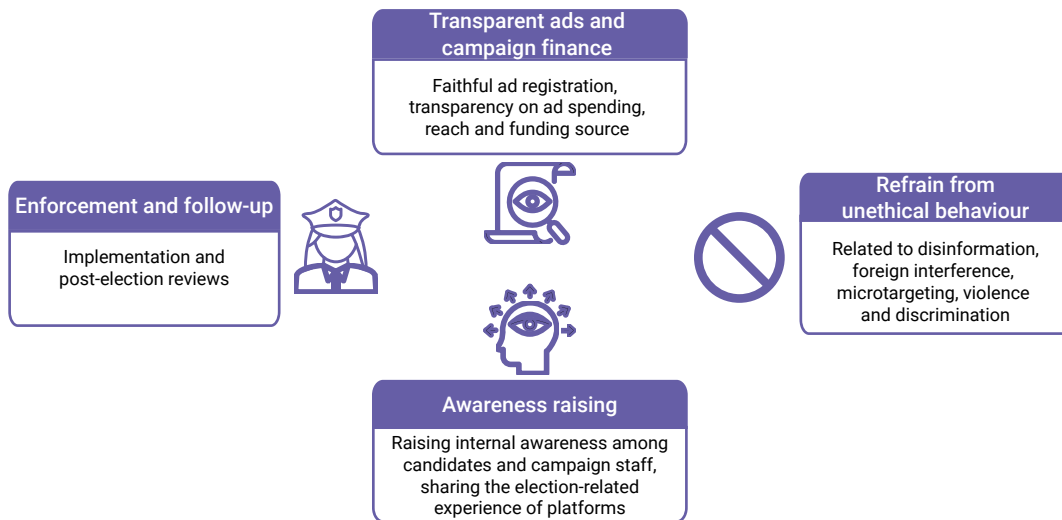
The code of conduct's introductory section provides a comprehensive overview, delving into the political context, objectives, core values, scope, legal framework and implementation. The core of the document consists of 25 commitments by both political parties and online platforms devised to address legislative voids and establish benchmarks for transparent and ethical political campaigns. Political parties pledged allegiance to platform policies, vowing to disseminate truthful information while refraining from deceptive messages and the use of fake accounts. Additional commitments included rejecting foreign payments for ads, imposing ethical limits on microtargeting, and undertaking initiatives to raise awareness and ensure compliance among party members and candidates.

Online platforms committed to enforcing transparency mechanisms and disclosing crucial aspects such as the authorship and value of ads, including through advertising archives. They also guaranteed a response mechanism for party inquiries concerning the posting or blocking of political messages, pledged to prevent the dissemination of incorrect information about the

Signed by 11 political parties represented in parliament at the time and 4 major global online platforms (Facebook, Google, Snapchat, TikTok), this initiative helped to increase the ethical targeting and advertising transparency of campaigning ahead of the 2021 parliamentary elections in the Netherlands.

electoral process and committed to considering post-election reviews, including the reporting of any incidents.

Figure 3.1. Key commitments in the Dutch code of conduct



Source: Elaborated from International IDEA, 'Dutch Code of Conduct Transparency Online Political Advertisements', 9 February 2021, <<https://www.idea.int/sites/default/files/news/news-pdfs/Dutch-Code-of-Conduct-transparency-online-political-advertisements-EN.pdf>>, accessed 1 February 2024.

Rules, recommendations and voluntary commitments on online political campaigning

Table A.1 in the Annex to this Policy Brief illustrates how a code of conduct, such as the Dutch one, can enhance and complement existing frameworks in the realm of transparent and ethical online campaigning. The table compares the issues addressed in the Dutch code of conduct with relevant developed rules at the EU level as of March 2024. This comparison showcases the potential of a code of conduct to encompass a broader range of ethical considerations in political campaigning compared with legal instruments. Commitments deemed pertinent, and in compliance with legal rules, can find a place in such frameworks.

