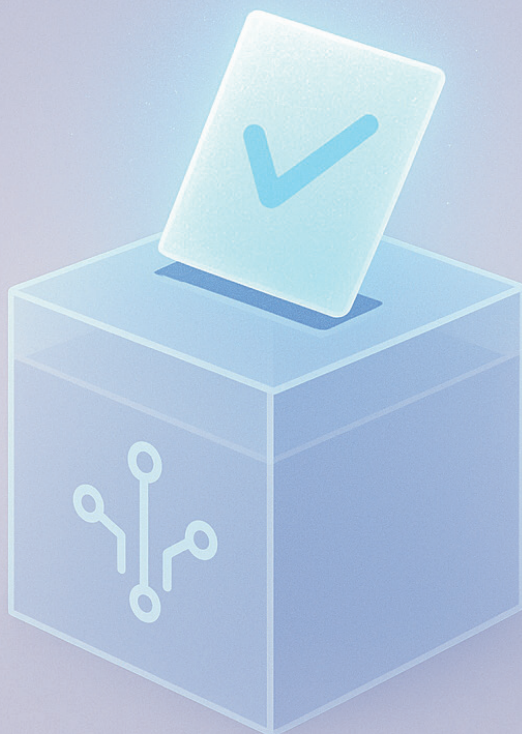


# **NAVIGATING THE EUROPEAN UNION'S DIGITAL REGULATORY FRAMEWORK: PART 2**

Perspectives on Electoral Processes in EU Candidate  
Countries



# NAVIGATING THE EUROPEAN UNION'S DIGITAL REGULATORY FRAMEWORK: PART 2

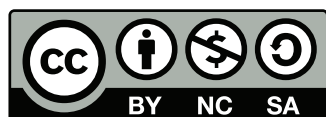
## Perspectives on Electoral Processes in EU Candidate Countries

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# Project context

Digitalization is reshaping electoral processes across the European Union and its neighbouring countries that aspire to join. While it offers powerful tools to enhance democratic participation, it also introduces new vulnerabilities—ranging from non-transparent political finance in online campaigning and disinformation to foreign interference and cybersecurity threats. These challenges demand robust digital governance and vigilant oversight to ensure that elections remain free, fair and transparent both within and beyond EU borders.

To this end, the EU's comprehensive digital acquis serves as a cornerstone of democratic resilience. This body of legislation significantly influences the organization and conduct of elections, including in countries seeking EU membership. These countries, often facing resource constraints, must navigate the process of approximating the acquis while also addressing pressing challenges such as foreign interference and the effective oversight of online campaigning. In turn, the frontline experiences of enlargement countries can offer valuable lessons for the EU itself.

This research, titled *Navigating the European Union's Digital Regulatory Framework*, is developed under the project *Closing the Digital Gap on Elections in EU Accession*, funded by Stiftung Mercator. It comprises two complementary parts that together aim to address a critical gap in the interaction between the EU and candidate and potential candidate countries.

Part 1, *A Compact Overview of Its Impact on Electoral Processes*, explores the EU's digital rulebook—anchored in landmark regulations such as the Artificial Intelligence Act, the Digital Services Act, the European Media Freedom Act, the General Data Protection Regulation and the Regulation on the Transparency and Targeting of Political Advertising. It offers a concise analysis of one of the world's most comprehensive efforts to align technological innovation with democratic values. Through practical examples, it illustrates how these regulations help safeguard against cyberthreats, privacy breaches, unethical use of artificial intelligence (AI) in electoral processes and opaque political advertising.

Part 2, *Perspectives on Electoral Processes in EU Candidate Countries*, examines the progress of candidate countries in aligning with the EU acquis. It assesses their legislation, institutional frameworks, enforcement capacities and experiences in addressing digital threats to elections. This section focuses on four candidate countries—Albania, Moldova, North Macedonia and Ukraine. Insights drawn from in-house and field research provide valuable input for both national and EU-level discussions.

The findings and recommendations presented here offer concise yet comprehensive guidance for electoral management bodies, policymakers and civil society organizations in accession countries, as well as for EU institutions. They also lay the groundwork for the next phase of the project, which aims to foster closer ties and exchange of knowledge among these actors.

This work is especially timely. The four accession countries have set ambitious goals to complete EU membership reforms by 2030, while the EU is intensifying efforts to fully enforce digital regulations to protect democratic institutions and elections—notably through the European Democracy Shield Initiative. This study supports those developments and contributes to strengthening the relationship between the EU and its aspirant members.

# Acknowledgements

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# Abbreviations

<b>AI</b>	Artificial intelligence
<b>BIRN</b>	Balkan Investigative Reporting Network
<b>CEC</b>	Central Election Commission or Central Electoral Commission
<b>DMA</b>	Digital Markets Act
<b>DSA</b>	Digital Services Act
<b>EMB</b>	Electoral management body
<b>EMFA</b>	European Media Freedom Act
<b>GDPR</b>	General Data Protection Regulation
<b>ICT</b>	Information and communication technology
<b>MKD-CIRT</b>	National Centre for Computer Incident Response (North Macedonia)
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe
<b>SEC</b>	State Election Commission
<b>TTPA</b>	Regulation on the Transparency and Targeting of Political Advertising
<b>VLOP</b>	Very large online platform
<b>VLOSE</b>	Very large online search engine

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# EXECUTIVE SUMMARY

The prospect of European Union membership continues to spur key transformative reforms in candidate and potential candidate countries, including Albania, Moldova, North Macedonia and Ukraine, the focus of this report, with all four having entered the stage of accession negotiations. From the fundamentals of democracy under the EU's revised accession methodology, which include electoral integrity, to issues of digital governance, alignment with the EU acquis and policies represents an opportunity to future-proof these democracies.

This report—Part 2 of a broader analysis—focuses on democratic processes, and specifically on electoral processes and the impact of increasing digitalization. It offers key insights into the pace of alignment in Albania, Moldova, North Macedonia and Ukraine with the EU's legal framework and policies. Furthermore, it also analyses the intersection of the EU digital acquis with national strategies to streamline the fundamentals of democracy and reforms and to upgrade election frameworks.

In addition to an analysis of legal gaps, the report delves into institutional design and the competences in each country to address the growing challenges of disinformation, foreign interference, cyberthreats and personal data protection, all issues directly impacting electoral processes and comprehensively addressed by the EU's digital regulatory framework.

Moreover, the report illustrates concrete examples of how Albania, Moldova, North Macedonia and Ukraine are addressing disinformation, unethical online campaigning, third-party campaigning, foreign interference, personal data vulnerabilities

and cyberthreats in elections. It assesses the oversight capacities and resilience of the four countries in tackling these issues while approximation to the EU digital acquis is at an early stage.

Besides the role of electoral management bodies (EMBs), the analysis sheds light on legislators, other key public institutions, political actors and civil society more holistically, exploring how they can work together to achieve greater resilience in response to digital challenges to electoral processes.

The research findings offer a mixed picture of growing threats to elections in the digital sphere but also one of continued resilience across the four countries in focus. Despite some particularities, not least due to Russia's continued aggression against Ukraine, the report identifies the following important common trends across the four candidate countries:

1. *Alignment with the EU digital acquis is nascent.* All four countries have streamlined electoral processes, including aspects of digital governance, in their strategic roadmaps for EU accession. Similarly, all four have made important strides towards aligning national legislation with the EU General Data Protection Regulation. However, alignment with other critical EU legislation— notably the Digital Services Act, the Regulation on the Transparency and Targeting of Political Advertising, the Artificial Intelligence Act and the European Media Freedom Act—is only at an early stage.
2. *Ensuring that regulations uphold fundamental rights is critical.* As countries increasingly attempt to consolidate their legal frameworks to ensure proper oversight in the digital sphere impacting elections, striking the right balance between enforcement and respect for fundamental rights and freedoms among these young democracies will be key. The EU digital acquis, which is governed by fundamental values enshrined in the EU Treaties, offers the appropriate model and instruments to this end.
3. *Cybersecurity and interagency cooperation must be bolstered.* Institutional awareness of the harm that cyberthreats pose to the integrity of elections is growing, and all four countries analysed are upgrading their strategic frameworks on cybersecurity. Positive examples come from all four, where EMBs are increasingly interacting with peer agencies, mostly on a voluntary

and ad hoc basis. Structured cooperation, through both better regulation and practical resources, are needed to take this work to the next level.

4. *Capacities and expertise remain a challenge.* Besides underdeveloped legislation, the research on Albania, Moldova, North Macedonia and Ukraine highlights the limitations to institutional capacities. From personal data protection to issues of disinformation and oversight of online campaigning, EMBs, data protection institutions and other relevant agencies operate with limited resources. Similarly, agencies with traditional mandates in cybersecurity generally lack dedicated resources and expertise on elections.
5. *Political actors and social media platforms need to be involved in improvements.* National political actors, the main drivers of online campaigning, often demonstrate limited awareness of or concern for the risks that unethical campaigning poses to electoral integrity. In some cases, such as Albania and North Macedonia, political actors have signed codes of conduct, proactively taking on commitments for more transparent and ethical online campaigning. Yet monitoring by watchdogs offers abundant evidence that these commitments have not been upheld and that long-standing issues with campaigning have expanded into the online sphere. These include breaches of electoral silence, opaque financing of political ads, third-party campaigning, the unethical use of artificial intelligence (AI) and deepfakes, and conflicts with online media interests. Given the small size of the markets in question, the lack of a presence in the field and limited local language resources, social media platforms in EU candidate and potential candidate countries remain largely passive in the face of this behaviour.
6. *EMBs' interaction with EU institutions must be bolstered.* Research shows that EMBs in enlargement countries have limited expertise regarding the competences and opportunities available to them under the EU digital acquis once a country joins the EU. They are active contributors to electoral reform at the national level but are not sufficiently involved from the perspective of alignment with the EU acquis. Moreover, exposure to Brussels, including within the European Cooperation Network on Elections, is at an early stage. For example, the EMBs of the four countries analysed are currently not actively engaged in shaping the European Democracy Shield initiative, despite the high likelihood that this instrument will be (partly) applied in the enlargement area.

The report concludes with key recommendations for the four candidate countries:

1. to prioritize legal harmonization of the EU digital acquis (Digital Services Act, Artificial Intelligence Act, European Media Freedom Act, Regulation on the Transparency and Targeting of Political Advertising) as part of their respective roadmaps on the fundamentals of democracy and with direct impact on elections;
2. to make a strong commitment to uphold the EU's fundamental values and freedoms in the process of aligning with the EU digital acquis as safeguards for democracy, privacy, and freedom of expression and of the media;
3. to reform national electoral laws to establish clear mandates and expand capacities and resources for EMBs and other relevant independent institutions to effectively oversee digital campaigning and platform conduct;
4. to bolster interagency cooperation, including by institutionalizing election-related digital integrity task forces before each national election and establishing clear roles and protocols for cooperation;
5. to streamline the role of electoral actors in the EU accession process;
6. to foster innovation in a shared accession space, exploring the role of AI in elections and taking other practical steps to implement the EU digital acquis; and
7. to strengthen digital and media literacy to equip citizens in enlargement countries with the skills to identify disinformation, synthetic media and bot-driven manipulation, particularly in electoral campaigns.

