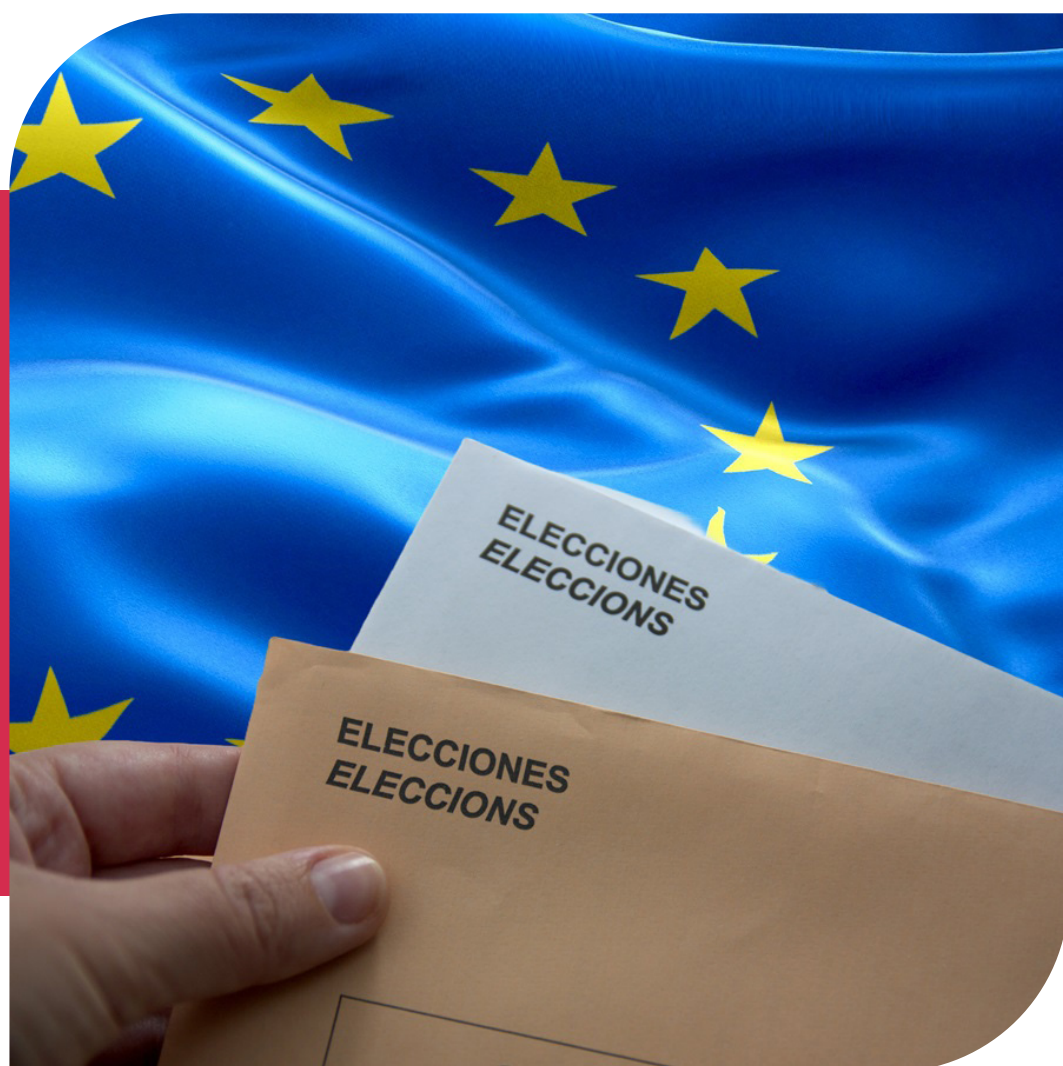


# OUT-OF-COUNTRY CAMPAIGNING

Legal Regulations and Practices across 27 European Union  
Member States



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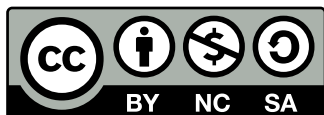
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# Abbreviations

<b>ALIA</b>	Autorité luxembourgeoise indépendante de l'audiovisuel (Independent Audiovisual Authority of Luxembourg)
<b>ECHR</b>	European Convention on Human Rights
<b>ECtHR</b>	European Court of Human Rights
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>MFA</b>	Ministry of Foreign Affairs
<b>MoI</b>	Ministry of the Interior
<b>OCV</b>	Out-of-country voting
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>TV</b>	Television
<b>UDHR</b>	Universal Declaration of Human Rights





# EXECUTIVE SUMMARY

This report *Out-of-Country Campaigning: Legal Regulations and Practices across 27 European Union Member States*, examines the regulatory landscape and practical challenges surrounding electoral campaigning conducted outside a candidate's home country. While the right to vote for citizens living abroad is recognized in many countries, the right to campaign internationally lies within the discretion and legislative framework of the host country. The study analyses legal frameworks, international standards and on-the-ground practices related to out-of-country voting (OCV) election campaigning across the EU member states.

The research is based on primary and secondary sources, including legislative reviews and interviews with political actors, electoral management bodies and international stakeholders. The findings indicate notable variations in the regulations governing OCV campaigning. While some EU states explicitly prohibit foreign election campaigns, others allow them with certain restrictions on public gatherings, advertising or campaign finance. Social media platforms offer a more accessible space for OCV campaigning, although recent EU regulations impose transparency requirements on political advertisements to counteract foreign interference in European democratic processes.

Key findings identified in the study include legal uncertainties, uneven access to campaign resources for different political actors and risks of foreign interference. The report also highlights the best practices observed in some EU member states, where long-established diaspora networks facilitate low-profile campaign activities, including small gatherings, online outreach and targeted advertisements.

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**While some EU states explicitly prohibit foreign election campaigns, others allow them with certain restrictions on public gatherings, advertising or campaign finance.**

In order to facilitate OCV campaigning, the report recommends that electoral stakeholders engage in dialogue with host countries to clarify permissible campaign activities, establish clear regulations ensuring a level playing field and explore international cooperation mechanisms for supporting democratic participation abroad.

This study provides a comprehensive overview of the evolving OCV campaign environment, offering valuable insights for policymakers, election administrators and political actors seeking to balance the fulfilment of political rights with national regulatory frameworks.

# INTRODUCTION

The right to universal and equal suffrage is at the core of an individual's political rights. However, guaranteeing the right to vote for citizens residing abroad is not explicitly protected under international law. There are also two categories of potential voters: (a) citizens who have chosen to leave their country; and (b) those who have been forced to leave their country of origin for specific reasons, whether for political differences, fear of persecution or conflict. An individual's attachment to the country can therefore vary.

Where voting rights of citizens living abroad are subject to regulations imposed by their national laws, the possibilities to engage in campaigning abroad lie within the discretion and legislative framework of the host country. This report aims to explore such situations in the 27 EU member states.

## Chapter 1

# METHODOLOGY

**The purpose of this research is to identify and expand on the existing regulations and practices, in order to outline the available ways, if any, for foreigners to campaign within the territory of an EU member state as part of OCV for national elections.**

### 1. METHODOLOGY

The methodology is based on a combination of primary and secondary sources. It encompasses research into the legislative frameworks governing the conduct of electoral campaigns in the 27 European Union member states. It also builds on a desk review combined with, where relevant, information obtained from interviews with political party representatives or candidates from various EU member states.

The purpose of this research is to identify and expand on the existing regulations and practices, in order to outline the available ways, if any, for foreigners to campaign within the territory of an EU member state as part of out-of-country voting (OCV) for national elections. This review consists of a structured and systematic approach to collecting and synthesizing information on electoral advertising regulations for election campaigns conducted within the territory of an EU member state. While election campaigning encompasses a wide range of activities, the report focuses on certain types of campaigning, including rallies and gatherings, the display of posters and billboards, and advertising in the media.

The following methodological steps were followed.

1. Online research to identify the applicable legal and regulatory framework for each of the 27 EU member states.
  - Laws and regulations at the national level were reviewed directly. This was achieved by accessing, where possible, the official

national legal databases and official websites of the central and local authorities to ensure that current legislation was consulted.

- Available by-laws referenced in respective documents were consulted as applicable. The relevant texts of the legislation were quoted or summarized and a direct link provided.
- 2. Online research to identify any pre-existing studies as well as applicable reports from other international organizations that could provide relevant information on topics included in the research (see, for example, Rashkova 2020; Aman and Bakken 2021; see also the International IDEA [Voting from Abroad Database n.d.](#)).
- 3. Interviews conducted with practitioners in some member states who had experience of organizing election campaigning as part of OCV.
  - Such practitioners were identified in advance and included former candidates or political party representatives responsible for managing campaigns abroad, often located in member states where they had previously been based. In some instances, embassies or consulates were contacted in writing.
  - Interviews were conducted through questionnaires, which were based on the issues identified during the research. The questions included the following.
    - Which preliminary research did you conduct to identify the permissible types of campaign activities for foreign contestants on the territory of the host country?
    - How did you organize your campaign? Which means of campaigning did you use primarily and what activities did you include? Which of them proved to be the most efficient?
    - What kind of interaction did you have with the local authorities to obtain the necessary authorization to campaign?
    - What legal challenges did you face?

The researchers double-checked the data, where possible, with the appropriate authorities from the EU member states to ensure their accuracy.

As already noted, this report is limited to election campaigning during OCV. Other considerations and challenges pertaining to this process are not discussed.

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## 1.1. LIMITATIONS

There are certain limitations inherent to desk reviews. These include potential bias in the selected documents, variations in the comprehensiveness and quality of the available information, variations in the quality of the databases and reliance on existing research and documentation.

## Chapter 2

# INTERNATIONAL OBLIGATIONS AND STANDARDS FOR OCV

There are no international obligations or standards for enfranchisement of citizens abroad. Article 20 of the Universal Declaration of Human Rights (UDHR) provides that 'genuine elections ... shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedure'. Article 25 of the International Covenant on Civil and Political Rights (ICCPR) recognizes and protects the right of every citizen 'to take part in the conduct of public affairs, directly or through freely chosen representatives' in genuine and periodic elections.

Some regional documents and commitments reaffirm the same obligation. Article 3 of Protocol No. 1 to the European Convention on Human Rights (ECHR) states that '(t)he High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature' (Council of Europe n.d.). Periodic elections are key characteristics of a democracy, enshrined in a number of Organization for Security and Co-operation in Europe (OSCE) commitments (see, for example, OSCE 1990). However, neither document specifically refers to the voting of citizens abroad. The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families is the only international document that contains an explicit provision about participation in elections of citizens living abroad. However, this only applies to documented migrants, their families and ratifying states (see United Nations 1990).

While recognizing the importance of enfranchising citizens residing abroad, the European Court of Human Rights (ECtHR) on numerous occasions has held that the restriction of the right to vote for

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**Article 25 of the ICCPR recognizes and protects the right of every citizen 'to take part in the conduct of public affairs, directly or through freely chosen representatives' in genuine and periodic elections.**

citizens residing in another national territory could be justified on the following grounds: (1) the assumption that a non-resident citizen has less knowledge of a country's day-to-day problems; (2) the impracticality and sometimes undesirability of parliamentary candidates presenting the different electoral issues to citizens living abroad; (3) the influence of non-resident citizens on the selection of candidates and on the formulation of their electoral programmes; and (4) the correlation between one's right to vote in parliamentary elections and being directly affected by the acts of the political bodies so elected (see, for example, *Melnychenko v. Ukraine*; *X v. United Kingdom*). In a more prominent case, the ECtHR opined that not providing the means for citizens living abroad to participate in national elections is not a violation of citizens' human rights (see *Sitaropoulos and Giakoumopoulos v. Greece*).

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**Although no international instrument establishes an obligation for a state to enfranchise its citizens living abroad, international obligations related to elections found in the ICCPR and the UDHR, as well as regional instruments and commitments, apply as much as they do for in-country voting.**

Although no international instrument establishes an obligation for a state to enfranchise its citizens living abroad, international obligations related to elections found in the ICCPR and the UDHR, as well as regional instruments and commitments, apply as much as they do for in-country voting. In addition, the right to vote and participate in genuine, periodic elections is inherently connected to several other human rights that play a pivotal role in ensuring a meaningful electoral process. Among these are the right to freedom of opinion and expression, outlined in article 19 of the ICCPR, as well as the rights to freedom of association (article 22) and peaceful assembly (article 21). In other words, for a comprehensive electoral process, the effective fulfilment of these freedoms is imperative, as they enable candidates and political parties to conduct campaigns during the pre-election period, and allow voters to receive information in order to make an informed choice. The recognition of the need to ensure these rights is evident in article 2 of the ICCPR, which explicitly states that '[e]ach State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction'.