The EU's regulatory competence concerning online platforms and market regulation is much broader than it is for policies on elections and political parties. Codes of conduct provide platforms with an opportunity to consolidate their measures and efforts in one place. They enable platforms to commit to additional measures that go beyond the existing rules and to tailor them to specific country and regional contexts. This flexibility ensures a more comprehensive approach to addressing ethical considerations in online political advertising.

Approaches to the development process

Initiatives in the Netherlands, France and Germany as outlined below illustrate the value of securing buy-in from stakeholders early in the process and co-creating pledges to ensure sufficient commitment. In the Netherlands the initiative taken by the Ministry of the Interior helped to generate interest in and commitment to the effort, translating into active participation and a large group of signatories. However, in France and Germany, where initiatives came from a single party and a civil society coalition, respectively, parties could not be convinced to commit to voluntary standards created by others.

In the Netherlands, the Ministry of the Interior issued a letter in 2021 inviting the political parties represented in the Dutch Parliament to participate in formulating a code of conduct for transparency in online political advertising. International IDEA, acting as a neutral broker, was nominated to facilitate and oversee the development of pledges and negotiations for the code of conduct. Bilateral discussions allowed political parties to articulate their priorities and preferences on a broad spectrum of topics, forming the basis for an initial draft text. Compromises were proposed to reconcile differing views, fostering collaborative creation and securing increased support from the targeted signatories. Ultimately, 11 of the 13 parties then represented in the parliament endorsed the code of conduct.

In France, the ruling party took the initiative in 2021 to promote fair campaigning: invitations were extended to other parties to endorse a proposed set of pledges encompassing transparency, disinformation, hate speech, online violence and foreign interference (Kayali 2021). The initiative from the ruling party, however, did not result in a joint pledge with other parties but remained a unilateral set of pledges.

In Germany, a coalition of 22 civil society organizations presented a comprehensive code of conduct for German political parties before the 2021 elections, titled 'Leitfaden für Digitale Demokratie' [Guide to Digital Democracy] (Campaign Watch 2021). The code comprised four requirements—full transparency, protection of human rights, no disinformation, and no digital violence—each accompanied by detailed pledges. While the political parties declined to sign the proposed code, the secretaries-general of six parties issued a one-paragraph joint declaration (Monath 2021) focusing on their intention to counter foreign interference and disinformation. Several political parties or political groups additionally published unilateral codes of conduct featuring more detailed pledges (Bündnis 90/Die Grünen 2021; Die LINKE 2021; CDU/CSU 2021; FDP 2021; SPD 2021).

Further research is needed to compare the impact of the different sets of pledges. While voluntary commitments to fair and ethical campaigning can add value to an electoral process independently of their form or development process, exercises among peers intuitively provide some advantages in terms of trust building, monitoring and accountability. Examples of compromise building could ultimately foster the emergence of standards for fair and ethical

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In the Netherlands, the political endorsement of the Minister of the Interior, coupled with a letter to political parties and the involvement of a neutral broker, played a pivotal role in cultivating trust and political will for formulating joint pledges.

political campaigning. The next section expands on the enabling factors and lessons that emerge from the illustrative cases.

Enabling factors and lessons learned

The lessons that International IDEA learned from developing the Dutch code of conduct emphasized the value of a collaborative process among peers, developing a holistic system of accountability reinforced by all and including forward-looking provisions that ensure that the process is constantly evolving. A process of co-creation helps to secure buy-in, ensuring that stakeholders feel heard and that commitments are not perceived as imposed from above (Heinmaa 2023: 57). Several enabling factors and valuable lessons emerge from the experiences detailed in the preceding sections:

1. *Political context matters.* Recent European initiatives show that, beyond the substance of commitments, the political context and the process of developing codes of conduct influence their likelihood of success.
2. *Political backing and neutrality build trust.* In the Netherlands, the political endorsement of the Minister of the Interior, coupled with a letter to political parties and the involvement of a neutral broker, played a pivotal role in cultivating trust and political will for formulating joint pledges between various parties. The unilateral initiative in France did not result in a joint pledge with other parties who could therefore not be held accountable against it.
3. *An ecosystem of dialogue fosters success.* The Dutch case witnessed the emergence of a collaborative 'ecosystem' resulting from dialogues with political parties and online platforms. This ecosystem nurtured a spirit of compromise and ambition, contributing to the initiative's success.
4. *Challenges with fringe parties.* Challenges were observed in garnering support from parties on the fringes of the political spectrum, despite their often substantial online campaign spending. Codes of conduct, however, serve the reciprocal purpose of also spotlighting non-signatory parties, prompting stakeholders to monitor their actions in light of the listed commitments.
5. *Timely development and transparency are key.* The timely development and public availability of a code of conduct ensure that stakeholders are well informed regarding the pledges, thus promoting compliance among signatories and facilitating monitoring by citizens, the media, academics and civil society.
6. *Clear and measurable commitments drive accountability.* Specific and measurable commitments facilitate better monitoring and evaluation. Once articulated, signatories can hold each other accountable, with external stakeholders providing visibility to both commendable performance and breaches.

7. *Peer pressure provides a start for monitoring compliance.* Peer pressure among the signatories to a code of conduct can help to enforce the commitments, especially where there is no solid monitoring and compliance framework.

4. PREPARING FOR THE 2024 EUROPEAN ELECTIONS

A code of conduct for European and national political parties

A European code of conduct can help protect democratic values and uphold the integrity of the 2024 European Parliament elections, moreover supporting the important role of European and national political parties in fostering voter awareness and participation as outlined in Box 4.1. It can provide shared standards and a checklist for political parties, candidates, media and citizens to monitor ethical behaviour online during election campaigns while respecting freedom of expression as a fundamental value. A concrete basis for action is provided by the provisions of the Commission Recommendation referenced in the Introduction ([European Commission 2023c: 17–18](#)).³

The momentum offers an opportunity for European political parties to raise their profile and take the lead in ensuring ethical campaigns, by agreeing to a European code of conduct for ethical campaigning.

Box 4.1. A particular context for European and national political parties

Political parties play a key role in European democracies by fostering political awareness, promoting political candidates, encouraging voter participation and expressing the will of the citizens ([European Commission 2023c: 1](#)). Article 10(4) of the Treaty on the European Union ([European Union 2012](#)) and article 12(2) of the Charter of Fundamental Rights of the European Union assign a key role to European political parties ([European Union 2000](#)). The statute and funding of European political parties and European political foundations is regulated at the European level ([European Commission 2023c](#); [European Union 2014](#)), and the European

Commission proposed enhancing the European nature of the European Parliament elections by raising the visibility of European political parties ([European Commission 2023c: 22](#)). Despite the natural role they are supposed to play, European political parties generally struggle to raise their profile in European elections, as national parties list candidates and dominate national election campaigns. Political parties and candidates have therefore looked at ways to further connect with European citizens and dispel some of the criticism that followed the corruption scandal that hit the European Parliament in 2022.

Figure 4.1 provides an extract of the recommendations related to codes of conduct in the EU recommendation on inclusive and resilient electoral processes in the Union. These recommendations come on the back of the large expenditures on online political advertising ahead of the 2019 European elections (Wolfs 2022).

³ European Commission Vice-President Věra Jourová promoted the establishment of pledges or codes of conduct for the European elections during the EU high-level event on elections on 23 October 2023.

Figure 4.1. EU recommendations on pledges and codes of conduct

IV. Encouraging election integrity and fair campaigning

10. Political parties and campaign organisations are encouraged to adopt campaign pledges and codes of conduct on election integrity and fair campaigning. Member States are encouraged to facilitate and support adherence to such pledges and codes.
11. Pledges and codes of conduct referred to in point 10 should encompass in particular the following:
 - (a) encouraging an inclusive political discourse;
 - (b) refraining from manipulative behaviour that threatens or has the potential to negatively impact values, procedures and political processes, in particular:
 - (i) producing, using or disseminating falsified, fabricated, doxed or stolen data or material, including deep fakes generated by artificial intelligence systems;
 - (ii) producing, using or disseminating misleading or hateful content;
 - (iii) using manipulative tactics, techniques and procedures to disseminate or amplify political messages;
 - (iv) representing undeclared interests.
 - (c) ensuring transparency of received financial contributions, including benefits in kind such as gifts and hospitality received, loans and campaign contributions and expenditure, in particular, donations exceeding a fixed ceiling;
 - (d) ensuring transparency of their political advertising, including as recommended at point 13;
 - (e) taking active steps to maintain good cyber hygiene, such as regular cybersecurity checks, in order to recognize, deter and prevent attacks;
 - (f) promoting independent observation of the commitments laid down in such pledges and codes of conduct.