The research methodology combined desk research and legal analysis of key elements of the EU acquis and of the legal and strategic frameworks in the candidate countries studied, with field interviews with EMBs from the four enlargement countries in focus, as well as interviews with legislators and officials from line ministries and independent institutions.

## Chapter 1

# PERSPECTIVES FROM ALBANIA

### 1.1. INTRODUCTION

Albania's European Union journey accelerated in 2022 when the country formally opened accession negotiations. While it has by now begun negotiations on 28 chapters of the *acquis*, Albania aims to complete negotiations and join the EU by 2030. Albania's digital transformation is shaped by both opportunities and challenges, particularly as the country aligns with EU digital regulations as part of its accession process. At the intersection of legal reform, electoral integrity and the EU's digital *acquis*, Albania faces critical choices, navigating the complex balance between technological advancement, the protection of fundamental rights and democratic governance.

Despite the progress made in harmonizing national legislation with some EU laws—in areas such as data protection and electronic communications—Albania continues to grapple with an unregulated online space, especially when it comes to the governance of digital platforms (e.g. social media and content-sharing platforms). A key concern that has emerged during electoral periods in recent years is the lack of oversight in online political advertising—a domain that remains largely unregulated (Sinoruka 2021). This lack of oversight underscores the considerable influence that unchecked tech platforms wield in shaping the digital environment, public discourse, and potentially even democratic processes and their outcomes. Additionally, large-scale personal data violations during electoral campaigns have highlighted significant weaknesses in existing privacy safeguards and exposed voters to potential political pressure or discrimination (Reçi and Kelmendi 2024). Despite the gravity of these issues, they are often overlooked amid the broader concerns that characterize the highly polarized electoral periods in Albania,

**At the intersection of legal reform, electoral integrity and the EU's digital *acquis*, Albania faces critical choices, navigating the complex balance between technological advancement, the protection of fundamental rights and democratic governance.**

which are marked by numerous, overlapping and sometimes criminal violations.

While Albania's legal framework restricts political advertising through traditional media during election periods to ensure fairness and equal access, while also combating harmful content, these rules do not extend to the digital sphere. These regulatory gaps raise concerns about electoral fairness, the risk of public opinion manipulation, unchecked rights violations and the malign influence of third parties. The need for platform governance has come into focus, as calls for reform intensify, aiming to introduce greater transparency in content moderation, online targeting and advertising practices ([Danilovska-Bajdevska et al. 2024](#)).

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**The State Election Commissioner has made efforts to cooperate with digital platforms and civil society to explore potential solutions, indicating a willingness to address issues at an institutional level.**

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In response, the State Election Commissioner has made efforts to cooperate with digital platforms and civil society ([Shehu and Gjoncaj 2024](#)) to explore potential (voluntary) solutions, indicating recognition of the issues and a willingness to address them at an institutional level. However, these efforts are not sufficient, and a comprehensive regulatory framework is essential. Efforts to regulate must go hand in hand with attention to institutional oversight capacity.

The challenge of regulating the digital space in general, and online political advertising in particular, is not unique to Albania; it is a growing concern worldwide, including within EU member states, which have started taking measures to address it.

In Albania's case, these issues are closely linked to its EU integration priorities and the advancement of its accession process, as they affect fundamental aspects of the accession process, such as the functioning of democratic institutions, public administration reform, the rule of law, fundamental rights and electoral integrity. Moreover, they have important implications for critical areas such as digital transformation, the media and the broader readiness to join the digital single market.

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**Albania's aspirations for EU membership, combined with its focus on digital transformation and increasing reliance on digital services, create an opportunity to use these regulatory challenges as a driver for meaningful reforms.**

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Against this backdrop, Albania's aspirations for EU membership, combined with its focus on digital transformation and increasing reliance on digital services, create an opportunity to use these regulatory challenges as a driver for meaningful reforms.



## 1.2. STATE OF AFFAIRS REGARDING APPROXIMATION EFFORTS AND LEGAL GAPS

Albania continues to align its national legislation with the EU legal framework, including in respect of cybersecurity and data protection. While some progress has been made, gaps remain, especially concerning digital electoral campaigns and online political advertising.

Existing electoral laws, including the Electoral Code, address campaign coverage in traditional broadcast media, neglecting the digital sphere. Key aspects such as the transparency of online political advertising, targeting practices and campaign financing oversight remain unregulated. These shortcomings, also highlighted by the reports of the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (ODIHR) (2023, 2025) and the European Commission (2023a, 2024c), pose considerable risks to electoral integrity, including the potential for voter manipulation and opaque funding sources.

An ad hoc parliamentary committee on electoral reform, established in 2022, was tasked with addressing gaps in the electoral law but concluded its mandate without achieving significant results. Although its stated priorities included the regulation of digital campaigning, the issue remains unresolved. In 2024 a new ad hoc parliamentary committee was formed to tackle disinformation and foreign interference, and seems to have taken over some of these tasks. While its broad mandate includes issues such as platform accountability, algorithmic transparency and electoral campaign financing, its effectiveness is yet to be assessed (Albanian Parliament n.d.).

At the EU level, digital campaigning and platform accountability are addressed through comprehensive legislation such as the Digital Services Act (DSA) and the Regulation on the Transparency and Targeting of Political Advertising (TTPA). Albania has yet to align its national framework with these instruments (Danilovska-Bajdevska et al. 2024). The DSA, for instance, mandates a range of measures, including election-related risk assessments by platforms, clear labelling of political ads, transparency in funding sources, mechanisms to address harmful and illegal content, and restrictions on the use of voters' sensitive personal data (European Commission 2025). Without similar provisions, Albania remains exposed to unregulated digital campaigning by powerful online platforms that operate beyond national jurisdiction but dominate the local

**The transparency of online political advertising, targeting practices and campaign financing oversight remain unregulated.**

information space. The government has committed to harmonizing the DSA by 2026 under its National Reform Agenda ([Republic of Albania 2024d](#)). On the other hand, civil society studies on the Western Balkans that advocate harmonizing the DSA point out that, in the process of alignment, countries should address the associated human rights risks that arise when regulating the digital environment within hybrid regimes ([Danilovska-Bajdevska et al. 2024](#)).

However, a first step towards regulating a certain type of platform was the amendment of Albania's Audiovisual Media Law ([Republic of Albania 2023a](#)), which is partly aligned with the EU Audiovisual Media Services Directive. These amendments extend the law's scope to include video-sharing platforms, including those operating outside Albania but accessible within its territory or in the Albanian language. In 2024 the Audiovisual Media Authority also introduced a regulation outlining transparency and user protection obligations for such platforms ([Republic of Albania 2024f](#)). However, enforcement remains a major challenge due to jurisdictional limitations, as all major online platforms are registered in other countries.

The legal framework surrounding personal data protection in Albania also made significant strides towards full alignment with the EU General Data Protection Regulation (GDPR) in 2024 ([Republic of Albania 2024e](#)). The GDPR also applies to data processors outside Albania's borders if they handle data related to Albanian citizens, which may include digital platforms. However, enforcement beyond borders, especially against very large online platforms (VLOPs), could fall short. Oversight of cross-border data flows, often critical in political campaigning, presents ongoing challenges for regulators. Furthermore, full alignment with the EU ePrivacy Directive has yet to be achieved ([European Commission 2024c](#)). Gaps in the data protection system can create vulnerabilities, particularly given the increasing use of personal data for voter targeting during election periods. The country's previous incidents of large-scale data breaches—allegedly exploited to manipulate voters and apply political pressure ([Reçi and Kelmendi 2024](#))—further underscore the need for stronger enforcement mechanisms and full legal harmonization with EU privacy standards to safeguard democratic processes.

In terms of cybersecurity, Albania adopted a new Law on Cybersecurity in 2024 that aligns with the EU Directive on measures for a high level of cybersecurity across the Union (NIS 2). Despite this important development, the draft cybersecurity action plan for 2023–2025 remains to be finalized and adopted ([European Commission 2024c](#)). In 2024 Albania also adopted a new Law on Electronic

Communications, aligning with the 2018 European Electronic Communications Code ([European Commission 2024c](#)). In the context of elections, ensuring protection against cyberthreats targeting electoral infrastructure and other public institutions is critical, as such attacks (not new to the Albanian Government [[Reçi and Kelmendi 2024](#)]) can undermine public trust in democratic processes, disrupt the integrity of electoral outcomes and compromise sensitive data.

The digitalization of public services is notable, with 95 per cent of applications for over 1,200 services available online. A dedicated Law on Electronic Governance ([Republic of Albania 2023b](#)) was adopted to support this development. Nevertheless, the European Commission ([2024c](#)) emphasizes the need to ensure equitable access to digital services and also highlights the need for harmonization with the DSA and the Digital Markets Act (DMA). In the context of elections, as Albania further explores the possibility of utilizing electronic voting, ensuring a secure and inclusive digital infrastructure becomes even more crucial to safeguard the integrity of the electoral process and prevent exclusion or abuse.

Albania has yet to begin alignment with other critical EU legislation, notably the Artificial Intelligence Act (AI Act), which introduces obligations related to the use of AI in political microtargeting and generative AI in disinformation, and transparency across the AI ecosystem—issues currently unregulated in Albania. Similarly, alignment is lacking with the European Media Freedom Act (EMFA), which seeks to protect media pluralism and editorial independence. The need for such protection is particularly relevant to Albania, where electoral periods amplify the structural weaknesses of the media environment ([Reporters without Borders n.d.](#)).

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### 1.3. NATIONAL POLICIES AND ENFORCEMENT INSTITUTIONS

In the absence of binding legal regulations on (digital) electoral campaigns and the conduct of political parties, several independent institutions in Albania have adopted soft-law instruments to encourage ethical behaviour and digital accountability.

Ahead of the May 2025 elections, the Central Election Commission (CEC) invited political parties to sign the Code of Conduct on Digital Campaigns ([International IDEA et al. n.d.](#)) drafted by International IDEA, the National Democratic Institute and the Rule of Law Centre at

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**In the absence of binding legal regulations on (digital) electoral campaigns and the conduct of political parties, several independent institutions in Albania have adopted soft-law instruments to encourage ethical behaviour and digital accountability.**

the University of Helsinki. The code sets basic ethical standards for campaigning, promotes transparency, and introduces cybersecurity and digital hygiene practices throughout internal party mechanisms.