In addition, a number of organizations acknowledge that while OCV is not an obligation, states may grant voting rights to citizens residing abroad. For example, the Venice Commission Code of Good Practice in Electoral Matters provides that 'the right to vote and to be elected may be accorded to citizens residing abroad', without making it a requirement to grant such a right. The Venice Commission also recommended that states should adopt a positive approach to the right to vote of citizens living abroad, since this right fosters the



development of national and European citizenship. Similarly, the Council of Europe Parliamentary Assembly's Resolution 1591 (2007) on distance voting stresses that the right to vote is an essential freedom in every democratic system and invites member states to introduce distance voting (see Parliamentary Assembly 2007).

Building on the principle of universal suffrage, political communication is essential for citizens, political parties and candidates, in order to fully participate in an election. However, certain states may not allow campaign activities undertaken by foreign nationals for political reasons or at times of sovereignty, democratic and security considerations. In the absence of international obligations and a legislative framework, organizing a campaign in another country may require the cooperation of the host country.

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**Certain states may not allow campaign activities undertaken by foreign nationals for political reasons or at times of sovereignty, democratic and security considerations.**

## Chapter 3

# CAMPAIGNING BY FOREIGN CANDIDATES AND POLITICAL PARTIES: TENDENCIES AND CHALLENGES

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**After reviewing the legislative frameworks of 27 EU member states, it was concluded that a majority of the states do not regulate campaigns by foreign nationals, while some explicitly prohibit foreign campaigning on their territory, and others ban certain political activities interlinked with elections.**

Election campaigns are central to modern democracies and are at the core of democratic rights such as the freedoms of speech, assembly and association. While these rights are ensured for citizens of the EU member states, they are not explicitly regulated for campaigns by foreign nationals during the OCV process.<sup>1</sup> National electoral legal frameworks are generally designed to fit national electoral contexts, including elections to the European Parliament. The lack of regulation means that attempts to carry out election campaigning face multiple challenges in host countries, and therefore a number of considerations should be addressed. In order to understand which campaign activities are permitted for foreign contestants and nationals, it is necessary to interpret the general legal framework of each EU member state with respect to the freedoms of speech, assembly and association. In the context of elections, this includes, but is not limited to, public gatherings, displays of posters and political advertising in broadcast, print and online media.

After reviewing the legislative frameworks of 27 EU member states, it was concluded that a majority of the states do not regulate campaigns by foreign nationals, while some explicitly prohibit foreign campaigning on their territory, and others ban certain political activities interlinked with elections. For example, in Slovenia, election campaigning for the elections of another country is prohibited. In Austria, the right to assembly can also be denied if 'it serves the political activities of third-country nationals and runs counter to recognized international legal principles and practices or obligations under international law, basic democratic values or foreign policy interests of the Republic of Austria' ([The Austrian Assembly Act](#)

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<sup>1</sup> The research does not address European Parliament elections, where regulations differ due to the nature of the European Parliament and elections to it.

1953: article 6). Similarly, according to a by-law in the Netherlands, non-EU member state representatives are not allowed to campaign in the Netherlands within three months prior to elections in their home country. In addition, in Lithuania, political parties and political organizations of non-EU member states may not be established or operate on the territory of Lithuania.

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### 3.1. CAMPAIGNING ON SOCIAL MEDIA

Campaigning on social media faces less restriction and can be more accessible for both contestants and the electorate. However, it should be ensured that participants' conduct meets all the obligations and principles enshrined in relevant international documents and EU directives, and that Internet access is equally ensured for all those taking part. This also implies that Internet users should be able to use any online platform, and access any services and online content of their choice, as long as they do not violate EU laws.

The recently adopted EU regulations address political advertisements, particularly those online, and they establish a framework to facilitate political advertising across the EU (see European Parliament 2024a). Under these regulations, political advertisements must be clearly labelled, and essential information such as their target audience, the advertiser, the amount spent and their connection to elections or referendums should be easily accessible (see [the press release](#) of the European Parliament, 2024).<sup>b</sup>

In order to counteract foreign interference in European democratic processes, the new rules prohibit the financing of advertisements from outside the EU in the three months leading up to an election or referendum. This complements the EU's 2022 Digital Services Act, which mandates online platforms to implement measures against the dissemination of illegal goods, services or content. The 2022 Act requires greater transparency and control over the content displayed on online platforms. These platforms are also obliged to inform users about the reasons for content removal or account restrictions (see EU 2022).

Both acts uphold the right to freedom of expression. The regulations on political advertising focus on the display of paid advertisements, not organic content. Moreover, these measures exclude unsponsored messages and have no impact on personal views, political opinions,

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**Campaigning on social media faces less restriction and can be more accessible for both contestants and the electorate.**

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**The recently adopted EU regulations address political advertisements, particularly those online, and they establish a framework to facilitate political advertising across the EU.**

communications, announcements by candidates or informational campaigns from official national or EU sources. The Digital Services Act additionally mandates online platforms to identify, analyse and effectively mitigate risks related to electoral processes and civic discourse, while safeguarding freedom of expression.

In addition to adhering to the laws and regulations of the country where election campaigning is conducted, it is crucial to acknowledge the influence of EU regulations on social media campaigning. These regulations should be carefully considered during the planning and execution of such campaigns.

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### 3.2. MEETING WITH VOTERS

Meeting with voters (including at public gatherings) is an essential means of political communication and outreach to enable voters to fully participate in elections. Generally, this activity falls under safeguards provided for freedom of assembly, as well as for the right to impart and receive information. In EU member states, these freedoms are ensured for citizens and everyone else, but some requirements may be imposed on organizers of the assembly. In some cases, they must be legal residents, as in the case of Czechia and Hungary.

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**When meeting with voters abroad, incumbent or well-established parties may be better resourced to organize meetings with voters abroad compared with small parties and independent and women candidates, which may give them an unequal advantage in campaigns and so undermine a level playing field.**

Any restrictions to the right of peaceful assembly must be based on the principles of legality, proportionality and non-discrimination. Based on these principles, national legislation does not need to mandate advance notification for an assembly, even for spontaneous ones. However, prior notification could be required where its purpose is to enable the state to put in place necessary arrangements to facilitate freedom of assembly and to protect public order, public safety and the rights and freedoms of others. In a number of EU member states, for example Austria, Czechia, France, Germany, Hungary, Italy, Malta, the Netherlands, Poland, Slovakia, Spain and Sweden, prior notification is required.

In addition, when meeting with voters abroad, it should be taken into consideration that incumbent or well-established parties may be better resourced to organize meetings with voters abroad compared with small parties and independent and women candidates, which may give them an unfair advantage in campaigns and so undermine a level playing field. In addition, a number of EU member states

may introduce limitations on such meetings or visits from foreign party leaders for campaigning purposes. Differing legal limitations on meeting with voters and large gatherings may put voters in an unequal position with regard to the information they can receive.

National legislative frameworks could be consulted to arrange meetings with voters abroad within permissible limits. However, given the absence of clear regulations pertaining to foreign campaigning, agreement with and support from the host country would be required to make the necessary arrangements.

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### 3.3. PLACEMENT AND DISPLAY OF CAMPAIGN MATERIALS

Election campaigns provide candidates and political parties with opportunities to present their platforms and messages to citizens, enabling them to make informed choices. As provided by the ICCPR, everyone has a right 'to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice'. The ICCPR further determines that this right 'carries with it special duties and responsibilities', and that it 'may therefore be subject to certain restrictions ... as are provided by law and necessary: (a) for respect of the rights or reputations of others; (b) for the protection of national security or of public order (*order public*), or of public health and morals'. This means that the display of certain campaign materials could be denied if they fall under these categories.

Practices vary in EU member states as to how space is allocated for the display of campaign materials. Some states distinguish between political messages and campaign messages. In others, permission is required to display a campaign poster (e.g. Bulgaria, Croatia, Cyprus, Germany and Italy). In a majority of cases, local municipalities are given discretion to decide on the rules on allocating public space for campaigning purposes. Moreover, in order to help ensure an even playing field and an election that ultimately reflects the will of citizens, member states often ensure that any public space allocation for election contestants is done equitably (e.g. Czechia, Finland, France, Greece, Latvia and Poland).

Existing national campaign regulations are not applicable to other states' elections. Therefore, the automatic allocation of space for

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**Practices vary in EU member states as to how space is allocated for the display of campaign materials.**

the display of campaign materials would not be applicable, and in all cases prior approval to use the public space would be required. When it comes to commercial space, while this may seem a more optimal choice, this space is often subject to licensing, foreign content and language laws. This form of campaigning would also require a greater degree of local support to liaise with the respective authorities and/or private advertising providers.

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### 3.4. ADVERTISING IN TRADITIONAL MEDIA

The same considerations with respect to the placement of campaign materials (outdoor advertising) are even more relevant for advertising in public media. Due to their nature and wide reach, public broadcast media are often subject to stringent rules during election campaigns, which are designed to provide coverage for all contestants and election events, in order to prevent an unfair advantage for any political formation. The regulation of equal treatment and access can vary. Some states require strict equality regarding access, while other states allow 'equitable access', as opposed to strict equality.

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**When it comes to free airtime, this only refers to the electoral processes of a given state; hence, there is no similar obligation to provide such a possibility for the campaigns of foreign states.**

In all EU member states, public media either are obliged to provide free air space for all contestants, as part of public funding, or, in some cases, may provide an opportunity to purchase space for campaigning purposes. When it comes to free airtime, this only refers to the electoral processes of a given state; hence, there is no similar obligation to provide such a possibility for the campaigns of foreign states.

The issue of paid political advertising in public or private media can also present difficulties. This can either be entirely banned due to equality measures (e.g. in Greece and Spain), or there may be limitations due to language requirement laws. For example, in Bulgaria, broadcasts may be in a foreign language if they are for educational purposes, intended for Bulgarian citizens only. In France, any advertising in a foreign language must be accompanied by a French translation.

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### 3.5. CHALLENGES FOR CAMPAIGN FINANCE REGULATIONS

Generally, contestants are bound by their own country's national laws when it comes to campaign finance regulations. This includes donations, expenditures and reporting. Similarly, each EU member state regulates campaign finance differently for its contests and contestants.

As in the case of donations and expenditures incurred in one's home country, contestants are bound by the same rules for receiving, spending and reporting for those incurred during the campaign conducted for OCV. In this respect, the campaign finance rules of host EU member states would not be applicable. However, a number of other considerations could be taken into account. First, many EU member states prohibit foreign sources of funding for campaigns on their territory. This prohibition may include advances of personal funds, as well as contributions or donations made to political party committees and organizations, which may be necessary for conducting campaigns during OCV. Second, the legislation of the country organizing the election may impose restrictions on the participation of foreigners and the donations to their campaigns. This could be the case in particular for dual nationality citizens. Lastly, it might be burdensome for the regulatory body to track and verify donations and expenses in other countries to ensure meaningful oversight. All these considerations should be taken into account in the host country.

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**As in the case of donations and expenditures incurred in one's home country, contestants are bound by the same rules for receiving, spending and reporting for those incurred during the campaign conducted for OCV.**

## Chapter 4

# PRACTICES IDENTIFIED THROUGH INTERVIEWS

**All the available examples provided entail activities conducted among long-established diaspora groups; hence, this may have a different implication for OCV than campaign practices among newly arrived diaspora groups.**

The report also provides examples of a number of practices identified during interviews with political actors who conducted campaign activities within the EU member states.<sup>2</sup> All the available examples provided entail activities conducted among long-established diaspora groups; hence, this may have a different implication for OCV than campaign practices among newly arrived diaspora groups. Many of the targeted voters studied also possessed the nationality of the host country. This diaspora was usually a group of people with strong internal ties, established information channels and a close relation to the traditions, values and political development of the country of origin. In this context, political parties of the country of origin had numerous active, albeit small, party branches run abroad by diaspora representatives. In most cases, they conducted regular activities during and outside the electoral period, maintained contact with the voters and, therefore, possessed a rich voter database. Some diaspora representatives produced newspapers in their language of origin, which offered advertising opportunities for parties during campaign periods.