Source: European Commission, 'Commission Recommendation (EU) 2023/2829 of 12 December 2023 on inclusive and resilient electoral processes in the Union and enhancing the European nature and efficient conduct of the elections to the European Parliament', Document C/2023/8626, *Official Journal of the European Union*, L (20 December 2023c), pp. 13–14, <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023H2829>>, accessed 1 February 2024.

The European Parliament elections in such a significant year for elections globally offer an opportunity for European political parties to raise their profile and take the lead in ensuring ethical campaigns, centred around a European code of conduct for ethical campaigning. The above-mentioned recommendation emphasises the endorsement by the European Commission for European and national parties to set transparency standards and create monitoring mechanisms for campaigns. It is advisable that potential signatories, drawing on lessons learned from previous initiatives, work together on the structure for a code of conduct and the content of its proposed commitments through a process of co-creation conducted in an atmosphere of trust and mutual monitoring. The presence of a neutral broker to facilitate the development process can help to build trust.

Box 4.2. Political party commitments for 2024 European election campaigns

Applying the experiences from the Netherlands, Germany and France to the specific context of the 2024 European elections, International IDEA invites political parties to consider the following topics for joint pledges to guide their political campaigns.

Fair and transparent campaigning and communication

- to adhere to principles of fair campaigning, financial transparency and electoral integrity;
- to refrain from discriminatory statements;
- to disclose relevant information on political advertising (source, affiliation, amount, targeting, etc.);
- to fully adhere to online platforms' policies and transparency rules;
- to limit or ban the use of sensitive personal data on microtargeting for political advertisements;
- to refrain from engaging intermediaries to place unlabelled political ads;
- to limit the use of foreign funding to place ads;
- to refrain from engaging in unethical or manipulative behaviour online (spreading hateful, false or misleading content, disinformation, discriminatory or misogynistic comments, etc.);
- to clearly label the use of artificial intelligence in auditory and visual campaign elements;
- to refrain from using voter dissuasion techniques or disseminating content that limits the inclusion of certain societal groups in elections; and
- to remove any violating content as soon as possible after it is brought to the attention of the party.

Internal measures

- to provide online transparency about affiliated organizations and entities campaigning on their behalf;
- to ensure online transparency in the use of personal data for political advertisement;
- to build resilience against cyber threats and limit risks of foreign interference in elections;
- to promote internal compliance with the code of conduct;
- to invite member parties to endorse the code of conduct;
- to cooperate fully with independent observation of the commitments by such neutral entities as civil society organizations, academic institutions or international organizations; and
- to conduct a post-election review on the campaign.

5. CONCLUSION

A checklist for developing codes of conduct

Codes of conduct provide a means to involve essential election stakeholders in transparent and ethical campaigning, extending beyond their legal obligations. Voluntary commitments to fair and ethical campaigning can add value to electoral processes independently of whether they are established jointly among peers or unilaterally by one party. When such a tool is being considered, such as in response to the Commission Recommendation of 2023, authorities, political parties and other initiators can draw inspiration from existing cases and pertinent publications.