In parallel, the information and data protection commissioner has released 'Guidelines for the Processing of Personal Data in Electoral Campaigns' ([Republic of Albania 2024a](#)). This soft-law instrument addresses the use of voters' personal and sensitive data—particularly political opinions—highlighting the increasing influence of digital technologies. It underscores the importance of transparency, data security, and safeguarding voters from profiling and manipulation.

The anti-discrimination commissioner also issued recommendations aimed at combating hate speech and discrimination during electoral campaigns, targeting both media coverage and the conduct of political parties and candidates ([Republic of Albania 2019](#)).

Meanwhile, the Audiovisual Media Authority, responsible for oversight of traditional media, revised its Audiovisual Broadcasting Code ([Republic of Albania n.d.](#)) and issued guidelines to improve media ethics and regulate electoral coverage by audio and audiovisual service providers ([Republic of Albania 2021](#)). However, these provisions concern traditional media, leaving digital campaigns unregulated.

Beyond the electoral context, the Albanian Government has initiated or committed to several reforms and strategic policies addressing digital and media environments.

A key guiding policy document in the context of negotiations for EU membership is 'Guidelines for the Functioning of Democratic Institutions' ([Republic of Albania 2024c](#)). It prescribes a set of measures, including enhanced monitoring by the CEC and amendments to the Electoral Code. These proposed changes aim to address challenges related to digital campaigning, misinformation and foreign interference by enabling the future use of advanced technologies for real-time content analysis, fostering cooperation with social media platforms to detect and counter disinformation, and promoting international collaboration to address cross-border threats.

Meanwhile, the country's National Reform Agenda ([Republic of Albania 2024d](#)), developed within the EU's Reform and Growth Facility for the Western Balkans, includes a digital pillar focused on building a resilient digital society. This pillar includes improving

infrastructure, enhancing cyber-resilience and making public services more accessible. The agenda outlines several key measures, including harmonizing regulations for a European Digital Identity Wallet, launching a digital e-wallet for public services, updating the cyber-resilience framework to align with the NIS 2 directive and strengthening secure 5G infrastructure. In terms of media freedom, the agenda commits to improving the safety of journalists, decriminalizing defamation, aligning with the DSA, increasing transparency in media ownership and financing, and promoting editorial independence. Furthermore, the agenda aims to adopt an anti-SLAPP (strategic lawsuit against public participation) law to protect public participation in media and activism.

Albania also drafted a National Strategy against Foreign Interventions and Disinformation 2025–2030 ([Albanian Parliament 2025](#)), which was undergoing consultation at the time of the writing of this report. The strategy prescribes aligning with EU regulatory frameworks such as the AI Act, the DMA, the DSA and the EMFA. It also proposes measures including mandatory transparency for online political advertising, the establishment of a national platform for monitoring political content online and stronger cooperation with technology companies. However, the effectiveness of these measures, and the final draft of the strategy, remain to be seen. It is important to note that regulations on online content and the monitoring of social networks could pose human rights risks if they fail to strike an appropriate balance between national security concerns and the protection of fundamental rights and democratic processes.

Another step was the government's adoption of a methodology and accompanying technical standards for the use of AI in Albania ([Republic of Albania 2024b](#))—the government's first attempt to regulate AI. However, the soft nature of the methodology, combined with the absence of independent oversight mechanisms (since implementation is overseen by the National Agency for Information Society, a government body directly subordinated to the prime minister), raises concerns about its effectiveness and accountability, particularly in addressing the complex and rapidly evolving challenges posed by AI. Despite referencing international standards and frameworks, the methodology does not fully harmonize or comply with any of them. Notably, it does not address AI's role in content moderation, disinformation or platform accountability in the digital space, including elections, leaving critical gaps.

On the public services front, the government continues to implement the 2022–2026 Digital Agenda, expanding e-governance and digital

services. However, accessibility remains a concern, particularly for marginalized groups ([European Commission 2024c](#)).

According to European Commission reports, several other complementary initiatives further demonstrate the steps that Albania has taken in the sphere of digitalization ([European Commission 2024c](#)). Following its ratification of the Digital Europe Programme in 2023, Albania gained access to EU funding for the development of AI, cybersecurity capacities and digital skills. A dedicated interinstitutional working group was formed to oversee implementation.

Digital infrastructure is also a priority, with the establishment of a Broadband Competence Office in 2024 tasked with improving connectivity in underserved areas. At the same time, Albania joined the EU Single Market Programme's SME pillar, which aims to enhance the competitiveness of small and medium-sized enterprises through digitalization.

Cybersecurity has also become a national security priority, and Albania has developed partnerships with the EU and the United States to reinforce its cyber-resilience. The 2024 National Security Strategy identifies hybrid threats and disinformation as key challenges and reaffirms Albania's commitment to collective defence mechanisms. Albania also became a member of the European Centre of Excellence for Countering Hybrid Threats, signalling its growing integration into transnational security networks.

In addition, the adoption of the National Interoperability Framework in 2023 aligns Albania with the EU model, though implementation must now respond to new obligations under the 2024 Interoperable Europe Act.

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**National institutions addressing elections, digitalization, cybersecurity, disinformation, human rights and the media play a crucial role in safeguarding democratic processes and information systems.**

Key institutions addressing elections, digitalization, cybersecurity, disinformation, human rights and the media play a crucial role in safeguarding democratic processes and information systems.

The CEC oversees the electoral process, ensuring transparency and fairness. The ad hoc Parliamentary Committee on Disinformation and Foreign Interference addresses the influence of external actors on national security, public discourse and the digital environment.

The Council of Ministers coordinates government policies across these areas. Additionally, the Ministry of Infrastructure and Energy, along with the Ministry of Economy, Culture and Innovation, supports

the digital transformation of essential services and leads related policy initiatives.

While independent officials such as the information and data protection commissioner and the anti-discrimination commissioner ensure the protection of personal data, promote equality and combat various forms of discrimination, the Audiovisual Media Authority oversees audiovisual media, including electoral campaigns and video-sharing platforms. The Electronic and Postal Communications Authority is the regulatory body overseeing electronic communications and postal services.

Lastly, government agencies such as the National Agency for Information Society advance digitalization efforts, while the National Agency on Cybersecurity is tasked with protecting the country's critical infrastructure from cyberthreats.

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#### **1.4. DIGITAL CAMPAIGNING IN ALBANIA'S 2025 PARLIAMENTARY ELECTIONS: A CASE STUDY**

Albania held a parliamentary election on 11 May 2025. Seven weeks ahead of the election, on 24 March, the government announced a one-year suspension of TikTok, citing a rise in incidents of violence and bullying, particularly among young people ([Republic of Albania 2024f, 2025](#)). The decision raised concerns regarding freedom of expression and access to information, especially within an already constrained media landscape. Critics warned that the ban could undermine political engagement and electoral integrity in the lead-up to the election ([European Federation of Journalists 2025](#)). The platform had become a key tool for political communication and voter engagement, particularly among young people, first-time voters, and newly established political parties and movements, which argued that the ban would disproportionately affect them ([European Federation of Journalists 2025](#)).

Commenting on the ban, Kristina Voko, Executive Director, Balkan Investigative Reporting Network (BIRN) in Albania, noted:

While it is difficult to measure TikTok's exact impact during the campaign, the platform ban clearly restricted both expression and public/political communication. Unlike platforms such as Meta, TikTok's algorithm, despite ongoing criticism, tends to amplify content regardless of engagement

levels. This often allows organic, unsponsored posts to circulate widely, potentially benefiting actors with limited financial resources. Notably, several new political parties managed to achieve significant reach on TikTok.

While the impact of this ban on the digital sphere remains to be assessed, civil society and media organizations challenged the government's decision before the country's Constitutional Court, with the ruling still pending ([Bogdani 2025](#)). The European Court of Human Rights has previously found that blanket platform bans constitute a violation of freedom of expression.<sup>1</sup> The measure also contravenes the principles of platform regulation under the DSA, which Albania has committed to uphold ([Prroni and Reçi 2025](#)).

Nevertheless, the electoral campaign continued to unfold actively in the digital sphere, including on TikTok, where some candidates and third parties circumvented the platform ban by using VPN services.

Social media, particularly Meta platforms like Facebook and Instagram, emerged as dominant tools for political communication. BIRN used Meta's Ad Library—a publicly accessible database offering details on political ads, such as sponsors, spending ranges and demographic reach—for monitoring purposes, while BuzzSumo was employed to analyse the collected data.

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**According to data from a BIRN monitoring report, political leaders and candidates published thousands of posts and relied heavily on paid advertising.**

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According to data from a BIRN monitoring report (for more, see [Reporter.al n.d.](#)), political leaders and candidates published thousands of posts and relied heavily on paid advertising, spending around USD 265,985 on Meta platforms. A notable portion of ad spending was geographically focused in the capital, Tirana, Albania's most electorally significant district. In contrast to political actors, the CEC spent a total of USD 2,432 on voter education, including promoting the Code of Conduct on Digital Campaigns and electoral silence online and offline.

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**The monitoring report [on the Code of Conduct on Digital Campaigns] revealed significant concerns over transparency and ethical conduct.**

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The monitoring report revealed significant concerns over transparency and ethical conduct. BIRN documented a total of 349 violations of the Code of Conduct on Digital Campaigns, a self-regulatory agreement voluntarily signed by political parties ahead of the May 2025 election. It should be noted that the monitoring data does not include infractions committed by unaffiliated social media users or third-party pages, only those of official accounts of political parties and candidates on Meta platforms.

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<sup>1</sup> *Cengiz and Others v Turkey* App no 48226/10 and 14027/11 (ECtHR, 1 March 2016).



Violations were linked both to non-transparent digital advertising and to content published by parties or candidates.

According to BIRN's monitoring, during the first two weeks of the campaign, 72 per cent of violations involved undisclosed political ads, and 20 per cent were associated with the unethical use of AI-generated content.

During the second half of the campaign, violations shifted towards the unethical use of campaign technologies, with 69 per cent involving the publication of AI-generated content without proper disclaimers. An additional 19 per cent related to non-transparent political advertising, particularly the omission of sponsor identification. Observed violations included the use of fake profiles and bot networks (by third-party pages and official accounts) to artificially boost engagement on third-party pages disseminating attack ads, particularly against the opposition. The remaining infractions pertained to violations of the electoral silence period, during which political parties and candidates continued to run digital campaign ads in defiance of legal provisions.

Moreover, throughout the campaign, 58 third-party social media pages—many anonymous and unaffiliated with official political entities—were found promoting or attacking candidates through disinformation, AI-manipulated media, diaspora-targeted ads and bot-driven engagement, benefiting the ruling party in particular. Their content ran unrestricted during the campaign, as platforms largely failed to recognize it as political.