Most political representatives consulted who organized campaign activities abroad did not previously analyse the legal framework of the host country to identify the permissible grounds for campaign activities. In their view, this was motivated by the fact that they possessed long-term experience in the domain, did not change the type of activities from one campaign to another and never encountered any problem with or complaint by the authorities of the

<sup>2</sup> The identified practices are based on the analysis of Italian parties campaigning in Belgium, France, Germany, Luxembourg, Portugal and Spain; Tunisian and British parties campaigning in France; French parties campaigning in Denmark, Germany and Luxembourg; Turkish parties campaigning in Germany and the Netherlands; and Hungarian parties campaigning in Slovakia.



host country. As a result, at times they did not know whether their campaign activities were fully in line with national laws. Generally, campaign activities conducted abroad were characterized as being low key, specifically targeting potential voters, and they thus lacked visibility for the general public of the host country.

The two most common campaign activities that interviewees described are as follows.

1. Campaigning on social media: Campaign messages were placed through a diaspora representative who had nationality or residency in the host country, due to the social media platform requirements on placing political advertisements by persons residing in these countries.
2. Holding meetings in indoor public and private places (municipal halls, congress centres, bars, restaurants and libraries run by or associated with the diaspora, etc.): Some meetings were organized with the participation of political leaders in the country of origin. These events were accompanied by the distribution of election brochures and, in the case of private premises, the display of election posters with the consent of the premises' owner. For example, the Union of International Democrats (UID) in Türkiye had established local representations worldwide, tasked with coordinating efforts to consolidate power abroad. Together with the Justice and Development Party (AK Party), they have organized rallies and conducted covert election campaigns in religious establishments. In another noteworthy example, some Italian parties and candidates campaigned in Belgium by posting small posters in restaurants or public spaces where the Italian diaspora generally gathered.

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**Some meetings were organized with the participation of political leaders in the country of origin.**

The desk research did not identify any example where campaign advertising was placed in the broadcast media of the host country. Instead, in the case of a British OCV campaign conducted in France, party representatives of both main parties who resided in France accepted the invitation to take part in an open debate (in English) organized through an international TV channel on a foreign affairs programme. While the debate had an informative character for most of the international audience, it was largely publicized among the British diaspora in France and served as a forum for debate.

The interviews with most of the political representatives consulted noted that the display of outdoor campaign materials was costly, inefficient and outdated. Even in the past, when the display of campaign materials was widespread, it was only sporadically used and solely in areas densely populated by the diaspora.

## Chapter 5

# KEY CONSIDERATIONS, CONCLUSIONS AND RECOMMENDATIONS

As underlined in the report, the legislation of all EU member states does regulate the campaigning of a foreign country on its territory. Some legislation may not implicitly prohibit such activity; however, consideration of other aspects, such as providing equitable conditions for campaigning, allowing campaigning in other languages or involving foreign donations for such purposes, indicates that prior discussion and agreement with the host country would be necessary.

For those authorities deciding whether to conduct campaign activities abroad and how to regulate them, it is essential to keep in mind several considerations.

First, in the absence of international obligations and a legislative framework, the right to campaign in another country may require the cooperation of the host country. Certain states may not allow campaign activities by foreign nationals due to political reasons or sovereignty and security considerations. Therefore, it is necessary to obtain prior agreement with the host country on the modalities and conditions for conducting a campaign.

Second, enabling election contestants to campaign abroad may provide an advantage for the incumbent or bigger and established political parties, which may disadvantage small parties and independent or women candidates. Ensuring a level playing field among all the contestants would require designing and enforcing rules for campaign activities conducted abroad.

Third, political parties and candidates who have previously run campaigns abroad show that many different activities are feasible

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**In the absence of international obligations and a legislative framework, the right to campaign in another country may require the cooperation of the host country.**

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**The intensity of a campaign and the information received by the electorate varied from country to country, including in the country of origin, depending on the available conditions and agreements about the ways to campaign.**

and effective. However, they largely targeted only long-standing diaspora communities and were low key.

Lastly, the intensity of a campaign and the information received by the electorate varied from country to country, including in the country of origin, depending on the available conditions and agreements about the ways to campaign. While campaigns on social media can be generally identical, regardless of the location, other means of campaigning, such as meeting with voters and large gatherings, may put voters in an unequal position in the event of varied and various legal limitations.

It is recommended that authorities and to some extent electoral contestants of the country holding elections on the territory of an EU member state should:

- identify the most effective ways of campaigning which will put both the contestants and the electorate in an equal position; and
- discuss and agree with the host state the modalities, possibilities and conditions for conducting a campaign.

## Chapter 6

# AUSTRIA

### 6.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The Assembly Act 1953 (Versammlungsgesetz) is Austria's primary legislation regulating the exercise of the right to freedom of assembly (see Federal Chancellery of the Republic of Austria 1953). Article 2(1) establishes that anyone who wants to hold a public meeting must notify the authorities in writing at least 48 hours before the intended holding of a meeting, stating the purpose, place and time of the meeting. The notification must be received by the authorities no later than 48 hours before the time of the intended meeting. The authority, as defined by article 16, can be the State Police Directorate or the district administrative authority.

While the right to assembly is ensured, article 6 sets parameters for the denial of this right. More specifically, it states that (1) '[a]ssemblies whose purpose is contrary to criminal laws or the holding of which endangers public safety or the public good must be prohibited by the authorities' and (2) '[a]n assembly which serves the political activities of third-country nationals and that runs counter to recognized international legal principles and practices or obligations under international law, basic democratic values or foreign policy interests of the Republic of Austria can be prohibited'.



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## 6.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

For national elections, no distinction appears to be made between political and commercial advertising. Therefore, posting political and commercial posters follows the same rules.

At local level, this distinction can be made, as in the case of the Tyrol regional document on the 2022 municipal council and mayoral elections (see Office of the Tyrolean Provincial Government, Department of Municipalities 2021). In such cases, the authorization for posting has to be requested at the local level (see the [information on outdoor advertising](#), Austrian Chamber of Commerce 2024). The approval of outdoor advertising is generally legally permissible in the local area. However, outside the local area, a road traffic permit (according to the road traffic regulations) must be obtained from the district administrative authority for reasons of traffic safety on municipal, state and federal roads (see the [information on outdoor advertising and road traffic regulations](#), Austrian Chamber of Commerce 2024). At the same time, according to article 84 of the 1960 [Road Traffic Regulations](#), advertising and announcements on roads are prohibited within a distance of 100 m from the edge of the road outside urban areas.

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## 6.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

According to media-related laws, election advertising clearly falls under the definition of advertising. According to these legal sources, political advertising also falls under the term 'advertising' (see the information provided by [the Austrian Chamber of Commerce](#) 2020).

The public Austrian Broadcasting Corporation (Österreichischer Rundfunk, ORF) is the country's largest media provider. Although ORF is not legally restricted from airing paid political advertisements, this practice is prohibited by internal regulations (see the [ODIHR/OSCE 2022 Needs Assessment Mission Report for the Republic of Austria Presidential Election](#)). The parliamentary parties receive coverage in both public and private broadcasting media in various formats, including news programmes, TV debates, current affairs programmes and political talk shows.

Section 31 of the 2023 [Audiovisual Media Services Act](#) mentions the general requirements for audiovisual commercial communication. Among others, audiovisual commercial communication cannot violate human dignity, contain or promote discrimination based on gender, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation.

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#### **6.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections, except for some restrictions on the right to assembly, as provided by article 6 of the 1953 Assembly Act.

In 2017, Austria denied the Turkish President Recep Tayyip Erdogan the right to campaign in Austria ahead of a referendum in Türkiye on giving him greater powers. The denial was justified by the risk of increasing friction and hindering integration of the country's minorities.

## Chapter 7

# BELGIUM



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### 7.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

According to the Belgian Constitution, citizens have the right to assemble peacefully and unarmed, in accordance with the laws which may regulate the exercise of this right, without, however, subjecting this to prior authorization (see [Constitution of Belgium 1994](#): article 26). This provision does not apply to open-air gatherings, which remain entirely subject to police laws.

The campaign is mainly regulated by the 1989 Law on the Limitation and Control of Electoral Expenses for Federal Elections and the Accountability of Political Parties.

According to the Belgium Information and Official Services (n.d.), it is advisable to contact the municipality which will host the event, as the rules for its organization will vary depending on the municipality.

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### 7.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Displays for commercial advertising are regulated by the federal, regional and municipal governments separately. Each region (Flanders, Wallonia and Brussels-Capital) has its own regulations that are generally enforced at the municipal level, with possible further restrictions (see the [General Police Regulation for the 19 Municipalities of Brussels](#), Brussels n.d.).



Article 5 of the 4 July 1989 Act prohibits political advertising during election periods. This includes the displaying of posters or broadcasting commercial advertising spots on radio, on TV and in cinemas (see the [Law on the Limitation and Control of Electoral Expenses](#) 1989). However, article 5 also notes that the provincial governor sets, by police order, the terms and conditions for the display of electoral posters and the organization of motorized caravans.

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### 7.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

The 1989 Law on the Limitation and Control of Electoral Expenses prohibits political advertising during election periods in audiovisual media and cinema for local and national elections.

A ban on paid campaign advertisements on the Internet was abolished in 2014 (see the [2014 Law](#) amending the Act of 4 July 1989, article 9).

Commercial advertising is further regulated by the provisions of the 2013 [Code of Economic Law](#). Advertising is defined as any form of communication intended to promote, directly or indirectly, goods, services or the image of a company, an organization or a person having a commercial, industrial or craft activity or carrying out a regulated activity.

The [Higher Audiovisual Council for the Wallonia-Brussels Federation](#) and the [Flemish Regulator for the Media](#) are two media supervisory bodies.

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### 7.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN

National laws do not regulate campaigns for foreign country elections.

The desk review found that, during the 2022 elections in Italy, some Italian parties and candidates campaigned in Belgium, as Belgium is

regarded as part of one of the four Italian overseas electoral districts. The campaign was mainly conducted by posting small posters in restaurants or public spaces where the Italian diaspora generally gathers. Campaign fliers were also mailed to voters using address lists provided by Italian institutions.

According to one of the representatives of a candidate who was involved in a campaign, no restrictions or problems were encountered during their OCV campaign activities.

## Chapter 8

# BULGARIA

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### 8.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The 1990 [Law on Meetings, Rallies and Demonstrations](#) provides that campaign events may be organized by citizens, associations, political and other public organizations. According to the same law, organizers shall notify the mayor of the municipality where the event is held, in writing, at least 48 hours before its start, indicating the organizer, purpose, place and time. For holding a demonstration, the requirement for notification is 72 hours, and the route should also be specified. If the mayor bans the event, this decision may be appealed in an administrative court.



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### 8.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Article 1.1 of the 2014 [Election Code](#) of Bulgaria applies to the conduct of elections in the country (at both a local and national level).

Contracts with advertisement providers can be made to place campaign messages on existing advertising spaces (this includes billboards).

Municipal authorities should be contacted to seek permission to put up posters in public spaces. Article 185.1 of the Election Code prohibits the display of election canvassing materials outside the election campaign period.

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### **8.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)**

The public broadcaster in Bulgaria is required to cover elections in accordance with principles of equitability and objectivity, and to allocate free airtime to each contestant for national elections.

The 1999 [Law on Radio and Television](#) regulates commercial advertising, including to 'promote a cause or idea', so any broadcast of commercial messages would fall under its rules (see see 3.4: Advertising in traditional media). Article 12 provides that broadcasts may be in a foreign language if they are for educational purposes, intended for Bulgarian citizens for whom Bulgarian is not their mother tongue, or intended for listeners or viewers from abroad.

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### **8.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 9

# CROATIA

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### 9.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The 1999 [Public Assemblies Act](#) guarantees the right to a peaceful gathering for everyone, both citizens and foreigners.

A political or campaign meeting falls under the category of 'Peaceful gatherings and public protests'. In order for a meeting to be held, local police need to be notified at least 5 days before it takes place and, under 'particularly justified circumstances', 48 hours before its commencement.

The minister of the interior can ban the holding of a gathering for reasons specified in article 14 of the Public Assemblies Act, and this decision may be appealed in an administrative court.

All details related to calling a public assembly, and specifically to the rights and obligations of the organizer and participants, are explained in a comprehensive manner on a government information portal (see the relevant information at [e-Gradani n.d.](#)).



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### 9.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Political advertising in the form of display of outdoor materials is not restricted to national and local elections.

Areas for display of advertising materials are provided both by municipalities and by private providers.