To craft codes of conduct for transparent and ethical political campaigning, it is crucial to customize them according to the distinctive electoral context and specific needs of key stakeholders. The electoral context will also influence the potential scope of the envisaged code of conduct. Drawing from our experiences in facilitating and researching codes of conduct for political

campaigning, International IDEA proposes the following non-exhaustive, 15-step checklist for developing codes of conduct:

- 1  Identify key stakeholders
- 2  Explore political support and non-partisan backing for the initiative
- 3  Align with applicable legal frameworks
- 4  Set out the objectives, values and intended impact
- 5  Engage a neutral facilitator to provide expertise, negotiate and mediate
- 6  Develop a workplan and communicate timelines
- 7  Ensure that the process is transparent
- 8  Mind inclusive language to encourage broad endorsement
- 9  Enable initial target signatories to co-create pledges
- 10  Explore comprehensive coverage
- 11  Formulate specific and measurable commitments
- 12  Promote internal compliance
- 13  Ensure public awareness and public availability
- 14  Agree on independent monitoring and reporting requirements
- 15  Consider investing in an impact assessment and post-election review

International IDEA places significant importance on the potential of co-creation in codes of conduct. This approach can stimulate stakeholder interest, garner buy-in, elicit more relevant commitments, encourage peer review and instigate implementation efforts. While it is easier to include specific commitments across a broad spectrum of topics in unilateral codes of conduct, agreements on joint pledges related to transparent and ethical political campaigning have the potential to elevate them to accepted standards capable of reaching citizens.

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Annex A. Comparison of online political campaign issues

Comparison of online campaign issues covered in the Dutch code of conduct and developed EU rules as of March 2024.

Tables A.1.a and A.1.b provide an overview of relevant issues covered in the Dutch code of conduct and developed EU rules as of March 2024:

1. The provisions on codes of conduct in the Commission Recommendation on inclusive and resilient electoral processes in the Union in the Defence of Democracy package (European Commission 2023c).
2. The Dutch Code of Conduct on the Transparency of Online Political Advertising (International IDEA 2021).
3. The EU Regulation on Transparency and Targeting of Political Advertising (European Union 2024): the Regulation lays down harmonized rules for the provision of political advertising services, including on transparency and related due diligence obligations for sponsors and providers of political advertising services, and on the use of ad targeting and delivery techniques as well as rules on its supervision and enforcement.
4. The Code of Practice on Disinformation (European Commission 2022): the 2022 Code of Practice on Disinformation comprises a set of self-regulatory measures to fight disinformation signed by online platforms, advertising industry players, civil society organizations and fact-checkers; pledges relate to demonetizing the dissemination of disinformation, ensuring the transparency of political advertising, empowering users, enhancing cooperation with fact-checkers and providing researchers with better access to data (European Commission 2022).
5. The Digital Services Act (European Union 2022): the Digital Services Act harmonizes the rules for online platforms and services to ensure a safer digital environment focusing on the protection of fundamental rights of users of digital services, addressing issues such as disinformation, online hate speech and the power dynamics of big tech companies.

Table A.1.a. Political parties

Online political campaign issue	EU Recommendation on electoral integrity	Dutch code of conduct
Encourage inclusive political discourse	x	
Provision of information about sponsor and expenditure of advertisement	x	x
Provision of information about targeting	x	x
Provision of information about the use of artificial intelligence systems in political advertising	x	
Provision of information: timely response to inquiries regarding ad authorization and verification processes		x
Limits: no dissemination of hate speech	x	x
Limits: no dissemination of messages that incite violence		x
Limits: no dissemination of misleading, manipulative or dissuasive content (including disinformation)	x	x
Limits: application of ethical limits to microtargeting (such as by refraining from linking data sets from different sources)		x
Limits: no use of doxxed or stolen data	x	
Limits: no use of psychological profiling for targeting purposes		x
Limits: no third parties or other intermediaries shall purchase political ads without attribution to the party		x
Limits: no foreign money used to purchase online political advertisements (other than from party members living abroad)		x
Limits: no use of fake accounts or bots		x
Limits: no use of fabricated content or distorted audio-visual messages, including deep fakes	x	x
Adherence to online platforms' transparency rules (including registration and verification processes)		x
Adherence to online platforms' policy mechanisms		x
Adherence to effective cybersecurity measures	x	
Engage in Internal awareness-raising of rules/commitments and promotion of compliance		x
Promote independent monitoring of adherence to commitments	x	