One such page, 'Team Edi Rama', despite having only 6,600 followers, achieved 1.6 million video views in under two months, largely through artificial amplification. Most third-party pages' spending data was not available, as their ad campaigns were run without proper disclaimers and were not classified as 'social issues, elections, or politics' by the Meta Ad Library, thereby significantly limiting transparency, access to data and opportunities for in-depth analysis.

In addition to Meta, the main political parties also advertised on Google platforms (e.g. YouTube). According to BIRN, however, Google's lack of transparency regarding spending and reach hindered meaningful analysis, highlighting persistent challenges in monitoring digital campaigns, particularly in a context where platform accountability remains unregulated.

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**Most third-party pages' spending data was not available, as their ad campaigns were run without proper disclaimers and were not classified as 'social issues, elections, or politics' by the Meta Ad Library.**

These findings highlight serious challenges to digital transparency, revealing how social media manipulation, by both official campaigns and third-party actors, could undermine democratic integrity during the electoral process.

BIRN Albania's Voko underscored the following:

The monitoring findings highlight once again the urgent need to align with EU regulatory instruments on platform accountability and the digital acquis. This alignment should not be approached in a fragmented way, as if the EMFA, [AI Act], DSA, and the Regulation on [the Transparency and Targeting of] Political Advertising are unrelated. These acts are interconnected and include specific provisions related to elections. Albania has included their alignment in its policy plans, but only with short timelines. Institutions still lack the awareness and capacity to grasp the scale and complexity of the changes these acts will bring to the nature and amount of their work.

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## **1.5. CHALLENGES AND LESSONS LEARNED REGARDING DIGITAL THREATS TO DEMOCRACY**

Albania's 2025 parliamentary election underscored yet again how digital technologies, particularly when unregulated, can threaten democratic processes. Social media platforms were central tools for political communication and manipulation, with both official campaigns and unofficial third-party actors engaging in ethically questionable and opaque practices. The ruling Socialist Party and opposition leaders leveraged these platforms extensively, but transparency remained critically lacking, with at least 349 recorded violations of the Code of Conduct on Digital Campaigns according to BIRN.

During validation interviews held with experts and officials from public institutions, concerns were raised about the widespread disregard for the voluntary commitments undertaken by political parties through the signing of the Code of Conduct on Digital Campaigns, suggesting that this disregard might reflect a broader lack of political will to introduce legal measures; interviewees added that regulation would ultimately require officials to hold their own parties accountable.

Given the current context, and based in particular on insights from interviewees from public institutions, regulation is seen as more likely to target non-political actors such as (online) media or civil society organizations (e.g. through increased scrutiny of foreign funding or new registration requirements) than political actors, who are willing to 'regulate themselves'. However, similar initiatives in the past, particularly in the domain of online media regulation, have faced strong local opposition, being widely perceived as threats to media freedom and as tools for expanding government control.

BIRN Albania's Voko said the following:

One of the major shortcomings of the current framework is the regulation on third-party financing during election campaigns. However, it is essential that monitoring and transparency mechanisms, such as those designed to prevent foreign interference, focus primarily on party and candidate expenditures, and [do] not target disproportionately civil society organisations and media.

From the perspective of several interviewees, the lack of compliance during (digital) electoral campaigns, combined with limited institutional capacity (e.g. evidenced also by the frequent confusion between online platforms and online media in political discourse) and Albania's position as a small, non-EU digital market, makes the prospect of meaningful regulation both highly ambitious and politically challenging.

According to Voko, 'There is a fundamental lack of understanding when it comes to platform regulation and governance. This should not be confused with content monitoring, which risks overreach and infringing on freedom of expression. Rather, the focus should be on regulating the processes and rules through which platforms manage content in a fair and transparent manner.'

The developments around the 2025 electoral campaign highlight critical lessons: (a) self-regulation by political actors is insufficient; (b) platform enforcement mechanisms are inadequate; and (c) voters are increasingly exposed to deceptive tactics that undermine both trust in and the integrity of the electoral process. The rapid evolution of AI and digital manipulation techniques is outpacing the current legal framework and the capacity of regulatory and oversight bodies, leaving democratic processes vulnerable to exploitation

Several structural vulnerabilities have come to light regarding Albania's electoral framework and its digital landscape.

One critical issue lies in the regulatory blind spots of the current Electoral Code, which does not address digital campaigning. This omission leaves online political advertising, targeting practices and the financing of digital campaigns, including from third parties, largely unregulated, creating a significant loophole in the electoral process.

In addition, digital platforms continue to operate unregulated. The lack of binding transparency requirements allows for political manipulation and the amplification of content through bots, undermining the integrity of online political discourse. Additionally, the lack of platform transparency obligations significantly limits the possibilities for in-depth monitoring by independent actors. These issues are further compounded by the absence of alignment with the EU's DSA.

Enforcement of data protection laws also remains weak. Although Albania's legal framework has moved closer to GDPR compliance, cross-border enforcement, especially when dealing with VLOPs, is insufficient. This gap leaves voters vulnerable to the misuse of their personal data for profiling and manipulation during campaigns.

Institutional capacity to address these issues is limited as well. Independent bodies have made progress through soft-law instruments and guidelines, but these measures, as evidenced by the case study on the 2025 parliamentary election, fall short without enforceable legislation and effective mechanisms for cross-border cooperation.

Moreover, emerging ethical and technological risks add a new layer of complexity. The increasing use of AI-generated content, including deepfakes and manipulated media in electoral campaigns, presents challenges that Albania is not yet prepared to manage effectively. These challenges are compounded by the lack of alignment with the EU's AI Act.

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## 1.6. CONSIDERATIONS FOR NEXT STEPS

To address the risks associated with digital campaigns and safeguard democratic processes, Albania must consider the following steps:

1. Harmonize with key EU legislation, including the DSA and related regulations on political advertising, to ensure mandatory transparency, clear labelling of political ads, measures against harmful and illegal content, and enforceable risk mitigation measures on digital platforms. Alignment with the AI Act is also crucial for content moderation and regulation of AI-driven political microtargeting and disinformation.
2. Independent oversight mechanisms beyond government-led initiatives are needed to ensure transparency and accountability in AI and platform governance.
3. The Electoral Code must be amended to include binding provisions on online political advertising transparency, funding disclosures, regulation of third-party campaign actors, and the ethical use of AI and data analytics.
4. The mandates, capacities and resources of institutions and officials such as the CEC and the information and data protection commissioner need to be expanded to effectively oversee digital campaigning and platform conduct. Additionally, the establishment of multi-stakeholder platforms should be considered to facilitate regular collaboration with civil society, the media, independent experts and academia in the oversight and policymaking processes.
5. Civil society organizations and independent watchdogs should be equipped with the necessary resources and tools to monitor digital manipulation, report digital rights violations and ensure that the online space supports democratic engagement.
6. Digital and media literacy should be strengthened to equip citizens with the skills to identify disinformation, synthetic media and bot-driven manipulation. Civic education initiatives should foster ethical digital engagement, encouraging responsible behaviour among both voters and political actors.

Ultimately, all digital regulation must be grounded in the protection of human rights, including freedom of expression, freedom of assembly, the right to privacy and protection from discrimination. Measures to counter harmful content and disinformation must remain proportionate and aligned with international human rights standards.

Albania's journey towards EU accession offers a strategic opportunity to future-proof its democratic processes. A proactive, rights-based and harmonized regulatory approach is essential to building public trust and ensuring democratic resilience in the digital age.

## Chapter 2

# PERSPECTIVES FROM MOLDOVA

### 2.1. INTRODUCTION

Moldova stands at a pivotal moment in its democratic development as it pursues membership in the EU. Following its application in March 2022, the country was officially granted candidate status on 23 June 2022. Setting a target date of 2030 for EU accession, Moldova formally began accession talks on 25 June 2024 ([Arvintii 2024](#)).

As of mid-2025, the country was making steady progress, as evidenced by the completion of bilateral screening of four of the six thematic clusters of the EU acquis negotiation chapters (cluster 1, 'Fundamentals'; cluster 2, 'Internal Market'; cluster 3, 'Competitiveness and Inclusive Development'; and cluster 6, 'External Relations'). In an effort to demonstrate its commitment to furthering its integration with the EU, Moldova plans to finalize the screening by October 2025 and launch its first negotiation cluster soon after that ([Infotag 2025](#); [Radio Moldova 2025](#)).

As concerns democratic processes, Moldova held a presidential election and a constitutional referendum on EU accession of historic importance on 20 October 2024. President Maia Sandu was re-elected with 55 per cent of the vote in a runoff, amid allegations of foreign interference, including cyberattacks and disinformation campaigns. The referendum, which narrowly passed, enshrined the goal of EU membership in the Constitution, underscoring the nation's commitment to European integration ([Kirby 2024](#)).

Moldova's 2024 presidential election and the constitutional referendum on EU accession attest to how the integrity of elections is

**Moldova stands at a pivotal moment in its democratic development as it pursues membership in the EU.**

increasingly intertwined with digital governance—from how voter data is protected to how online campaigning is regulated and secured.

In recent elections around the world, online platforms have been key battlegrounds for influence: Facebook, Telegram, TikTok, YouTube and other services are widely used by both democratic forces and those spreading disinformation. The EU, for its part, has developed a robust *acquis* of digital policies to safeguard elections and democracy. These legislative measures are firmly anchored in the EU's founding treaties, notably article 2 of the Treaty on European Union, which enshrines the Union's commitment to the rule of law, respect for human dignity, freedom, democracy, equality and fundamental rights. The digital dimension of electoral integrity is thus not merely technical but grounded in the EU's core values.

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**Aligning with these measures (the EU digital *acquis*) is not only a technical compliance exercise for Moldova but a strategic imperative to protect its sovereignty.**

Moldova, through the constitutional entrenchment of its EU accession objective and the adoption in a short time of a number of new laws aligned with the EU digital *acquis*, has begun to reflect this understanding in its own governance and legislative reforms. Aligning with these measures is not only a technical compliance exercise for Moldova but a strategic imperative to protect its sovereignty.

This analysis examines Moldova's alignment with key EU frameworks, including the GDPR, the DSA, the DMA, the AI Act, and other regulations that form the backbone of EU digital governance and aim to protect personal data, counter disinformation, manage digital platforms and enhance cybersecurity, thus strengthening election processes across EU member states.

Finally, it highlights achievements, gaps and the roles of major stakeholders: the Central Electoral Commission (CEC) and other authorities, political parties, civil society and the media provide policy recommendations to further harmonize Moldova's electoral digitalization with the EU *acquis* and strengthen democratic resilience in preparation for EU accession.