Determining the conditions for placing advertisements and posters is a prerogative of the municipalities, with the aim of maintaining public order (see the 2024 Law on the Municipal Economy, article 104). Permission from the municipality is usually required for the display of advertising materials in public places. Thus, respective municipal authorities should be contacted in this regard.

Some advertising places are leased to and managed by private companies (including billboards, light panels), in which case a contract shall be made directly with the private provider.

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### 9.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

For the national elections, the public broadcaster in Croatia is obliged to provide each candidate list with a minimum of five minutes of free airtime on TV and radio. Public and private TV channels are entitled to host one debate each during the campaign.

The 2021 Electronic Media Act prohibits political advertising on radio and TV stations performed by 'political parties, coalitions and independent representatives in the Croatian Parliament and [elected] independent members of representative bodies of local and regional self-government ..., except during election campaigns' (2021 [Electronic Media Act](#), articles 34(3) and 41). While it appears that this ban is aimed at elected Croatian political actors in parliament and in local self-government, it remains to be clarified with the Croatian authorities whether this allows foreign parties to place election-related advertisements, given that the 2021 Act does not contain any provisions related to the election campaigns of foreign parties.<sup>3</sup>

The Electronic Media Act further stipulates that 'in audio and audio-visual media it is forbidden to encourage and spread hatred or discrimination on the basis of racial or ethnic affiliation or skin colour, gender, language, religion, political or other belief, national or

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<sup>3</sup> During public consultations prior to the adoption of the 2021 Electronic Media Act, legal commentators highlighted that the proposed wording of article 34(3) allows the advertising of parties, coalitions and representatives who are not in the Croatian Parliament (e-Građani 2020). This comment was considered by the legislators and the text was adopted unchanged.

social origin, property status, union membership, education, social position, marital or family status, age, state of health, disability, genetic heritage, gender identity, expression or sexual orientation and anti-Semitism and xenophobia, ideas of fascist, Nazi, communist and other totalitarian regimes' (see the 2021 [Electronic Media Act](#), article 14).

Political advertising is allowed in print and online, including on social media. The responsibility for the content of the advertisement lies solely with the advertiser.<sup>4</sup>

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#### **9.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

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<sup>4</sup> See the [2021 Electronic Media Act](#).

## Chapter 10

# REPUBLIC OF CYPRUS



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### 10.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

Election campaigning is largely unregulated. There is no requirement to seek authorization for an assembly on the territory of Cyprus. There are no regulations governing the holding of public assemblies during election campaigns.

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### 10.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The posting of posters is regulated at the municipal level. According to article 44 of the Law on Municipalities 52(I)/2022, the municipality is in charge of issuing permission to place and post advertisements pursuant to the provisions of the Advertising Display (Control) Law and the Urban Planning and Spatial Planning Law, as well as the applicable municipal regulations (see [Law No. 52\(I\)/2022](#) on the Competencies of Municipalities).

Article 58 of the same law restates that placing advertising signs within the municipal limits is only allowed after a permit has been issued by the municipality. The terms and conditions of use are determined in this permit, in accordance with the applicable municipal regulations and the relevant provisions of the 1959 [Advertising Display \(Control\) Law](#), the Road Security Law and the 1972 [Urban Planning and Spatial Planning Law](#).



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### **10.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)**

For national elections, the public broadcaster is obliged to provide equitable treatment of candidates six months before an election, and private broadcasters three months beforehand. Private media can start broadcasting paid political advertisements at any time, but only the 40-day period before election day is regulated and monitored.

According to the law ‘consolidating and reviewing the laws regulating the establishment, installation and operation of radio and television broadcasters’, as amended in 2021, political advertising is an announcement or message of any kind broadcast in return for payment or for a similar consideration by a candidate in presidential elections, parliamentary elections, elections of the European Parliament or any other elections (see the [Radio and Television Broadcasters Law](#) of 1998 to 2021, article 2).

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### **10.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 11

# CZECHIA



### 11.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The 1990 Law on the Right of Assembly foresees that everyone has the right to peaceful assembly (this includes foreigners) (see [Law 84/1990 Sb. on the Right of Assembly](#)).

The organizer of an assembly should be a physical person above 18 years of age, a group of persons or a legal person registered in Czechia.

Public assemblies are not subject to prior authorization. However, at least five days and no more than six months prior to the date of the assembly, notification is required to the municipal authorities of the location where the assembly will be organized. This allows the law enforcement agencies to ensure public order.

Although prohibitions of public assemblies are rare, the municipal authorities can, under certain circumstances related to maintaining public order, safety and protecting human rights, health and property, forbid the holding of an assembly.

All details related to calling a public assembly, and specifically to the rights and obligations of the organizer and participants, are explained in a comprehensive manner by the Ministry of the Interior (Moi) (see the [relevant information](#) on the Moi website, Czechia, Ministry of the Interior n.d.).

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## 11.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Areas for display of advertising materials are regulated both by municipalities (designated public places) and by private providers.

The 2000 Law on Municipalities allows local governments to self-regulate the display of advertising materials (see [Law 128/2000 Sb. on Municipalities](#)). Thus, each municipality is free to decide on the amount and extent of advertising spots, on the rental cost and any other applicable rules, such as reserving some places only for the publicizing of cultural events. A political party must contact the respective municipality where they wish to display campaign materials to discuss the feasibility and the conditions of their political advertising.

In addition to public entities, there are also private providers who determine their own conditions of advertisement. Billboards are mainly in private possession, and their owners must also possess the necessary permit.

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## 11.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

The 2001 Law on TV and Radio Broadcasting forbids political advertising on all TV and radio stations, except during campaign periods related to Czech elections, when broadcasting time is allocated to contestants on public TV and radio under the relevant electoral laws (see [Law 231/2001 Sb. on TV and Radio Broadcasting](#)).

Political advertising is allowed in print media, and the latter are not responsible for the content of the advertisements they publish. Nevertheless, they have the obligation to release a response if 'the honour, dignity, privacy or good name and reputation' of a physical or a legal person are called into question in a communication they publish. The response must be requested by the aggrieved party (see [Law 46/2000 Sb. on Periodical Print Media](#)).

Political advertising in online media is currently not regulated and is mostly subject to the self-regulation of the providers. However, a recent decision of the Constitutional Court (2020) indicates that (at

least some) rules applicable to print media and political advertising appearing therein are also applicable *per analogiam* to online media, as they fulfil a similar function and have an even wider outreach (see [Decision No. 2257/18 of the Constitutional Court](#), June 2020). The case law is not sufficiently clear at this stage, and this area is thus subject to further evolution.

Political advertising on social platforms is not regulated at the national level. Thus, the advertising on social media is subject only to the internal rules of the providers (Meta, YouTube, X, etc.) and general EU regulations.

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#### **11.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 12

# DENMARK

### 12.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The legislation guarantees the right to peaceful assembly only to citizens. However, the Danish term for ‘citizens’ (*borgerne*) also includes *indbyggerne* and *beboerne*, which translate as ‘inhabitants’ and ‘residents’. Therefore, the legislation does not limit the right to peaceful assembly to Danish nationals or people with Danish citizenship; this right is also extended to those residing—even temporarily—in Denmark (guidance on this matter is provided Christensen, Jensen and Jensen2015).

No prior permission for an assembly is required, but the participants should be unarmed.

The police have the right to be present and should receive notice of a public gathering no later than 24 hours before the event takes place. However, in the case of failure to notify, the assembly does not become illegal. In this respect, the 24-hour deadline in the provision is not absolute. If it has not been possible to meet the deadline because the event has not been planned long enough in advance, notification of this must simply be given to the police immediately after the decision has been made.

Public meetings can be prohibited when there is a risk of disturbance to public peace and order (see the 2019 [Act on Police Activities](#), sections 4, 7, 8, and the 2005 [Order on Safeguarding Public Order](#), sections 3–5, 8, 9. While these legal acts primarily define the role and responsibilities of the police in relation to public assemblies, the



citizens' right to peaceful assembly itself is guaranteed by the 1953 [Constitutional Act](#), section 79).

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## 12.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The display of outdoor campaign materials is allowed within municipalities, along public roads and in the open countryside.

In general, the display of campaign posters which do not exceed 0.8 m<sup>2</sup> in size are not subject to prior permission, as long as they respect the detailed regulations outlined in the section 'Election posters' of the 2023 Act on Public Roads. These regulations aim at ensuring road safety and concern, in particular, the distance from the road and the height at which a poster is placed. The rules are also explained in a comprehensive manner on the website of the Mol and the Danish Road Directorate (see the relevant information on the [Danish Road Directorate](#) (2024) websites).

All other formats of campaign materials, such as larger posters, banners and screens, require prior permission from the municipality or the Danish Road Directorate.

All these regulations are designed to apply to Danish elections and elections to the European Parliament. It would require new legislation in Denmark if the same rules should apply to a foreign election campaign.

The display of outdoor advertising materials not related to Danish elections is regulated by the municipalities. This results in a wide range of diverging rules across the country. However, a common feature for this type of advertising is the necessity to request prior permission from the municipality. Notably, some municipalities require that the publicized information should be of interest to a wide range of citizens and visitors to the municipality, that the advertised activity should be open to participation for everyone, and that it takes place within the municipality.

### 12.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

The broadcasting of political advertisements on TV is forbidden in Denmark. This ban concerns advertisements for 'political parties, political movements, elected representatives, nominated candidates for elections' and also 'employers' organizations, trade unions and religious movements' (see the 2020 [Act on Radio and Television Operations](#), section 76, subsection 3, and the 2020 [Order on Advertising and Sponsorship of Programmes](#), section 14).

In addition, it is forbidden to broadcast both on TV and on public service radio station programmes sponsored by any of the following:

- employers' organizations;  
trade unions;  
political parties; and  
religious movements (see the 2020 [Act on Radio and Television Operations](#), section 83, subsection 2, and the 2020 [Order on Advertising and Sponsorship of Programmes](#), section 29).

Political advertising in print and in online media is allowed. The responsibility for the advertisement's content is jointly shared between 'the person who requested the placement of the ad, any person who assisted with this and the media editor'. The media have an obligation to publish a reply free of charge if information they published could cause any financial or other significant damage (see the 2014 [Media Liability Act](#), chapter 3, section 27, and chapter 6).

The conduct of the media, including a few generic rules in relation to advertisement, is further regulated by the 2013 [Press Ethical Rules](#), and the Danish Press Council (*Pressenaevnet*) is charged with overseeing their application.

### 12.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN

National laws do not regulate campaigns for foreign country elections.

The desk review found that the French ruling party Renaissance has a branch in Denmark and conducts campaign activities for the French elections among the French citizens residing there.

The party usually focuses on:

- conducting the campaign on social media;
- conducting in-person meetings in indoor public and private places (municipal halls, bars or restaurants); and
- sending party political programmes and election-related brochures by post to the voters, as the French Embassy provides the political parties with the Danish postal addresses of those French citizens registered to vote at the embassy.



## Chapter 13

# ESTONIA

### 13.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The 2011 Law Enforcement Act which regulates the holding of public gatherings stipulates the applicable conditions and requirements. The organizer can be an adult natural person who is a citizen of the EU or a foreigner staying in Estonia with a long-term residence permit or a permanent right of residence, or a legal entity. The organizer should notify in writing the territorially competent police prefecture no later than four working days but no earlier than three months prior to the holding of the assembly. The 2011 Act further stipulates the conditions under which a public gathering can be prohibited or terminated, and these primarily relate to maintaining public order and avoiding an immediate danger.

Further, public gatherings are prohibited if they incite hatred, violence or discrimination on the basis of nationality, race, skin colour, gender, language, origin, religion, sexual orientation, political beliefs, property or social status, or if their purpose is to commit or incite crimes.<sup>5</sup>



<sup>5</sup> See the 2011 Law Enforcement Act, section 2, on 'Public gatherings', paras 58–73. It is of note that the 1992 Constitution of the Republic of Estonia, para. 47, guarantees the right to peaceful assembly for 'everyone'. However, the Law Enforcement Act limits the extent of this right only to certain categories of people (listed in the body of the text).

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### 13.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The 2008 Advertising Act provides the municipalities with the prerogative to establish the rules for outdoor advertising, in particular to regulate the rental conditions and the place for displaying the advertisements (see the 2008 [Advertising Act](#), para. 13).

Municipalities also establish regulations to avoid the littering of public spaces and advertising materials; thus, they cannot be placed in random locations, but only in designated places. This results in a wide range of diverse rules across the country.

In practice, municipalities lease some of the advertising spaces to private companies. In this case, a contract should be established directly with these companies.