Table A.1.b. Online platforms

Online political campaign issue	Dutch code of conduct	EURPA	EUCoP	EUDSA
Development and enforcement of relevant transparency mechanisms	x	x	x	x
Publication of ad libraries with downloadable and comparable data	x	x	x	x
Due diligence requirements: registration and verification of political advertisers	x	x	x	
Reporting on 'paid for by' and spending range	x		x	(x)
Prohibiting or otherwise limiting cross-border political advertisements from outside the EU before elections	x	x		
Requirement to include information on the identity of the sponsor	x	x	x	x
Requirement to include information on the reach of an ad	x	x	x	x
Requirement to include information where an advertisement is subject to targeting or ad delivery techniques		x	x	x
Requirement to include information on how much was spent on online political advertisements	x	x	x	
Requirement to include information on the contact details of the sponsor		x	x	
Requirement to include information on the origin of funds		x		
Requirement to include information on the period in which the ad will be published/disseminated		x	x	x
Requirement to include information on election/referendum to which the ad is linked		x		
Requirement to include information on links to online repositories of ads		x	x	
Mechanism to flag advertisements or other content as being in violation of policies or national laws		x	x	x
Mechanism for removal of non-compliant or otherwise illegal advertisements	x	x	x	x
Mechanism to answer questions or correct inaccurate information on the electoral process	x	x	x	
Platform policies on the online security, safety and/or privacy of users	x		x	
Platform policies on disinformation or electoral integrity online	x		x	
Platform policies on the use of targeting or amplification techniques		x	x	x
Periodic reporting on their services and/or transmission of requested information to authorities		x	x	x
Requirement to transmit or provide access to information to certain qualified categories of non-governmental interested entities		x	x	
Limits to ad delivery and targeting mechanisms for political advertisements		x		x

Table A.1.b. Online platforms (cont.)

Online political campaign issue	Dutch code of conduct	EURPA	EUCoP	EUDSA
Post-election review and/or internal awareness-raising on rules/commitments	x	x		
Periodic risk-assessment review of and/or making recommendations on ad delivery techniques		x	x	x
Recordkeeping on the use of targeting or amplification mechanisms or techniques, including the source(s) of personal data		x	x	x
Responsibilities to effectively monitor internal compliance, taking measures where necessary		x	x	x
Monitor transparency notices, use of data targeting, reporting		x	x	x
Sanctions for non-compliance		x		x

Note: EUDSA = EU Digital Services Act; EUCoP = EU Code of Practice on Disinformation; EURPA = EU Regulation on the Transparency and Targeting of online political advertising

Sources for Tables A.1.a and A.1.b: European Commission, 'Commission Recommendation (EU) 2023/2829 of 12 December 2023 on inclusive and resilient electoral processes in the Union and enhancing the European nature and efficient conduct of the elections to the European Parliament', Document C/2023/8626, *Official Journal of the European Union*, L (20 December 2023c), <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023H2829>>, accessed 1 February 2024; International IDEA, 'Dutch Code of Conduct Transparency Online Political Advertisements', 9 February 2021, <<https://www.idea.int/sites/default/files/news/news-pdfs/Dutch-Code-of-Conduct-transparency-online-political-advertisements-EN.pdf>>, accessed 1 February 2024; European Union, 'Regulation of the European Parliament and of the Council on the Transparency and Targeting of Political Advertising', *Official Journal of the European Union*, 2021/0381 (COD) (29 February 2024), <<https://data.consilium.europa.eu/doc/document/PE-90-2023-INIT/en/pdf>>, accessed 26 March 2024; European Commission, 'The 2022 Code of Practice on Disinformation', 4 July 2022, <<https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation>>, accessed 1 February 2024; European Union, 'Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act)', Document PE/30/2022/REV/1, *Official Journal of the European Union*, L 277 (27 October 2022), <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R2065&qid=1666857835014>>, accessed 1 February 2024.

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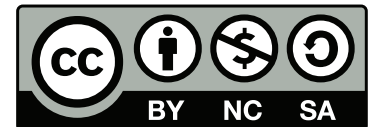
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