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## **2.2. STATE OF AFFAIRS REGARDING APPROXIMATION EFFORTS AND LEGAL GAPS**

### **2.2.1. Personal data protection (GDPR alignment)**

Moldova has made significant strides towards GDPR compliance. For years, its data protection framework was only partially aligned with European standards; the European Commission noted that



Moldova's prior Law on Personal Data Protection was 'to some extent aligned with the EU General Data Protection Regulation' but that full harmonization had been pending since 2020 ([European Commission 2023b](#)). Recognizing this gap, authorities pursued a comprehensive overhaul. In 2024 Moldova's Parliament adopted a new Law on the Protection of Personal Data, explicitly designed to integrate the GDPR into national legislation. This law, which was published in the Official Gazette on 23 August 2024, and is set to enter into force two years later, in 2026, 'fully transposes the GDPR into Moldovan law' and greatly strengthens the personal data regime ([DataGuidance n.d.](#)). Key provisions include strict requirements for obtaining consent, purpose limitation and data minimization principles, enhanced rights for individuals (such as the right to access data and to request a correction or deletion—the right to be forgotten), and obligations on data controllers to implement strong security and at the same time higher transparency measures. The law also bolsters the powers of the National Center for Personal Data Protection, Moldova's data protection authority, to supervise compliance and issue sanctions in line with GDPR practices.

These changes directly support electoral integrity. Political parties and campaign teams must now handle voter data in compliance with GDPR-equivalent rules—for instance, ensuring that voter contact information is lawfully obtained and allowing citizens to opt out of unsolicited campaign outreach. The new law gives citizens more control over how their data is used in politics, which can help prevent manipulative microtargeting or unauthorized sharing of voter lists. The adoption of the law is evidence of notable progress in closing the digital gap vis-à-vis the EU, as Moldova's data protection regime is now largely on par with that of EU member states.

While legal alignment has largely been achieved on paper, implementation and enforcement remain challenging. The National Center for Personal Data Protection has historically faced capacity constraints. As of 2024 it employed only 34 staff out of 45 authorized positions and struggled with high turnover due to low salaries and the high level of expertise required. Despite these limitations, the centre managed to examine an increasing number of complaints (1,160 in 2024), initiate 312 reviews, offer 1,893 consultations and train over 5,500 representatives of different institutions ([National Center for Personal Data Protection n.d.](#)).

Moving forward, Moldova must ensure that the data protection authority is adequately resourced and trained to enforce the new GDPR-aligned law effectively across all sectors, including in the

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**The new law on personal data protection gives citizens more control over how their data is used in politics, which can help prevent manipulative microtargeting or unauthorized sharing of voter lists.**

electoral arena. Public and private actors, such as the CEC, the Centre for Continuous Electoral Training and political parties, need continued training on the new requirements, and citizens should be made aware of their data rights in elections.

Both the CEC and the Centre for Continuous Electoral Training need greater interagency cooperation with the National Center for Personal Data Protection when it comes to the training of over 20,000 election officials in the country as well as on taking joint measures, including informational campaigns against the usage of voters' personal data for illicit funding or corrupt electoral practices. Another pending step is the ratification of the Council of Europe's modernized Convention 108+ on data protection, which Moldova signed in 2023. Overall, Moldova has largely closed the legislative gap on data protection but must solidify practical enforcement to match EU standards in safeguarding personal data during elections.

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**No single authority in Moldova is currently responsible for complete oversight of the country's policy on online content.**

#### **2.2.2. Digital services and online content (DSA alignment)**

Moldova is actively working towards aligning its digital legislation with the DSA. As of mid-2025, however, the country had only partially aligned with the older EU directives on information society services. This means that many of the new obligations for online platforms and transparency in digital campaigning are not yet reflected in Moldovan law or practice. No single authority in Moldova is currently responsible for complete oversight of the country's policy on online content.

Moldova has taken some initial steps to address online election-related challenges within its existing framework. In June 2022, for example, parliament amended the Code of Audiovisual Media Services, which is largely aligned with the EU Audiovisual Media Services Directive, to introduce the concept of 'disinformation' and empower authorities to combat the spread of false information in the media. Furthermore, the CEC adopted new regulations on media coverage of elections, and the Audiovisual Council stepped up its monitoring of broadcasters during campaign periods to ensure balanced coverage and fact-checking (see Box 2.1).

In July 2025 parliament adopted a media-independence package that includes amendments to the Code of Audiovisual Media Services. The package introduces new and clarifies existing definitions (such as 'editorial decision' and others) and adjusts governance and appointment rules for public service media and for the Audiovisual Council to increase transparency and reduce political influence. Moreover, the amendments expand the Council's mandate into the online sphere, including regulation of video-sharing platforms, and

### Box 2.1. Legal and institutional responses to disinformation in Moldova's electoral context

According to a report by ODIHR (2025: 23), 'In 2022, the Code of Audiovisual Media Services (CAMS) was amended to define disinformation as "intentional spread of false information, created to harm a person, a social group, an organization or state security" and Audiovisual Council was given powers to enforce it. Up to the 2024 elections, two television stations had been sanctioned for it. During the election campaign, the Security and Information Service (SIS) blocked ten websites. Moreover, the messaging platform Telegram also banned numerous groups and individual users, mostly related to Mr. [Ilan] Șor, for violating Moldova's laws, as did Meta.'

provide clearer definitions and sanctioning bases for disinformation and hate speech. The Council's expanded remit will require closer operational cooperation with the CEC during campaign periods.

Overall, these steps move Moldova closer to the standards outlined in the Audiovisual Media Services Directive, the DSA and the EMFA. However, a major gap still remains in the regulation of online platforms and social media. While election-related television and radio content, including online, can be monitored and corrected (and Moldova has indeed made progress in addressing bias and concentration in the broadcast media), the other digital campaign sphere—Facebook, TikTok, YouTube, news websites, messenger apps—is essentially unregulated territory. This regulatory gap means that online political advertising is not subject to all the same transparency rules as traditional media ads, and it is not as easy under Moldovan law to order that disinformation or extremist content online be taken down as it is under the DSA in EU countries.

Recent regulations adopted by the CEC are an attempt to increase reporting on online campaign expenditures, and the new Electoral Code stipulates certain rules for online campaigning, but enforcement is limited by the lack of a dedicated legal framework. During the 2023 local elections and 2024 presidential election, for example, observers noted the continued presence of opaque sponsored content on social networks and challenges in identifying foreign or anonymous influence in the online information space (ODIHR 2025).

Closing this gap will require Moldova to develop legislation or interim measures mirroring the DSA and the EU's political advertising rules. Key needs include establishing requirements for online platforms to maintain archives of political advertisements and disclose their

**Regulations adopted by the CEC are an attempt to increase reporting on online campaign expenditures.**

sponsors, obliging large platforms to assess and mitigate systemic risks (such as coordinated disinformation targeting elections), and empowering a regulatory body to oversee compliance. Currently, no Moldovan authority has the mandate or technical capacity to audit social media algorithms or ad libraries—tasks that in the EU fall to digital services coordinators and other bodies under the DSA.

As an EU candidate country, Moldova is expected in the coming years to transpose or adopt rules equivalent to those stipulated in the DSA and related acquis; until then, the online electoral environment will remain partly unregulated. This is a critical area where Moldova must intensify efforts: drafting a digital services code or similar national law could pre-emptively implement EU-aligned standards on content moderation, disinformation countermeasures and online political ad transparency, thereby protecting electoral integrity in the interim before EU accession.

### 2.2.3. Digital markets and political advertising

Moldova is not yet aligned with the DMA or its underlying principles. As a non-member of the EU, it is not directly bound by the DMA, and its national competition law has not been updated to include DMA-like provisions for digital gatekeepers. Moldova's Competition Council and telecommunications regulators do apply general antitrust and sectoral rules (for example, regulating telecom operators and ensuring some competition in mobile and Internet services). However, the specific practices addressed by the DMA, such as self-preferencing by app store owners or pre-installation of default apps, are not regulated under Moldovan law. Large global platforms operate under their own terms in Moldova's market. For instance, Moldovan political actors using Facebook or Google during campaigns must abide by those companies' global policies, with no additional obligations imposed by Moldovan authorities regarding data access or fairness.

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**Like other EU accession countries, Moldova's digital campaign environment is effectively shaped by a few private tech giants without local regulatory oversight.**

The immediate impact of this lack of alignment is less pronounced than with the DSA, but it is still notable. Like other EU accession countries, Moldova's digital campaign environment is effectively shaped by a few private tech giants without local regulatory oversight of their market behaviour. If, for example, a dominant social media platform were to change its algorithm in a way that throttled the reach of political news or if it offered preferential treatment to certain media outlets, Moldovan regulators would have limited recourse. In contrast, under the DMA, EU regulators could potentially intervene or fine a gatekeeper platform for such anticompetitive conduct that restricts information plurality. Also, the DMA's data portability requirements

(enabling users to move their data to alternative services) could in the future help new local platforms emerge as spaces for political discourse, reducing dependency on a single channel.

Aligning with the DMA is not an urgent short-term requirement for ensuring electoral integrity, but it will become part of Moldova's obligations as accession talks progress on the digital chapter. The government's overall digital economy reforms, including antitrust measures and so-called de-oligarchization, are in motion. The Audiovisual Council, in cooperation with the Competition Council and fiscal authorities, took further steps to improve regulation and transparency of television ownership in the media market. In summary, while Moldova currently lags on DMA alignment (understandably, given that it is a brand-new EU law), planning for convergence in digital competition rules will further close the gap with EU standards and help secure a diverse, open online environment for future elections.

As a candidate country, Moldova will also need to align with the provisions of the EU's TTPA, a new law that will apply across the EU by late 2025. Currently, Moldova does not have a dedicated law regulating online political advertising transparency at the level of detail of the TTPA. That said, amendments to Moldova's July 2025 advertising law on state-advertising transparency contribute to EU alignment in the political-information ecosystem and complement forthcoming adjustments needed for full compliance with the TTPA.

Under Moldova's existing Electoral Code and campaign finance rules, there are certain transparency requirements: parties and candidates must report campaign expenditures (including on advertising), and traditional media must label political advertising as such during election periods. The Audiovisual Code requires television and radio ads to be clearly identified and prohibits foreign-funded election advertising on broadcast media. However, digital advertising has been a grey zone. Social media ads, sponsored posts and targeted messages are not well regulated. Moldova has experienced problems like hidden sponsorship of social media content, undeclared spending by third parties and foreign propaganda masquerading as political messaging. Without legal mandates, the CEC's ability to enforce fairness online is limited.

### Box 2.2. Enhancing electoral resilience against digital threats in Moldova

'In 2024, Moldova held a pivotal presidential election and referendum on EU integration, facing significant digital threats such as disinformation and unregulated online campaign spending. To address these challenges, the Central Electoral Commission partnered with International IDEA to strengthen its oversight of digital campaign activities. The collaboration introduced new monitoring methods and weekly reporting systems, enabling the CEC to detect illicit advertisements, fake accounts, and coordinated disinformation campaigns. Previously lacking digital oversight tools, the CEC benefited from training and support that increased its awareness of online threats and improved cooperation with key stakeholders. The initiative laid the foundation for future regulatory improvements and enhanced the CEC's digital resilience. These efforts were scaled up in preparation for the 2025 parliamentary elections' ([International IDEA n.d.](#)).