The use of advertising spaces that remain under the management of the municipality usually requires prior permission. Some municipalities specifically make provision in their regulations for the display of election campaign materials for free (see Haljala Municipality's [advertising regulations n.d.](#)).

Other municipalities require that advertisements should always be displayed in Estonian, with an added translation into a foreign language if the advertiser so wishes (see the city of Tallinn's [advertising regulations](#) in the area of heritage protection).

Advertising placed on private property requires prior consent solely from the owner.

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### 13.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

Advertising on TV and radio stations is regulated by the 2010 Media Services Act, but political advertising appearing therein is not prohibited (see the 2010 [Media Services Act](#), paras 28, 29). Notably, the Estonian National Broadcasting Company is generally not allowed to broadcast advertisements. The few permissible exceptions are not related to political or election advertising (see the 2007 [Estonian National Broadcasting Act](#), para. 11).

Similarly, political advertising is allowed in print and in online media. The press is largely self-regulated, based on the [Code of Ethics](#) from the Estonian Press Council (n.d.), which encourages good conduct. The code sets out some basic regulations for advertising, but not in relation to political advertising.

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#### **13.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

Some 6 per cent of the Estonian population are Russian citizens with dual nationality. Hence, they enjoy voting rights in Russian elections. In the past, up to nine special polling stations were organized on the territory of Estonia for these voters to cast their ballot. In terms of campaigning, these voters have regular access to Russian media channels and also consume information on social media. Estonian political scientists consulted were not aware of any other type of campaign activities conducted in Estonia by Russian political parties (e.g. no in-person gatherings or rallies with or without the participation of Russian politicians, no party branches established, no sending of election brochures by post).

## Chapter 14

# FINLAND



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### 14.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The legislation provides that everyone has the right to peaceful assembly (i.e. Finnish citizens as well as foreigners; see the [Assembly Act 1999](#)).

Meetings can be organized by persons who have reached 15 years of age, as well as by a community or a foundation. A written or verbal notice for gatherings held outdoors in public places must be made to the police at least 24 hours in advance. A notice made later can also be considered valid if the organization of the meeting does not cause unreasonable harm to public order. While the law does not foresee the possibility of prohibiting a public gathering, the police have the right to issue instructions during the assembly, or interrupt or terminate it for reasons related to maintaining public order and security.

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### 14.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Areas for display of advertising materials are provided both by municipalities and by private providers.

Municipalities are in charge of regulating advertisements on their territory and often lease some outdoor advertising spaces to private

operators. In this case, a contract is made directly with the private provider.

In addition, municipalities also determine the public spaces designated for the display of advertisements and retain the management of the rental procedures. The use of these spaces usually requires prior permission from the municipality. Although it is not legally mandated, the municipalities usually provide public spaces for the advertisements placed by contestants during the Finnish elections. They tend to provide very detailed local regulations for this type of advertising in terms of size and distance from the road, but not in terms of their content (see the [Elections Portal](#), and an example of regulations for outdoor election advertising is available in [Lohja Municipality](#) n.d.).

The regulations should be read in conjunction with the regulations on roadside advertising issued by the Finnish Transport and Communications Agency, which focus on the safety of the traffic but, as in the case of municipalities, not on the content of the advertisements (see the 2005 Regulations on Roadside Advertising and announcements by the Finnish Transport and Communications Agency).

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### 14.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

In general, the exercise of freedom of speech in mass media applies equally to Finnish citizens and foreigners (see the 2003 [Act on Using Freedom of Speech in Mass Communication](#) and the government's 2002 [justification](#) for the need to introduce this act).

Political advertising on TV and radio is not forbidden. The few rules that apply to advertising in these media are detailed in the 2014 Act on Electronic Communication Services. However, they are more relevant for the media operators than for the advertisers themselves (see the 2014 [Act on Electronic Communication Services](#), chapter 26, on 'Marketing'). Similarly, political advertising is not forbidden in print or in online media.

At the same time, all types of media have the obligation to publish:

- a reply in the case where a private person considers a message to be offensive; and
- a rectification if any information published about a private person, a community or a foundation is incorrect.

The request for both means of redress needs to be presented directly to the responsible editor (see the 2003 [Act on Using Freedom of Speech in Mass Communication](#), chapter 3, on 'Reply and correction').

Political advertisements are not regulated by the general legal acts on advertising and are not within the jurisdiction of the Advertising Ethics Council. Similarly, the 'Guidelines for journalists', a self-regulating document established by the Council for Mass Media, do not contain any specific rules for publishing political advertising (see the [Council for Mass Media in Finland](#), 'Guidelines for journalists').

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#### **14.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 15

# FRANCE

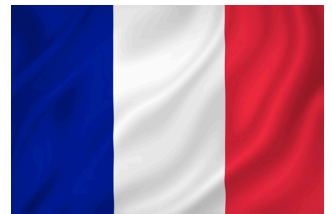
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### 15.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The national laws guarantee the right to peaceful assembly for all citizens.

The French Internal Security Code (2012a) provides detailed regulations in relation to public gatherings (see the Internal Security Code, chapter 1, sections 1 and 5). The latter are not subject to prior authorization. However, at least 3 days and no more than 15 days prior to the date of the assembly, the organizer should notify the municipal authorities of the place where the assembly will be organized and, in the case of the city of Paris, the notification should be submitted to the police. In all cases, the police have the right to ban the gathering if they deem it is of a nature to disturb public order. Such a decision may be appealed in an administrative court.

All details related to calling a public assembly, and specifically to the rights and obligations of the organizer and participants, are explained in a comprehensive manner on a government information portal run by the Office of the Prime Minister (see the [relevant information](#) on the government information portal, République Française 2023).



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## 15.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Areas for the display of advertising materials are provided both by municipalities (designated public places) and by private providers.

In addition to the national rules on outdoor advertising, the municipalities can further restrict the areas where advertising is allowed (see the [Environmental Code](#) 2012b, section on 'Outdoor publicity', articles R581-22 to R581-57).

Municipalities designate special places for candidates for campaign advertisements and posters for French elections. Contestants may display outdoor campaign materials only in public areas specifically designated for this purpose.

Private advertising is separately regulated (see Authority on the Professional Regulation of Publicity n.d.). When advertising (including billboards, light boards) managed by a private provider is situated on municipal land, the mayor can request the removal of specific publicity which may invoke the risk of disturbing public order. This decision may be appealed in an administrative court.

Any advertisement in a foreign language must be accompanied by a French translation (see the 1994 [Law 'Toubon'](#) on the Use of the French Language, article 2).

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## 15.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

Political advertising in broadcast and online media is prohibited at all times (see the 1986 [Law 'Léotard'](#) on Freedom of Communication, article 14).

Political advertising in print media is allowed, with the exception of six months prior to election day (see [Law 2011-412](#) on Transparency of Election Spending, article 6).

Political advertising in print media is not subject to a prior review by any public authority and is down to the decision of each print media outlet. The advertising needs to be clearly identified as such, must respect the privacy of others (see the [Civil Code](#) 1804, article 9)



and must follow other existing regulations (see the [self-regulating deontological rules](#) of the Authority on the Professional Regulation of Publicity).

Any advertising in a foreign language must be accompanied by a French translation (see the 1994 [Law 'Toubon'](#) on the Use of the French Language, article 2).

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#### 15.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN

National laws do not regulate campaigns for foreign country elections.

The desk review found multiple examples of foreign parties organizing campaign activities for the purpose of their national elections on the French territory. These included parties from the United Kingdom, Tunisia and Italy. A common feature of these campaigns is that for the organization of campaign events, these parties rely on a long-established diaspora in France, most of whom are also French citizens.

The British Labour Party has a party branch in Paris. Prior to organizing any campaign, they contact the police (*Préfecture de police de Paris*) to determine which activities are permissible. The party usually focuses its campaign on:

- in-person meetings in British-related cultural and social places, at times together with the presence of a candidate arriving from the United Kingdom (British bookshops, bars and cafés);
- distributing election brochures in these same places among British citizens;
- participating in open debates between the Labour and the Conservative parties in news programmes (France 24, part of France Médias Monde in charge of French international broadcasting); and
- advertising on social media.

1. Tunisia has 10 foreign constituencies for the legislative elections to represent their citizens established abroad, and 3 of them are situated in France. For instance, the Tunisian party Nidaa Tounes used to possess numerous party offices in France (Grenoble, Lyon, Marseille, Nice, Toulouse, etc.) and usually focused their campaign on:
  - small- and large-scale in-person meetings (the large-scale meetings were organized in rented indoor public places, such as congress centres, saw the participation of Tunisian political leaders and could attract up to 3,000 participants from all over France); and
  - advertising on social media.
2. Italy has four foreign electoral constituencies, and Italians established in France are covered by one of them. Italian politicians in France usually campaign through:
  - small-scale in-person meetings in the cultural and social spots of the Italian diaspora (mainly bars and restaurants);
  - displaying campaign materials in these same places with the consent of the owners;
  - advertising on social media; and
  - sending election brochures via postal mail to Italian voters, as the Italian embassies provide the political parties with the relevant list of addresses. (The cost is approximately EUR 1–2 per mailed letter, and the efficiency is estimated at around 10 per cent, i.e. attracting 80–100 votes for every 1,000 letters sent.)

## Chapter 16

# GERMANY

### 16.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

According to the 1953 Federal Assembly Law, an assembly is a gathering of several persons at a common place. An intrinsic link must, further, exist between those gathering together, and they must be pursuing a common purpose that is not merely coincidental.

Even though article 8 of the 1949 Basic Law only makes reference to Germans, foreign nationals are not without constitutional protection. The right of foreign nationals to organize or to participate peacefully and unarmed in gatherings derives from the general right to freedom of action, as set out in article 2.1 of the Basic Law; this right applies to all persons, that is, not only to German nationals.

Article 14 of the [1953 Federal Assembly Law](#) establishes that anyone who intends to hold a public meeting in the open air or a parade must notify the competent authority no later than 48 hours before the announcement of the event, stating the purpose of such a gathering.

Spontaneous public assemblies are nevertheless permitted under certain conditions. Authorities can deny permission to hold such a demonstration or assembly if the event could endanger public safety or order (section 15). Only restrictive judicial orders that are sufficient to avert the threat take precedence over such measures.

On private property, considerably fewer restrictions apply.

The municipalities have to authorize the following:



- billboard advertising;
- use of loudspeakers and megaphones in public streets and spaces;
- setting up of information booths in public streets and spaces; and
- use of public facilities (see The Federal Returning Officer 2023 for the information provided on election campaign advertisement).

The notification must include information on the place, time and topic of the planned gathering (see the 2021 [Freedom of Assembly Act, Berlin](#), article 12; see also the [2008 Bavarian Assembly Act](#), article 13).

Demonstrations or public assemblies may not take place within a certain distance of legislative organs and the Constitutional Court unless permission is given by the German minister of the interior or the president of the respective organ. Authorities can also forbid such events near memorials to victims of the Nazi regime, such as the Holocaust Memorial in Berlin (see Jones 2021).

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## 16.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

There is no separate law regulating the advertising of political parties for national elections, and therefore the normal regulations which businesses or associations must also adhere to apply when organizing information events and displaying election posters. In such cases, approval from the responsible municipality is necessary for displaying posters (see The Federal Returning Officer 2023 for government information provided on election campaign advertising).

The regulations can be different from one municipality to another. For example, in Nuremberg Erdogan's posters were displayed for the Turkish election campaign. This was a cause of debate and criticism, following which a city spokesperson said that the statutes should be revised to prevent election posters from foreign parties being displayed in public spaces for elections abroad ([Lisovenko 2023](#)).

### 16.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

According to section 8(9) of the 2024 [Medienstaatsvertrag](#) (Agreement on Broadcasting between the German *Länder*—relating to agreements between the *Länder* (federal states) on the media laws of the *Länder*), '[a]dvertising of a political, ideological or religious nature is not permitted' ([Die Medienanstalten](#) is the umbrella brand under which the 14 media state authorities work together).

According to section 68(2), exceptions apply only for parties participating in the elections of the German Bundestag and to the European Parliament.

Currently, there is no legal definition of political advertising. However, negotiators have reportedly reached a provisional agreement on the main political elements of a new regulation on the transparency and targeting of political advertising (see the [press release](#) by the European Council 2023). Under the provisional agreement, political advertising is defined as the preparation, placement, promotion, publication, delivery or dissemination of messages:

- by, for or on behalf of political actors, unless they are of a purely private or a purely commercial nature; or
- which are liable and designed to influence voting behaviour or the outcome of an election, referendum, or a legislative or regulatory process, at EU, national, regional or local level.

There are generally no media-related regulations at the federal level, and the activities of the broadcast media are regulated by the laws of the *Länder*.<sup>6</sup>

<sup>6</sup> According to constitutional law, broadcasting is a state matter in Germany. This also applies to broadcasting supervision. For this reason, nearly every German state has a media authority (*Medienanstalt*). Berlin and Brandenburg, as well as Hamburg and Schleswig-Holstein, have joint media authorities. See the [Basic Law for the Federal Republic of Germany](#), article 23(6).

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#### **16.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review found some examples reported in the media. According to newspaper sources, around 1.5 million Turks living in Germany were eligible to vote in the 2023 Turkish general elections. The same source affirms that nationals of countries outside the EU are prohibited from campaigning in Germany in the three months before an election in their home country (see, for example, Rinaldi and Wilke 2023; Wieder 2023).

Another source affirms that the ruling Justice and Development Party (AK Party) allegedly used their political partner organization, the Union of International Democrats (UID), to campaign. Campaign events took place not as political events but as cultural or religious events (see, for example, the [article from ZDF](#)).

## Chapter 17

# GREECE

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### 17.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The 2020 [Law on Public Outdoor Meetings](#) requires prior notification only for outdoor gatherings, stationary or moving assemblies. The notification is made to the local police or port authority, in writing or electronically through the online platform of the Hellenic Police, and should be submitted in good time before such a gathering. The notification must include the identity and contact details of the organizer, the exact place, the start time and the estimated end time, the purpose, and the proposed itinerary of the gathering. The organizer may be a natural person or the legal representative of a legal person or association of persons. A decision to place restrictions on or to ban a public outdoor assembly may be appealed to the Greek Council of State or in an administrative court.



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### 17.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The 2007 [Law on the Election of Members of Parliament](#) (last amended in 2023) regulates different aspects of campaigning, but it is only applicable to national elections.

Municipal authorities are authorized to allocate spaces for outdoor advertising, and the installation of permanent or temporary outdoor advertising is subject to permits (see the 2001 [Law on Outdoor Advertising](#)).

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### **17.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)**

Paid advertising on traditional media is prohibited, and free airtime is determined by an interparty committee. Paid advertising on social media and websites is unregulated.

The 2021 [Law No. 4779](#) Incorporating the EU Directive on Audiovisual Media Services defines audiovisual commercial communication as images intended for direct or indirect promotion of goods, services or the image of a natural or legal person exercising an economic activity.

TV advertising is further defined in article 2.1 as a form of communication that concerns the promotion of a public or private enterprise or natural person in the context of a commercial, industrial or craft activity or profession, with the aim of promoting the provision of goods or services, or a set of rights and obligations. These provisions imply that political promotion cannot be regarded as advertising, and there may be no legal basis to contract such a promotion.

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### **17.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.



## Chapter 18

# HUNGARY

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### 18.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The [2018 Law on the Right to Assemble](#) provides that meetings can be organized by Hungarian and EU citizens and residents, as well as Hungarian legal entities whose legal representatives are such individuals.

For public meetings in public areas, notification should be given to the respective regional police department, no later than 48 hours before the public announcement of such a meeting. Notification can be made in person, by post or electronically. It should include the name and contact details of the organizer; the location (route); start and end date; purpose; number of 'directors' (stewards responsible for security); expected number of participants; and whether police presence is requested.

If the police issue a decision to impose restrictions or ban the meeting, this can be appealed in an administrative court within three days.

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### 18.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The 2013 Act on Election Procedure applies to parliamentary, local, national minority self-government and European Parliament elections (see the [2013 Act on Election Procedure](#), article 1).



The 2008 Law on the Basic Conditions and Certain Limitations of Economic Advertising Activity sets out general conditions for advertising contracts and, *inter alia*, requires that advertisers provide to advertising agencies their registered address and tax number (see the [2008 Law on the Basic Conditions and Certain Limitations of Economic Advertising Activity](#), article 5.1).

Placement and use of outdoor advertisements is regulated by municipality ordinances (see the [2016 Law on the Protection of the Image of a Settlement](#), article 3.1d).

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### **18.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)**

The [2010 Law on Media Services and Mass Communication](#) permits political advertising in media services only during the election campaign period.

According to article 32.3, outside the election campaign period, political advertising may only be published in connection with an already announced referendum.

Article 203.55 defines political advertising as a programme which appears or is published in a similar way to an advertisement, for the purpose of promoting or encouraging the support of a political party, political movement or government, or promoting their name, aims, activities, slogan or emblem.

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### **18.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 19

# IRELAND

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### 19.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

There is no national legislation regulating public gatherings.

Procedures for public gatherings, including a requirement to notify the authorities, are outlined in various regulations, by-laws and guidelines at the local level or by the National Police Service (Garda Síochána). For example, for the Dublin municipality, an application for permission to use the public domain for outdoor events (with an anticipated audience attendance of fewer than 5,000 people) has to be submitted at least eight weeks before the event (see the Dublin City Council [Event Application Process](#)). Other municipalities can have different requirements.



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### 19.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The Irish legislation does not specify whether posters with political advertising are considered to be commercial or non-commercial publicity. The display of campaign posters is subject to detailed regulations, but only during the Irish election period. The rules applicable to posters with political publicity outside the election period are unclear.

It is forbidden to display non-commercial posters in publicly visible places, including trees, gates, poles and posts (see the

[Litter Pollution Act 1997](#): section 19(1), and the [Protection of the Environment Act 2003](#): section 56). These restrictions can be lifted in individual municipalities through local regulations; for example, when a politician may pay to advertise on a bus stop. In such cases, an application must be made to the local authorities to obtain a permission to display posters on public property.

A poster advertising a public meeting may be erected at any time, as long as it is not an advertisement for an auction. The poster may be in place for up to 30 days before the meeting, and it must be removed within 7 days of the date of the meeting specified on the poster. The poster must contain the name and address of the person promoting the meeting (see the [Litter Pollution Act 1997](#): section 19(1)b(i), and the [Protection of the Environment Act 2003](#): section 56).

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### 19.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

A [2022 Online Safety and Media Regulation Act](#) prohibits paid political advertising on TV and radio. This prohibition is reiterated in the soft law of the Broadcasting Authority of Ireland [General Commercial Communications Code](#) (n.d.), which outlines the commercial communications that are prohibited.

The 2022 Electoral Reform Act states that ‘a person resident outside the State shall not, directly or indirectly, purchase an online political advertisement for placement, display, promotion or dissemination in the State’ (see the 2022 [Electoral Reform Act](#), article 125.5).

This article only concerns online advertisements and appears to limit undue foreign influences for domestic elections, which may also have an implication for foreign election campaigns.

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#### **19.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 20

# ITALY



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### 20.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The provincial police offices (*Questura*) have to be notified of the organization of rallies and gatherings at least three days before the event (see the [Law on Public Security](#) 1931: article 18). In addition, municipalities may apply their own regulations in this respect, since it is a matter that is at the discretion of the municipal authorities. Therefore, a notification also has to be submitted to the municipality where the event is planned.

Furthermore, the Mol has issued guidelines to regulate the conditions under which public events may be organized, with the aim to guarantee public safety (see the Mol [circular](#) of 18 July 2018 on organizational and procedural models to guarantee high levels of safety during public events).

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### 20.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The display of posters also falls under the authority of the municipalities. Each municipality approves the display of materials according to their own regulations. Thus, authorization has to be obtained from the respective municipality under terms which may vary from one municipality to other.

According to Tax Law 160/2019, municipal authorities may apply local taxes to the display of posters or the use of public places for advertising (political or commercial). Any fees charged are also at the discretion of the municipalities, who may also waive them (see [Rodl & Partner 2024](#)).

The fees are applied on a daily or yearly basis. In addition, the Highway Code regulates the advertising along roads and on vehicles (see the [Highway Code 1992](#): article 23).

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### 20.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

Political advertising, as well as general political communications, are regulated by [Law No. 28 from 22 February 2000](#) governing equal access to media platforms during electoral campaigns. Article 2.2 defines political communication as ‘the broadcasting of programs containing political opinions and evaluations on radio and television media’.

The rules for TV advertising are mainly defined by the [Self-Regulatory Code for Commercial Communication](#), managed by the Institute of Advertising Self-Discipline (2024). Some of the main rules for advertising include truth and fairness, as well as respect for ethical norms (advertising must not contain offensive, vulgar, defamatory or harmful content for any category of people, and ethical and social values must be respected).

Advertising must also comply with all the applicable Italian laws, must not have content that may physically, morally or psychologically harm minors, and it must not promote any kind of discrimination.

Print media and the Internet are generally unregulated during elections. In the past, the regulatory body initiated self-regulatory guidelines, based upon which Facebook and Google agreed to provide equitable access for all contestants to their platforms, to clearly identify paid political advertisements.

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## **20.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.<sup>7</sup>

The desk review identified some examples of foreign campaigning. For example, for the 2019 elections in Tunisia, some parties campaigned for the electorate resident in Italy. However, the authorities from one of the municipalities with the highest presence of Tunisian diaspora (Mazara del Vallo) noted that they had not been informed or notified of such events.

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<sup>7</sup> Some representatives interviewed within the parameters of the desk review (in Bologna, Padova and Mazara del Vallo) opined that political campaigns for non-Italian elections could be regulated by laws covering commercial advertising. However, no legal basis has been provided.



## Chapter 21

# LATVIA

### 21.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The [1997 Law on Meetings, Processions and Pickets](#) provides that organizers of such events must be over 18 and should either be Latvian citizens or entitled to receive a non-citizen passport, or hold a permanent residence permit.

A prior application to the local government in the administrative territory of which the event is to be held is necessary, except for events that are closed; not publicly announced; organized by state institutions or local governments; organized on the premises or territory of a trade union or on rented premises; or organized indoors.

The application shall be submitted not later than 10 working days before the day of the event. If an event is organized for an incident about which it was reasonably impossible to know earlier than 10 working days in advance, the application shall be submitted as soon as possible, but not later than 24 hours before the event takes place.

The application shall specify the type and purpose of the event; date, start and end time; venue and route; planned number of participants; support requested from local government and police; organizers; manager of the event; and assistants to the event manager and persons tasked with maintaining order.

The local government may impose limitations or prohibitions no later than five days before the event. This decision may be appealed in an administrative court.



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## 21.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The [1999 Advertising Law](#) requires a permit from the relevant local government or its institutions to place advertising in public places and in places facing a public place.

Local governments are entitled to issue binding regulations regarding placing advertisements in public places or in places facing a public place, providing restrictions on the size, type, light and sound effects of the advertisement according to the environment and the architecture of buildings and structures, as well as determining the places in which the dissemination of advertising for individual goods, groups of goods or services is prohibited.

The same law prohibits 'violence and war propaganda' in advertising.

The procedure for issuing advertising permits by municipalities is regulated in the [2012 Cabinet Regulation on the Placement of Advertising in Public Places](#) (No. 732), which includes requirements for applications. However, these rules do not apply to 'pre-election campaign materials'.

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## 21.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

The 2010 [Law on Electronic Media](#) sets general rules and restrictions on commercial advertising (chapter 6).

Article 28.6 of the same law provides that advertisements are placed in programmes in the language of the programme or in the national language.

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#### **21.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 22

# LITHUANIA



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### 22.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

According to the [1993 Law on Assembly](#), meetings can be organized by Lithuanian and EU citizens over the age of 18, permanent residents of Lithuania and legal entities registered in Lithuania.

Organizers of a meeting with more than 15 participants must notify the municipal authorities no later than 4 working days before the meeting. The notice should provide the organizers' contact details and specify the form and content of the meeting; date, start and end time; place (route); expected number of participants; and wishes regarding police maintenance of public order.

The decision (or inaction) of the mayor may be appealed to an administrative court within two days.

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### 22.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The [2000 Law on Advertising](#) provides that outdoor advertising must be installed in accordance with the provisions of the legal acts governing the design, architecture, construction, protection of cultural heritage objects and landscape, territorial planning, traffic safety and the use of the state language.

According to article 12.5, the rules for the installation of outdoor advertising are set by the municipal authority and/or territorial planning documents. However, political advertising is explicitly excluded from the scope of this law. Article 1.5 provides that this law does not regulate political and social advertising and announcements that are not related to economic, commercial, financial or professional activities.