#### 2.2.4. Impact of AI and emerging technologies on electoral processes (AI Act readiness)

Recognizing the strategic importance of AI, Moldova proactively began to develop a policy framework aligned with European standards even before the AI Act entered into force (on 1 August 2024). In February 2024 the Ministry of Economic Development and Digitalization presented for consultations Moldova's first 'White Book on Data Management and Artificial Intelligence' ([Republic of Moldova 2024b](#)). Although the White Book, released in October 2024, is not a policy document as such, it serves as a strategic statement and guidance for future complementary national policies. The document presents Moldova's strategic approach to harnessing AI and data governance for the development of the national ecosystem; emphasizes the ethical, inclusive and sustainable development of AI; is aligned with EU standards; calls for international collaboration; and aims to provide comprehensive societal benefits.

The document also stresses the need for the government to take a central role in facilitating AI development while ensuring protection of personal data, preventing abuse and guaranteeing transparency in AI-related decisions—all core principles reflected in the EU AI Act. For example, it calls for regulations to ensure that AI systems are transparent and do not erode privacy or ethical standards, and it highlights the importance of public awareness of AI's benefits and risks.

Although the use of AI in Moldovan elections is still nascent, drafting an AI governance law that aligns with the EU's AI Act will help pre-empt future problems. One concern is the potential use of deepfake

technology or AI-generated propaganda in election campaigns—something the AI Act addresses by requiring transparent disclosure of AI-generated content. Moldova will need to incorporate such rules (perhaps via amendments to its Electoral Code or media laws) to ensure, for example, that any deepfake video of a candidate is clearly labelled and that malicious deepfakes can be swiftly addressed. Another area is political microtargeting using AI algorithms: the EU is debating classifying certain political profiling tools as high-risk AI, which would impose strict requirements or even bans. Moldova's data protection law and forthcoming AI policies should take these concerns into account to avoid unregulated use of AI in campaigning, which could unfairly influence voters.

### **Box 2.3. Moldova's accession to the Council of Europe's Framework Convention on Artificial Intelligence**

On 5 September 2024 the Republic of Moldova signed the Council of Europe's Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law during a ceremony in Vilnius. This signing marks a significant step towards Moldova's alignment with European and international standards for the responsible use of AI. The Convention, adopted on 17 May 2024 by the Council of Europe's Committee of Ministers, is the first international treaty to establish a global legal framework for AI governance throughout its entire life cycle. It includes 36 articles aimed at addressing AI-related complexity, risks and opportunities while safeguarding fundamental rights and democratic values. Moldova's signature reflects a coordinated effort by the Ministry of Economic Development and Digitalization and the Ministry of Justice. The Convention will support the development of a national regulatory framework that ensures that technological progress aligns with core principles such as human oversight, accountability and the rule of law ([Republic of Moldova 2024a](#)).

In addition to the legal acts of the EU digital acquis discussed above, Moldova has made certain progress (from moderate to very good) in aligning its legal and institutional frameworks with other key EU digital regulations in the areas of cybersecurity, electronic identification and media governance (see table 2.1).

In conclusion, Moldova's baseline alignment with the EU digital acquis relevant to elections is a work in progress—strong in data protection, cybersecurity and eID; nascent in AI policy; and largely missing in the domain of online services (DMA, DSA, TTPA). While progress in building the legislative base is evident and impressive, implementation of the adopted laws would require additional resources and support for the responsible institutions.

Table 2.1. Other regulations from the EU digital acquis

<b>Cybersecurity</b>	<p>The EU's NIS Directive (2016) and its successor, the NIS 2 Directive (2022), require member states to implement robust cybersecurity measures across essential sectors, including electoral infrastructure if it is designated as critical. Moldova has taken important steps in this direction in a short time, including the adoption of Law No. 48/2023 on Cybersecurity in March 2023. This law establishes a national legal framework for cybersecurity and establishes the national Agency for Cybersecurity and the Cybercor National Institute for Cybersecurity Innovations, both operational as of early 2024.</p>
<b>Electronic communications and electronic identification</b>	<p>To align with the European Electronic Communications Code (Directive [EU] 2018/1972), Moldova must continue modernizing its legal framework for digital communications, particularly regarding political messaging via telecom networks—such as spam, robocalls and bulk SMS—during election campaigns.</p> <p>More concrete progress has been achieved in the area of electronic identification and trust services. Moldova adopted Law No. 124/2022 on Electronic Identification and Trust Services, which entered into force on 10 December 2022 and is partially aligned with the EU's eIDAS Regulation. A major milestone was reached in April 2024 with the launch of Moldova's next-generation electronic identity card (eID), designed to meet high security standards and ensure compatibility with European digital infrastructure.</p> <p>According to Mircea Eșanu, Director of the Public Services Agency, 'This document represents a joint effort of several public institutions and opens new opportunities in the interaction between the state and citizens. In drafting the document, we were guided by three mandatory European regulations concerning the identity card, residence card, and electronic identity' (<a href="#">E-Governance Agency 2024</a>)</p> <p>Issued in both physical and digital form, the new eID supports electronic authentication and signature capabilities, enabling access to a broad range of online public services, as well as the ability to sign candidate lists electronically and potentially to vote electronically.</p>
<b>Media freedom and free flow of information</b>	<p>Although media freedom is not governed by a single acquis instrument, it is a core EU principle and is increasingly codified through initiatives such as the Audiovisual Media Services Directive and the EMFA.</p> <p>Moldova has made moderate progress in improving freedom of expression but continues to face structural challenges. The Audiovisual Council is the only regulatory body in the media sector, with authority over television and radio but no formal powers over online media. Concerns remain regarding its independence, particularly due to the parliament's ability to influence the Council by approving or rejecting its annual reports. Strengthening the financial and operational autonomy of the Audiovisual Council and expanding its remit to include online platforms will be essential for Moldova's alignment with the EU's media governance standards. Additionally, Moldova is expected to ensure an enabling environment for independent journalism and to counter political interference in media regulation.</p>



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### 2.3. NATIONAL POLICIES AND ENFORCEMENT INSTITUTIONS

Aligning laws with EU standards is only part of the equation: effective enforcement and institutional capacity are very important for the establishment of a proper implementation system as well. Moldova has been developing an architecture of agencies and other bodies to handle the digital dimensions of elections, sometimes creating new institutions or reforming old ones to meet emerging challenges. In 2023–2024, for example, several new state institutions were established, including the Centre for Strategic Communication and Combating Disinformation, the Agency for Cybersecurity and the National Institute for Cybersecurity Innovations. These bodies represent a key milestone in Moldova's efforts to strengthen cybersecurity and combat disinformation.

The Sub-Council for Artificial Intelligence and Data Governance of the Republic of Moldova, officially established on 23 July 2024, operates as a specialized body within the National Council for Digital Transformation, which is tasked with guiding the implementation of Moldova's Digital Transformation Strategy 2023–2030. The Sub-Council's mission is to foster responsible AI adoption and ethical data governance across sectors in alignment with EU standards. Its objectives include developing regulatory frameworks, facilitating intersectoral collaboration, and accelerating AI integration in the public and private sectors.

When it comes to elections, the CEC plays a leading role in the institutional architecture and is increasingly responsible for managing digital systems crucial to elections. For example, it manages the State Automated Elections Information System, which contains the electronic voter register and facilitates real-time voter verification at polling stations to avoid double voting. It also uses an electronic results tabulation system to compile vote counts from precincts. The CEC coordinates diaspora online voter registration (through an online platform for overseas voters to announce their intent to vote abroad, helping determine polling station allocations) and registration of overseas voters choosing to vote by mail. As Moldova explores alternative voting methods, any future e-voting system would likewise be under the CEC's purview, requiring significant tech expertise.

The CEC's role has notably expanded to encompass the monitoring of political finance. The Commission now has a dedicated internal unit to receive and audit parties' and candidates' financial reports, both during and between elections. For this purpose, the CEC developed an online reporting platform that is a part of the Elections Information

System's financial control module. The CEC can conduct hearings and investigations into irregularities, and it has sanctioning power that enables it to issue warnings or fines or call for the deregistration of candidates through the courts. These powers mean that the CEC is not just an organizer but also an enforcer of rules, akin to an oversight agency in the campaign context.

The protection of its electronic systems is one of the CEC's key responsibilities, carried out in close cooperation with national cybersecurity authorities. At the operational level, the CEC works with the Information Technology and Cyber Security Service, while policy coordination falls under the remit of the national Agency for Cybersecurity. Their collaboration is essential to safeguarding critical electoral infrastructure from cyberthreats, particularly during election periods, when the risk of digital interference is heightened.

#### **Box 2.4. Building national digital resilience through the Agency for Cybersecurity**

The Agency for Cybersecurity, established on 21 December 2023 by Government Decision No. 1028/2023, serves as the country's primary authority for cybersecurity. Its mission is to implement state cybersecurity policies and enhance national digital resilience. Key responsibilities include operating as the national computer security incident response team, identifying and overseeing essential service providers, guiding and regulating cybersecurity practices, and ensuring compliance with cybersecurity norms. The Agency also acts as Moldova's central point of contact for national and international cybersecurity cooperation and supports research and development in the field. It plays a pivotal role in aligning Moldova's cybersecurity framework with European standards, particularly the NIS 2 Directive ([National Cyber Security Center of Moldova n.d.](#)).

**The CEC collaborates with various institutions to ensure the integrity and efficiency of electoral processes.**

The CEC collaborates with various institutions to ensure the integrity and efficiency of electoral processes. It works with the Civil Status Service and local authorities to update the electronic voter register and voter lists; the Ministry of Foreign Affairs to manage diaspora voting logistics; and law enforcement bodies (such as the police and prosecutors) to address electoral offences. It also cooperates with the Audiovisual Council and the National Center for Personal Data Protection on matters within their respective domains, including media bias and personal data complaints during elections. During electoral periods, the CEC establishes joint working groups with relevant agencies to monitor media coverage and, together with the Ministry of Internal Affairs and other law enforcement institutions, addresses political finance issues. Additionally, the Centre for Strategic Communication and Combating Disinformation plays a

key role in strengthening the CEC's capacity to identify and counter disinformation.

### **Box 2.5. Institutional approach to countering disinformation and foreign interference in Moldova**

The Centre for Strategic Communication and Combating Disinformation was established by the Moldovan Parliament in July 2023 as part of a legislative initiative proposed by President Sandu. The Centre's mission is to enhance interinstitutional coordination in combating disinformation, information manipulation and foreign interference that threaten national security. It is empowered to issue recommendations to public authorities and the private sector, propose amendments to the legal framework and notify law enforcement agencies of any violations related to disinformation activities. In December 2023 the Moldovan Parliament adopted the Strategic Communication and Countering Disinformation Concept for 2024–2028, developed by the Centre. This programmatic document outlines Moldova's approach to addressing disinformation and foreign information manipulation and interference, aligning with the country's European integration efforts and national security objectives. The Centre has also engaged in international collaboration to strengthen its capabilities ([Parliament of the Republic of Moldova 2023](#)).