At the same time, rules on outdoor political advertising, as defined by the [2022 Election Code](#) (articles 1.1 and 98), only apply to national and European Parliament elections.

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### **22.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)**

The [2006 Law on Public Information](#) regulates advertising in the media, but it refers to the 2022 Election Code for political advertising (see article 39.16).

At the same time, rules on outdoor political advertising, as defined by the [2022 Election Code](#), only apply to national and European Parliament elections (see articles 1.1 and 98).

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### **22.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

However, according to the [2022 Law on Political Organizations](#), political parties and political organizations of other states and their branches may not be established or operate on the territory of Lithuania (see article 4.2).

This prohibition does not apply to European political parties, whose establishment and activities are regulated by EU Regulation No. 1141/2014.

The desk review did not identify any such practices.

## Chapter 23

# LUXEMBOURG



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### 23.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The police regulations specific to each municipality establish the rules and conditions for public gatherings and demonstrations. As a general rule, the mayor's authorization is required for any person, association or club wishing to organize any public event on public roads that could compromise public order (see the [information](#) portal on obtaining a permit for the organization of a public event, party or fireworks display, Guichet.lu n.d.).

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### 23.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

According to articles 38 and 39 of the [Law on Municipal Planning and Urban Development](#) 2004, the municipal authorities have to be contacted to seek permission to put up posters in public spaces. According to the same law, the municipalities also have to publish the requirements for advertising in the public domain.

Generally, ahead of each election, the Roads and Bridges Administration issues regulations regarding the installation of

campaign signs. This was the case, for example, during the 2023 municipal and legislative elections.<sup>8</sup>

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### 23.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

The 2001 [Grand Ducal Regulation](#) sets the rules applicable to commercial communications in audiovisual media services. However, it does differentiate between political and commercial advertising.

The definition of TV advertising provided by the Independent Audiovisual Authority of Luxembourg (Autorité luxembourgeoise indépendante de l'audiovisuel, ALIA) encompasses any form of message made with the aim of promoting the provision of goods or services for payment (see the [communication](#) from ALIA on 'Commercial communications'). This seems to exclude political advertising.

In the framework of national elections, the ALIA develops guiding principles concerning the conditions for the production, programming and dissemination of electoral messages by political parties (see the [communication](#) from ALIA on 'Commercial communications', n.d.). The ALIA is tasked to produce and broadcast political information using 'open forums' reserved for national parties (see the [Law on the Electronic Media 1991: article 35](#)).

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### 23.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

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<sup>8</sup> See the Roads and Bridges Administration [communication](#) of 19 May 2023 (Luxembourg 2023). The communication specifies that political parties must first apply for temporary authorization to occupy the public domain (*autorisation de voirie*) from the regional service concerned (or from the Ministry of Mobility and Public Works for legislative elections). In the same communication, it is stated that the display is subject to the rules of good practice, in order not to create dangerous road safety situations. Thus, it is forbidden to place electoral signs in the area of highways, a crossroads or a roundabout.

## Chapter 24

# MALTA



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### 24.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The primary legislation governing assembly in Malta is the 1931 Public Meetings Ordinance. Public rallies, including during election campaigns, may take place within 48 hours of notification to the police (see the [Public Meetings Ordinance](#) [last amended in 2007], articles 3 and 6). Article 2 of the ordinance defines 'meeting' or 'public meeting' as 'any gathering of more than twenty persons assembled for the public discussion of any matter, in any public street, square or open space and includes a demonstration'. According to article 3, every person over the age of 18 years and every association of such persons is allowed to hold a public meeting.

Lastly, article 4 provides that a notification has to mention whether the object of the notice is a demonstration or any other meeting; the place, date and time of the meeting; and the forename and surname of the person providing the notice, and their address.

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### 24.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Two subsidiary legislations, [SL 552.28](#) on Billboards and Advertisements Regulations of 2 February 2018 and [SL 499.32](#) on the Placing of Billboards and Advertising on the Road Regulations of 30 July 2004, regulate the display of posters and billboards. According to article 3 of SL 552.28, permission from the authorities



has to be obtained to display advertisements in any place visible from the road, or on any vehicle placed on the road or visible from the road.

A political advertisement is considered to be any displayed message 'which is used for the display of material which relates exclusively to a general election or to a referendum or to an election for local councils and which is displayed not earlier than three months before the date on which such election or referendum is to be held and not later than one week from the official announcement of the result of such election or referendum'. In addition, political advertisements are exempt from requiring permission.

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### 24.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

Advertising in the media is regulated by the 1991 [Broadcasting Act](#) (Laws of Malta, chapter 350), the 1998 [Electronic Communications \(Regulation\) Act](#) (Laws of Malta, chapter 399) and the 2018 [Media and Defamation Act](#) (Laws of Malta, chapter 579).

According to the Broadcasting Act, 'broadcast' means the initial transmission of radio or TV programmes or of any audiovisual material. 'Advertising' is defined as the promotion of the supply of goods or services, and no political content or message is mentioned.

It is the duty of the broadcasting authority to verify that due impartiality is preserved in respect of matters of political or industrial controversy, or relating to current public policy; and to organize from time to time the scheduling of political broadcasts (including political spots) which fairly apportion facilities and time among the different political parties represented in parliament (see the [Broadcasting Act](#)).

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### 24.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 25

# NETHERLANDS



### 25.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

The [2010 Public Manifestations Act](#) mandates municipal councils to establish rules by ordinance regarding the cases in which prior notice is required for meetings and demonstrations in public places. These rules must specify the time at which the notification must be made, the information to be provided with the notification and the provision of proof of receipt to the person making the notification.

In 2021, the Ministry of Foreign Affairs (MFA) adopted a policy that all representatives of a foreign government must notify the MFA in advance if they intend to travel to the Netherlands to undertake a campaigning activity (see MFA 2021).

In addition, representatives of a foreign government from outside the EU are not allowed to campaign in the Netherlands within three months prior to elections in their country. This includes, among others, ministers, mayors, other (high-ranking) civil servants and parliamentarians/opposition members who hold a position in a state body.

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## 25.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The [1989 Elections Act](#) applies only to Dutch elections (see the preamble). No provisions for foreign election campaigns are included in this law.

Municipal regulations impose rules about election posters, stalls, use of sound vans and other campaign activities in Dutch elections (see information on the [municipal election campaign regulations](#), Kiesraad n.d.). Election posters are not considered to be advertising during Dutch election campaigns.

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## 25.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

For national and local elections, parliamentary parties are all allocated equal portions of free airtime in the public media on an annual basis. Political parties can buy advertising time in special advertising blocks.

According to article 6.9 of the 2008 [Media Act](#), the Media Commissioner may grant permission to natural or legal persons to provide a broadcasting service via a broadcasting channel for a special purpose, with limited reach and of a limited duration.

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## 25.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN

National laws do not regulate campaigns for foreign country elections as such, but restrictions apply through policy documents. More specifically, non-EU member state representatives are not allowed to campaign in the Netherlands within three months prior to elections in their home country.

The desk review found a number of news examples attesting to some practices of foreign campaigning or attempts to do so, as follows.

In May 2015, the Turkish Foreign Minister Mevlüt Cavusoglu arrived in Rotterdam to encourage Turkish citizens living in the Netherlands to vote for the Justice and Development Party (AK Party).

In November 2015, the then Prime Minister of Türkiye, Ahmet Davutoglu, sent a letter to Turkish citizens living in the Netherlands, calling on them to vote for the AK Party. The letter included promises such as a 20 per cent discount on Turkish Airlines flights and child benefits for Turkish women abroad.

In March 2017, a former Turkish deputy prime minister and opposition parliamentarians were in the Netherlands to argue against the introduction of a presidential system in Türkiye. In early March 2017, the MFA rejected a formal request from the Turkish Government to facilitate a visit by Foreign Minister Cavusoglu to Rotterdam to campaign for the Turkish referendum.

## Chapter 26

# POLAND

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### 26.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

Article 5 of the [2015 Law on Assemblies](#) authorizes municipal councils to determine places where organizing a meeting does not require prior notification.

Otherwise, prior notification to the municipality is required no earlier than 30 days and no later than 6 days before the planned date of the meeting. The notification shall be made by the organizer in writing, by fax, orally for the record or by means of electronic communication. It shall contain the organizer's name and personal number (or ID number) and contact details; purpose of the meeting; date, time and place, expected duration, expected number of participants and possible route; and information on measures to ensure the peaceful course of the assembly.

The municipality may propose changes to a meeting with the organizer. An assembly may be banned no later than 96 hours before it is planned to take place, and this decision may be appealed in court.

A simplified notification procedure is available if the planned assembly will not cause difficulties for road traffic, and in particular will not cause changes in its organization.



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## 26.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

The [2011 Election Code](#) applies only to elections held in Poland. According to the code, all electoral material should bear a clear indication of the election contestant from which they derive. Posters and election slogans may be placed on the walls of buildings, public transport stops, announcement columns, fences and other places only after obtaining the consent of the owner or property manager of the facility.

Immediately upon the commencement of an election campaign, the mayor of a municipality allocates an adequate number of places for the free posting of official notices of the election, and election posters and billboards for all election contestants.

Placement of other advertisement materials is subject to various rules and regulations adopted by the government or each municipality (see, for example, the [information](#) provided by the government of Poland on general advertising, updated in 2023). Municipal councils hence specify the rules and conditions for placing advertising boards.

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## 26.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

Article 24.1 of the [1992 Radio and Television Act](#) requires entities participating in elections to be provided with the opportunity to disseminate election programmes through public broadcasters.

Contestants are provided with free airtime in the media based on the results of the previous elections.

The print and online media are not regulated specifically for the elections.

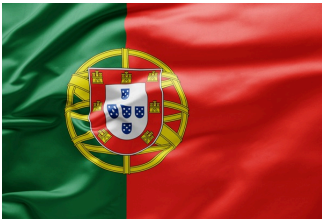
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#### **26.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review did not identify any such practices.

## Chapter 27

**PORTUGAL**

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**27.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT**

The 1974 [Decree-Law No. 406/74](#) guarantees the right to peaceful assembly for citizens. The legislation is silent about the application of this right to foreigners.

Decree-Law No. 406/74 further provides the conditions for organizing public gatherings. Their holding is not subject to prior authorization; however, organizers of an event must notify the respective municipal council in writing at least two working days prior to an event.

The authorities can prevent the holding of public gatherings for various reasons, including to protect public order, and in cases where the purpose of the gathering is contrary to law or morals or offends the honour of sovereign bodies and the armed forces. Such a decision can be appealed in the ordinary courts.

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**27.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS**

Political advertising in the form of displays of outdoor materials is allowed. Areas for the display of advertising materials are provided both by municipalities and by private providers.

In general, each municipality is responsible for safeguarding the urban and environmental balance and, in cooperation with other



relevant state authorities, is responsible for granting licences to private advertising companies and determining the licensing conditions, as well as the advertisement areas and support structures (billboards, light panels, etc.).

In a parallel procedure, the municipality also determines the public spaces designated for the display of advertisements and their conditions. The use of these spaces usually requires prior permission from the municipality (see the 1988 [Law on Posting Advertising Messages](#) No. 97/88).

Further, the 2015 Law on the Statute of the Roads of the National Highway Network specifies the conditions for the display of advertising materials along the sides of roads and in pedestrian areas. Among others things, the law stipulates that the advertising must not interfere with the normal visibility conditions of the drivers, cannot be confused with road signs, must respect the light conditions, and pedestrians must always have at least a 1.5 m lane for circulation (see the [Law on the Statute of the Roads of the National Highway Network](#) No. 34/2015, articles 60–62).

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### **27.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)**

Parties contesting in national elections (at least a quarter of seats, and in at least a quarter of constituencies) are entitled to free airtime on public and private TV and radio broadcasters (see [Television Law](#) No. 27/2007, article 59).

Free airtime on national broadcasters is allocated proportionally according to the number of candidates nominated by the eligible parties, and airtime on regional broadcasters should be allocated equally among all contestants in the respective constituencies.

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### **27.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

However, the desk review found some examples of foreign campaigning.

The French political party Renaissance has a branch in Portugal and conducts campaign activities among the French citizens residing there.

They usually focus on:

- conducting the campaign on social media;
- conducting in-person meetings in indoor public and private places (municipal halls, bars or restaurants); and
- sending party programmes and election-related brochures by post to the voters.

The consulted party representatives in Italy also confirmed that they used the same means of campaigning in Portugal.