Although the CEC has gained capacity, it still faces challenges. Politically, it needs to maintain impartiality in a highly polarized environment. Technically, it must keep pace with evolving threats—for instance, countering any cyberattacks before elections and on election day, as well as combating disinformation or massive illicit funding. The European Commission and the Council of Europe have advised Moldova that the 'Central Electoral Commission should be equipped with sufficient resources, especially at district level' ([European Commission 2024d: 21](#)), which means securing an adequate budget for the CEC; training election officials and CEC staff on cybersecurity, personal data protection, new legal provisions in the digital area and new digital tools on analytics for campaign finance; and upgrading the CEC's software systems and information and communication technology (ICT) infrastructure, including by adopting new AI tools.

## **2.4. CHALLENGES AND LESSONS LEARNED REGARDING DIGITAL THREATS TO DEMOCRACY**

Perhaps the clearest challenge Moldova faces in the field of elections is the scale of disinformation and intensity of foreign interference. According to the international election observation mission deployed

by ODIHR (2025: 1), the 2024 presidential election and constitutional referendum in Moldova were conducted in 'an environment characterized by concerns over illicit foreign interference and active disinformation efforts'. At the same time, social media platforms have become 'the most popular sources' (Thomson Reuters Foundation 2021: 6) of political information in the country, while also being the main channels for spreading disinformation and communicating through illicit funding schemes.

### **Box 2.6. Meta's disruption of coordinated inauthentic behaviour in Moldova's 2024 elections**

In October 2024, ahead of Moldova's presidential election and referendum on EU membership, Meta dismantled a network of fake accounts targeting Russian-speaking users in Moldova. These accounts violated Meta's policies on coordinated inauthentic behaviour.

The operation involved approximately a dozen fictitious Russian-language news brands posing as independent entities that had disseminated content across multiple platforms, including Facebook, Instagram, OK.ru, Telegram and TikTok. The content criticized pro-Western President Sandu and pro-EU politicians while promoting pro-Russian parties.

Meta removed 7 Facebook accounts, 23 Facebook pages and 1 Facebook group as well as 20 Instagram accounts associated with this network. Collectively, these accounts had a significant following, with about 4,200 accounts following one or more of the Facebook pages and approximately 335,000 accounts following one or more of the Instagram accounts.

This incident underscores the challenges social media platforms face in safeguarding electoral integrity against coordinated disinformation campaigns. It also highlights the importance of proactive measures by technology companies to detect inauthentic behaviour that can influence democratic processes (Mukherjee 2024).

Combating this massive propaganda and disinformation campaign required excellent cooperation and alignment with best EU practices.

In March 2024, before the European Parliament elections in June, the European Commission published guidelines under the DSA to assist VLOPs and very large online search engines (VLOSEs) in mitigating systemic risks, particularly those affecting electoral processes (European Commission 2024a). These guidelines recommended that platforms implement election-specific risk mitigation measures tailored to each electoral period and local context. The measures included enhanced content moderation, increased transparency in political advertising, and collaboration with national authorities

and civil society organizations to address disinformation and other threats to electoral integrity.

This experience was used during an election readiness exercise organized by the European Commission and Moldovan authorities in Chişinău ahead of Moldova's presidential election and EU membership referendum ([European Commission 2024b](#)). The workshop focused on countering foreign information manipulation and interference and involved major online platforms, such as Google, Meta, Microsoft and TikTok, alongside Moldovan civil society organizations, fact-checkers and independent media. A key outcome was an agreement to implement a temporary escalation mechanism, enabling rapid flagging and response to disinformation threats. This mechanism, inspired by the EU's Code of Practice on Disinformation, was supported by the European Digital Media Observatory and its BROD hub, which provided fact-checking expertise within Moldova's information ecosystem. The initiative reflected Moldova's commitment to aligning with EU digital standards, particularly the DSA, by fostering collaboration between national authorities, civil society and online platforms to safeguard electoral integrity. It also underscored the importance of proactive measures in addressing digital threats to democracy.

### Box 2.7. Challenges of the 2025 parliamentary election in Moldova

Moldova's 28 September 2025 parliamentary elections were competitive and generally well run, yet the campaign environment was decisively shaped by foreign information manipulation and interference (FIMI). Coordinated disinformation surged across Telegram, TikTok, and Facebook, including AI-generated videos and cloned news and election authority's pages designed to depress pro-EU support and erode trust in institutions ([McGrath 2025](#)). Election-related web resources faced targeted DDoS waves, while law-enforcement probes exposed opaque financing channels that allegedly used cryptocurrencies to move funds offshore before conversion to cash for influence operations and vote-buying ([Morson 2025](#)).

Despite these pressures, core electoral processes were held, authorities managed extensive out-of-country voting with 301 diaspora polling stations and piloted postal voting in selected countries ([Moldpres 2025](#)). Observer missions from OSCE/ODIHR and ENEMO recognized the overall integrity of administration but flagged serious vulnerabilities online and in campaign finance ([OSCE/ODIHR 2025](#)).

The 2025 election confirmed not only institutional capacity to run a competitive election but also that Moldova's electoral resilience now hinges on digital-era defences: counter-disinformation (prebunking and debunking), crypto-aware finance oversight, and whole-of-system cyber readiness. Addressing these gaps, explicitly flagged by international and civic observers, will be decisive for safeguarding public trust before the next nationwide contest.

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## 2.5. CONSIDERATIONS FOR NEXT STEPS

Consideration should be given to completing the alignment of election-related digital laws with the EU acquis. First of all, this alignment would involve the development of a Moldovan law inspired by the DSA. Such a law should establish obligations for online platforms regarding illegal content and disinformation, specify the liability regime for online intermediaries and formalize cooperation. In parallel, the TTPA's key requirements should be transposed into national law. Any forthcoming EU rules from the European Democracy Shield initiative should be monitored and pre-emptively incorporated where feasible. Completing these legislative updates would ensure that Moldova's 2027 local, 2028 presidential and 2029 parliamentary elections are held in line with EU standards.

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**Moldova should consolidate the coordination framework for digital threats, which could involve formalizing an election digital integrity task force before each national election.**

Building on lessons learned, Moldova should consolidate the coordination framework for digital threats, which could involve formalizing an election digital integrity task force before each national election, chaired by a designated official (e.g. from the CEC) and including the Centre for Strategic Communication and Combating Disinformation, the Audiovisual Council, the Agency for Cybersecurity and the National Center for Personal Data Protection, to jointly monitor and respond to incidents. If such a task force were established, the roles involved would have to be clearly defined in a protocol. Overlapping mandates should be resolved through either legislation or memoranda of understanding.

Moldova should also bolster the CEC's digital expertise by establishing a dedicated unit for social media and online campaign monitoring so that it can systematically track compliance on digital platforms. Collaboration with civil society (which often has relevant expertise) can augment this effort. The Audiovisual Council's independence and resources must be further safeguarded. To this end, the provisions of the new EMFA, which applies in all EU countries as of 8 August 2025, should be considered. In addition, the National Center for Personal Data Protection should receive more funding and expertise to enforce the new law—for example, by auditing political party databases or investigating data misuse complaints during campaigns—and to collaborate with the CEC and the Centre for Continuous Electoral Training to inform electoral stakeholders and build their capacity in personal data protection.

## Chapter 3

# PERSPECTIVES FROM NORTH MACEDONIA

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### 3.1. INTRODUCTION

It has been over 20 years since the enactment of the first National Programme for the Adoption of the EU acquis in North Macedonia. Harmonization of national legislation with the EU acquis is proceeding at different rates across the 35 accession negotiation chapters. Despite being a candidate country for EU membership since 2005, North Macedonia has not yet started negotiations, and apart from the screening process, no chapters have been opened to this day.

Following elections in June 2024, the newly formed government prioritized finalizing its Reform Agenda 2024–2027, one of the main promises it made during the electoral campaign.

Democracy; judicial independence, integrity and efficiency (including the functioning of the judicial council); the fight against corruption; the fight against organized crime; and asset recovery are the top priorities for speeding up the country's EU accession process. These areas encompass 10 specific reforms concerning the revision of electoral legislation, improving judicial recruitment and integrity, enhancing anti-corruption frameworks and aligning legal systems with EU standards.

In the framework of reviewing election legislation, staying on top of developments in digitalization that impact electoral processes is challenging because of the fast pace of change in the online sphere and campaigning, as well as the complexity of horizontal regulations that affect or are related to electoral processes. Trying to bring in line the national laws with the EU digital acquis by modernizing

and accelerating the administrative processes on one hand, and balancing the protection of human rights and democratic processes including elections, on the other hand, is a challenging process that cannot be approached from just one angle; rather, a multi-level and multisectoral approach is needed.

As a country aspiring to join the EU, North Macedonia must fully uphold EU values related to democratic processes and respect human rights while simultaneously providing a legislative and institutional framework for elections—a complex and highly important social process.

It is not immediately obvious how all these diverse areas come together, but there are many concerns about the impact of behaviour in the digital sphere on electoral processes. Addressing these concerns requires an international effort, including coordination and alignment with European values and regulations. This chapter presents the relationships between the digitally driven changes and the legislative and institutional effect these can have on electoral processes and how they can interact to preserve the state's democratic pillars.

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### **3.2. STATE OF AFFAIRS REGARDING APPROXIMATION EFFORTS AND LEGAL GAPS**

The legal framework for North Macedonia's electoral system establishes the basis for holding free and fair elections. However, certain rules related to voter and candidate registration and election dispute resolution fall short of international standards and good practice. Elections are regulated by the 1991 Constitution, the 2006 Electoral Code, the 2004 Law on the Financing of Political Parties, the 2019 Law on the Prevention of Corruption and Conflicts of Interest, the 1996 Criminal Code and subsidiary acts by the State Election Commission (SEC) ([ODIHR 2024](#)).

In 2024 ODIHR ([2024: 8](#)) recommended that 'the Electoral Code be comprehensively reviewed in order to eliminate inconsistencies, harmonize it with other relevant legislation, and to bring it in line with Organization for Security and Co-operation in Europe commitments, international obligations and good practice. Comprehensive rules for campaigning, including access to the media and campaign finance in presidential elections, should be established to ensure equitable opportunities for both presidential and parliamentary candidates.



Any legislative reform should be public, inclusive, and carried out sufficiently in advance of the next election.’

When it comes to legal gaps related to electoral processes, a main concern is the lack of accountability in the procedure for allocating funds for paid political advertising, including in the online sphere.