## Chapter 28

# ROMANIA

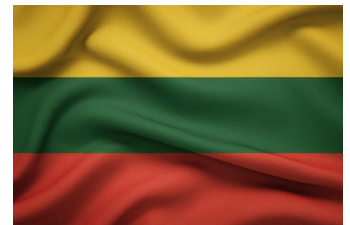
### 28.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

During the electoral campaign, candidates, political parties, political alliances, electoral alliances, organizations of citizens belonging to national minorities, and citizens with the right to vote have the right to express their opinions freely and without any discrimination, through rallies, gatherings, direct communication with voters, use of TV, radio, print media, electronic media and other mass media (see [Law No. 334/2006](#), article 3. However, the 2003 [Constitution](#) guarantees everyone's right to assembly).

Article 6 of [Law No. 60/1991](#) establishes that for the organization of public assemblies, applicants will have to address, in writing, the mayor of the respective administrative-territorial unit. Article 7 further determines that the organizers of the public gatherings will have to submit a written declaration to the municipal, city or communal town halls, at least three days before the date of the event.

The declaration must include: the name by which the organizing group is known; the purpose; the place, date, start time and the duration of the event; the inflow and outflow routes; the approximate number of participants; the persons empowered to ensure and be responsible for the organizational measures; and the services they request from the local council, the local police and the Gendarmerie.

During the electoral campaign, all candidates are provided, on an equal basis, with appropriate spaces to meet with voters (see [Law No. 208/2015](#) on the election of the Romanian Senate and Chamber



of Deputies, as well as for the organization and functioning of the Permanent Electoral Authority, article 65).

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## **28.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS**

Article 271 of the 2003 Fiscal Code states that any person who uses a panel, display or display structure for advertising and publicity in a public place owes the payment of an annual fee to the budget of the local public administration (see [Fiscal Code](#) Law No. 571/2003). The fee for a display for the purpose of advertising and publicity is recalculated to reflect the number of months or the fraction of a month in a calendar year in which it is displayed for the purpose of advertising and publicity.

The [Law No. 185/2013 on the Placement and Authorization of Advertising Media](#) defines advertising as ‘the activity and inscription with the role of alerting or convincing the public of the quality of a service, a product or an idea’. Political ideas could fit this definition.

Articles 28 to 30 of Law No. 185/2013 define the rules for displaying posters on the streets and roads.

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## **28.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)**

In the case of elections held in Romania, the broadcast media’s coverage of the election campaign is regulated by the election law, as well as regulations issued by the National Audiovisual Council for each election (see, for example, European Audiovisual Observatory 2020 for [a summary](#) of the regulations for the 2020 local elections campaign coverage).

Provisions for broadcast media require an equitable, balanced and fair coverage of the contestants.

Online and print media are not bound by such regulations.

According to the media-related laws, any other TV advertising is any form of message broadcast in exchange for a payment or for

self-promotional purposes, by a public or private legal entity, or by a natural person, in connection with a commercial activity, branch of activity, trade or profession, to promote the provision of goods and services, including real estate, rights and obligations (see [Broadcasting Law](#) No. 504 of 2002 and [Audiovisual Law](#) No. 190, as modified by Law 190/28 of June 2022).

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#### **28.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

The desk review found an example during the 2018 parliamentary elections in Hungary.

Billboards sponsored by a local chapter of the Democratic Alliance of Hungarians in Romania (UDMR) Party appeared in Romania's Transylvania region, calling for Hungarians to register to vote. Another local branch announced that it was launching a phone campaign to encourage local Hungarian citizens to register (see Bayer 2017).

## Chapter 29

**SLOVAKIA**

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**29.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT**

The 1990 [Law on the Rights of Assembly](#) provides that citizens have the right to peaceful assembly. The legislation is silent about the application of this right to foreigners.

The organizer should be a Slovak citizen above 18 years of age, a Slovak legal person with a main office situated in Slovakia, a foreign legal person with a firm or a unit situated in Slovakia, or a group of persons. Public assemblies are not subject to prior authorization. However, at least five days and no more than six months prior to the date of the assembly, notification in writing must be submitted to the municipal authorities of the place where the assembly will be organized. This allows the law enforcement agencies to ensure public order.

Although prohibitions of public assemblies are rare, the municipal authorities can, under certain circumstances related to maintaining public order, safety and protecting human rights, health and property, forbid the holding of an assembly.

Details related to calling a public assembly, and specifically to the rights and obligations of the organizer and participants, are explained in a comprehensive manner by the Mol (see the [relevant information](#) on 'Gatherings' on the Mol website, Slovakia Mol n.d.).

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## 29.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Areas for display of advertising materials are provided both by municipalities (designated public places) and by private providers.

The [1990 Law on Municipalities](#) allows the local governments to self-regulate the display of advertising materials (see paras 4n, 6 and 27b). Thus, each municipality is free to decide on the amount and extent of advertising spots, on the rental cost and any other applicable rules. A political party must enter into contact with the specific municipality where they wish to display the campaign materials to discuss the feasibility and the conditions of their political advertising (see also [Law 372/1990 Zb.](#) on Offences, para. 47d).

In addition to public entities, there are also private providers who determine their own conditions of advertisement. Private providers offer advertising in particular on large-scale billboards.

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## 29.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

The 2022 Law on Media Services forbids political advertising on TV and radio stations, in on-demand audiovisual media services and on platforms for sharing video content. An exception to this ban is the broadcasting of political advertising by the candidates for Slovak elections during the respective campaign periods (see [Law 264/2022 Z. z.](#) on Media Services, paras 98 and 99).

Political advertising is allowed in print and in online media, and the latter are not responsible for the published content. Nevertheless, these media have the obligation to publish a statement by a physical or a legal person if their 'honour, dignity, privacy or reputation' was infringed in a communication the media released. The publication of the statement must be requested by the aggrieved party (see [Law 265/2022 Z. z.](#) on Publications).

Political advertising on social media platforms is regulated to some extent, but only for the candidates and parties running for the Slovak elections. Thus, political advertising on social media is mostly subject to the internal rules of the providers (Meta, YouTube, X, etc.) and general EU regulations.

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#### **29.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

In 2013, Slovak citizens of Hungarian descent, long established in the southern parts of the country and concentrated geographically in a few municipalities, gained the voting right for Hungarian national elections. Since then, there have been a few instances of Hungarian politicians organizing in-person campaign meetings in some indoor private facilities situated in the municipalities in question.



## Chapter 30

# SLOVENIA

According to article 3 of the 1994 Political Parties Act, '[a] party that is not registered in accordance with the provisions of this law or a party that is based abroad may not operate in the Republic of Slovenia'.

According to article 3.8 of the 2007 Election and Referendum Campaign Act '[i]n the Republic of Slovenia, it is not allowed to conduct an election campaign for elections in another country'.



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### 30. 1. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN

Slovenian legislation restricts such activities, including campaigns by foreign political parties on the territory of Slovenia.

The French political party Renaissance, which possesses numerous party branches in other EU countries, confirmed that conducting campaign activities in relation to French elections in Slovenia is illegal. Unlike in many other countries, they thus do not campaign in Slovenia.

## Chapter 31

# SPAIN



### 31.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

Article 2 of the 1983 [Organic Law on the Right of Assembly](#) provides that meetings do not require prior notification if they are held, *inter alia*, by natural persons in their homes and by political parties, associations, foundations and other organizations in closed places, for their own purposes and through a call that reaches exclusively their members or other persons nominally invited.

Notifications for meetings in places of public transit and demonstrations must be submitted in writing to the corresponding government authority by the organizers or promoters, at least 10 calendar days in advance (and 30 at most). If they are legal entities, the communication must be made by their representative.

The notification should state: the name, address and official identification document of the organizer(s); place, date, time and expected duration of the meeting; its object; projected itinerary; and security measures provided by the organizers or requested from the government. Modifications or bans imposed by the government authority may be appealed in court.

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## 31.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS

Article 1 of the 1985 Organic Law on the General Electoral Regime applies only to elections held in Spain.

City councils have the authority to regulate the placement of outdoor advertising such as posters.

Campaign activities would have to comply with the general principles and requirements for advertising, including the 1988 [Law on General Advertising](#).

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## 31.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)

The 1985 Organic Law on the General Electoral Regime applies only to elections held in Spain.

The general principle of this law, as articulated in article 60.1, is that electoral advertising cannot be contracted to publicly owned media or private TV stations.

According to article 58.1, candidates in elections may advertise in the periodical press and on privately owned radio stations, without exceeding 20 per cent of the expenditure limit for the parties or other formations.

Article 121.1 of the 2022 Law on General Audiovisual Communication defines audiovisual commercial communication as images or sounds intended to promote, directly or indirectly, the goods, services or image of a natural or legal person dedicated to an economic activity (see the [2022 Law on General Audiovisual Communication](#)).

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## 31.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN

National laws do not regulate campaigns for foreign country elections.

However, the desk review identified a number of examples of campaigning.

In August 2023, a campaign event was organized in Madrid by the Movimiento Revolución Ciudadana, supporting the candidacy of Luisa González in the presidential election in Ecuador (see the [news article](#) in *El País*, Garcia 2023). The event was held at the headquarters of the Labour Union in Madrid. Some 200,000 registered Ecuadoreans live in Spain.

Ahead of the 2022 presidential election in Colombia, candidate Gustavo Petro held campaign events in Barcelona and Madrid in January 2022, days before the deadline for registration for overseas voters (see Giardano 2022). Spain is home to around 270,000 registered Colombians, few of whom vote.

During the 2011 and 2021 presidential campaigns in Peru, organizations of expatriate Peruvians in Spain organized events against the presidential candidate Keiko Sofía Fujimori, daughter of former dictator Alberto Fujimori (see the [news article](#) in *Público*, Albin 2021).

In September 2019, Argentina's presidential candidate Alberto Fernández held a campaign event in the Constitutional Chamber of the Spanish Congress of Deputies. He was invited by the left-wing Spanish party Podemos, to the surprise of the opposition parties, who launched a formal complaint (see Carvajal 2019).

## Chapter 32

# SWEDEN

### 32.1. LEGAL REGULATIONS FOR HOLDING A CAMPAIGN EVENT

According to the 1993 Public Order Act, public gatherings organized in public places require permission, unless—taking into account the expected number of participants, the selected place and time for the gathering and the arrangements that are intended to occur—it can be assumed that the assembly will not pose a danger to order and safety, or to road traffic (see the [1993 Public Order Act](#)).

According to articles 4–5, if permission is not required, prior notification applies to certain public spaces, including indoors. An application for permission and a notification of a public gathering are made to the police authority. The application must be made in writing in good time. If possible, the application must be received no later than one week before the gathering. Notification must be made in writing or orally.

According to articles 6–7, the notification must have been received no later than five days before the gathering or event. An application for permission or a notification of a public gathering must contain information about the organizer; the time of the gathering; its nature and main design; and the measures in terms of order and security that the organizer intends to take. A police decision to impose obligations or ban a gathering may be appealed in an administrative court.



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## **32.2. LEGAL REGULATIONS FOR PLACEMENT OF OUTDOOR CAMPAIGN MATERIALS**

The conduct of electoral campaigns is not regulated in the [2005 Electoral Act](#).

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## **32.3. LEGAL REGULATIONS FOR CAMPAIGNING IN THE MEDIA (BROADCAST, ONLINE AND PRINT)**

Article 3.1.17 of the [2010 Radio and Television Act](#) defines advertising as any form of communication which is broadcast either for payment or similar compensation, or which constitutes self-promotion, and which aims to market goods, services, real estate, jobs or other goods in business activities.

Article 5.6 further extends this definition to messages that aim to win support for political or religious views. Such messages may not be included in broadcasts for which conditions of impartiality apply. According to article 14.3, the same restriction applies to messages that aim to win support for political or religious views on the radio.

Furthermore, the 1991 Freedom of Information Act widely guarantees for everyone the right to publicly express their thoughts, opinions and feelings through audio radio, TV and certain similar transmissions (see the [1991 Freedom of Information Act](#), article 1). This provision in principle may allow the dissemination of foreign messages in broadcast media.

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## **32.4. PRACTICES OF OCV CAMPAIGNS BY SOME FOREIGN ACTORS IN EU MEMBER STATES FOR ELECTIONS IN THEIR COUNTRIES OF ORIGIN**

National laws do not regulate campaigns for foreign country elections.

However, a constitutional provision guarantees everyone's right to publicly express their thoughts and opinions through audio radio, TV and certain similar transmissions.

The desk review did not identify any such practices.

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