### 3.2.1. Financing of political advertising: A leading electoral challenge

The Electoral Code gives the SEC discretionary power to allocate budgetary funds for paid political advertising without clear legal criteria for doing so, solely on the basis of a report by the recipient. These funds are intended exclusively for financing broadcasters, print media and electronic media (Internet portals) for the publication of paid political advertising on behalf of participants in the electoral process. Specifically, the SEC pays for published paid political advertising based on an invoice submitted by broadcasters, print media and electronic media (Internet portals) within 30 days of the publication of the final results of the respective election (Djorgievski and Vrglevski 2024).

Practice shows that the SEC does not conduct any procedures or issue detailed, reasoned decisions on the acceptance and payment of costs for published paid political advertising, which is contrary to the Law on General Administrative Procedure. The Electoral Code allows budgetary funds to be allocated for paid political advertising on Internet portals, which are not regulated as media under systemic legal regulation—namely, the Law on Media. This regulatory gap means that funds may be paid from the public budget to entities that are not officially registered as media-related operations, since online portals are not regulated by the Law on Media (Djorgievski and Vrglevski 2024) (see Box 3.1).

Experts have called for urgent amendments to the Electoral Code. Many of the targeted gaps are associated with principles set out in the EU’s TTPA and concern the critical issue that the total budget for political advertising is increasing with every subsequent election.

Respecting the principles outlined in the TTPA means allowing citizens to make informed choices, enabling them to understand political advertising, and respecting the rules on the transparency and targeting of political advertising by, for or on behalf of a political actor, including rules on advertising designed to influence the outcome of an election or referendum, voting behaviour, or a legislative or regulatory

**When it comes to legal gaps related to electoral processes, a main concern is the lack of accountability in the procedure for allocating funds for paid political advertising, including in the online sphere.**

### Box 3.1. Financing of political advertising: Recurring malpractice

State Audit Office data from reports submitted by the media and other entities for paid political advertising during the most recent local elections, in 2021, shows that a total of MKD 167,441,762 (approximately USD 3.1 million) was paid from the state budget. The actual amount was certainly higher, as some of the reports provide the net amount, while others provide the gross amount.

In addition, commercial radio broadcasting companies, which have media status according to the Law on Media, were paid MKD 113,563,941 (approximately USD 2.1 million), while other legal entities that do not have media status received MKD 53,877,821 (approximately USD 1.0 million) in funding for paid political advertising ([Djorgievski and Vrglevski 2024](#)).

The equivalent of around EUR 10.0 million from the state budget was spent on advertising for political parties in the most recent presidential and parliamentary election campaigns, in 2024, according to a report by the State Commission for the Prevention of Corruption. For the parliamentary election in May 2024, as much as 90 per cent of this money went to the major parties, while smaller political parties that participated in the election received only a small portion of the funds.

Some EUR 5.7 million in budgetary funds was spent on political advertising for the presidential election, while EUR 4.0 million was spent for the parliamentary election. The largest portion of this money was spent on television.

There is a complete lack of oversight of budgetary spending on electronic media. The position of the State Commission for the Prevention of Corruption is that the use of the public budget to finance election campaigns should be abolished ([Republic of North Macedonia 2024](#)).

process. However, tightening these rules cannot be used to justify increased or unlimited spending on political advertising.

The 2024 parliamentary election set a record of 1,417 hours of paid political advertising. The budget for paid political advertising allocates large amounts of funds, as evidenced by the fact that 39 television stations, 38 radio stations, 11 print media and a total of 251 Internet portals registered with the SEC for the most recent parliamentary and presidential elections ([Metamorphosis Foundation n.d.](#)). The Anti-Corruption Commission indicated that 20 per cent of portals and 60 per cent of television stations did not submit financial reports detailing how they spent the money they received from the state through election participants ([Metamorphosis Foundation n.d.](#)). In the absence of detailed, reasoned decisions for the acceptance and payment of the costs of published paid political advertising by the SEC, the Electoral Code leaves room for budgetary funds to be

abused. The SEC lacks the capacity and resources necessary to duly address questions concerning this funding, nor does it have the capacity to verify payments.

ODIHR's Final Report on the 2024 elections captured this complex issue at the intersection of online media and illicit political campaigning:

although media outlets are required to register with the SEC for the reimbursement of political advertising, there are no specific rules regulating the eligibility of online news portals for such funding. Most ODIHR [election observation mission] interlocutors asserted that a significant number of portals were created immediately before the elections to receive state funds during election campaigns and, in some cases, to channel these funds to political parties (ODIHR 2024: 22).

The Metamorphosis Foundation found that some outlets triple-register domains to bypass per-portal spending caps (MKD 15,000 [approximately USD 285] per party per portal). A portion of the 2024 advertising budget flowed to 'phantom media' entities. Accounting for 39 per cent of all registered portals receiving state funding, these entities were created solely for the electoral cycles and lacked clear information on their owners and employees as well as any other relevant information that could have provided some form of legitimacy (Djigal, Bejkova and Georgievski 2024).

**The Metamorphosis Foundation found that some outlets triple-register domains to bypass per-portal spending caps.**

### 3.2.2. Media legislation

The Law on Audio and Audiovisual Media Services was amended in July 2023 to harmonize it with the EU Media Directive. The law was amended again in February 2024 to reintroduce state advertising in commercial media, which was later criticized by the Agency for Audio and Audiovisual Media Services and media organizations as a step backwards.

The most significant reform shifting regulation from traditional media to the digital and online sphere was the EU Directive on Audio and Audiovisual Media Services adopted in 2010. This directive prompted legislative changes across Europe, including in North Macedonia, where the Law on Broadcasting Activity was replaced in February 2014 with two new legislative acts: (a) the Law on Media; and (b) the Law on Audio and Audiovisual Media Services. The Law on Broadcasting Activity was split into two separate legislative acts solely for the purpose of defining 'media' and avoiding resistance

from the print media and electronic publications, which were subject only to general standards, unlike the precise regulations applicable to radio, television and video-on-demand services. These laws were adopted in January and February 2014, respectively, and any mention of electronic publications was removed from the Law on Media.

In the new laws, 'electronic publications' were defined as electronic versions of newspapers or magazines that, regardless of their size, are publicly available through websites. The rationale behind the amendment was that online media were not yet ready to be regulated and should be left to self-regulation instead.

Not only did this amendment create double standards when it comes to media integrity, professional journalistic standards, editorial responsibility and so on, but it also affected media behaviour during elections and accountability regarding the financing of political advertising.

### Box 3.2. Media bias and political advertising in North Macedonia's 2024 elections

A study conducted by the Metamorphosis Foundation for the most recent parliamentary election in North Macedonia took into account 30 online portals in the period from 15 April to 10 May 2024 (Djigal, Bejkova and Georgievski 2024). Twenty-two of the portals publish news in Macedonian, while eight publish content in Albanian, and all of them were listed by the SEC as websites that provide paid political advertising for the election campaign.

The research resulted in the following findings:

1. There was a sharp increase in the number of articles related to party activities during the election campaign, especially in the days leading up to election day.
2. Online news portals increasingly focused on election coverage, with a spike in reporting aimed at shaping public opinion and influencing voter behaviour.
3. Significant bias was found in election coverage, with a large number of online portals favouring certain political parties or coalitions. Selective reporting indicates how portals can shape the political narrative by amplifying certain biased content and publishing repetitive, propaganda-based articles.
4. The level of professionalism in journalism is weak.

An analysis of banner ads showed that political parties primarily placed ads in media outlets that reported favourably on them and almost without exception avoided online portals with a critical editorial approach to their campaigns and candidates. This finding shows a direct link between positive editorial policy and financial support through public campaign subsidies.

The principles established by the EMFA—and already established earlier by many Council of Europe recommendations—were applicable only to traditional media.

### 3.2.3. Data protection

In April 2025 the Law on Media was amended to ensure that online portals were governed by the basic regulations. It remains to be seen how online portals will respect the principles of editorial responsibility, professional journalistic standards and media integrity.

The Law on Electronic Communications is aligned with EU legislation. However, the provisions requiring all telephone and Internet providers to retain the metadata of all their users for a period of one year are still in place despite the fact that the EU Data Retention Directive was repealed in 2014. Thus, the Law on Electronic Communications had to be further aligned with the ePrivacy Directive. At the beginning of April 2025, amendments to the Law on Electronic Communications were published for public consultation. At the time of the writing of this report, the process was ongoing.

Following long-standing indications that additional efforts should be made to align national legislation on personal data protection with the GDPR and Directive 2016/680 (EU Progress Reports on the Republic of North Macedonia), including recommendations to strengthen the autonomy and independence of the competent authorities made by the group of senior experts on systemic rule-of-law issues relating to the interception of communications revealed in spring 2015 (noted in the so-called Priebe Reports), the Law on Personal Data Protection was adopted in 2020. After the law entered into force in August 2021, its full implementation began. Despite aligning with the good practices rooted in the GDPR, it is impossible to fill the remaining legal gaps without approximation to the EU Law Enforcement Directive, which is not yet reflected in national laws.

### 3.2.4. Cybersecurity

Public awareness of the importance of cybersecurity and data protection is high, especially after the Health Insurance Fund faced a cyberattack in February 2023. Many feared that their health data might be misused. Fortunately, no major damage occurred, and the competent authorities confirmed that the attack had not compromised the data.

Elections in North Macedonia are still conducted through manual voting on paper ballots that are counted by hand. Discussions on cybersecurity in electronic voting systems, however, are still nascent.

The Government of North Macedonia has adopted a Cybersecurity Strategy 2025–2027. The Action Plan for the Implementation of the Cybersecurity Strategy is based on four main pillars:

- digital connectivity and ICT infrastructure;
- the development of digital skills among citizens;
- the development of digital government, as well as greater support for the digitalization of businesses; and
- encouragement of digital innovation.

Most of the activities covered by the Action Plan have a four-year implementation period, so it remains to be seen how implementation will proceed.

### Box 3.3. Cybersecurity and the abuse of technologies for security purposes

The public in North Macedonia became increasingly aware of the abuse of technologies for illicit purposes and malign influence in the course of 2022 and 2023, when 905 fake bomb threats were declared, including 876 threats at elementary and secondary schools. These threats left classrooms empty, and it became habitual for students to go to school and then be forced to evacuate due to a bomb threat.

It took time to establish protocols and adopt an approach of not responding to false bomb threats. However, the public demanded more exhaustive explanations. While only a few perpetrators were brought to justice for the majority of the threats, the Ministry of Interior revealed that the emails making the threats had been sent from IP addresses in Iran and Russia, as well as from VPN providers based in the same countries. Payments for the VPN services were made with cryptocurrencies, making detection even more difficult ([Jordanovska and Popovska 2023](#)).

On 28 April 2025, after over two years of back-and-forth drafting, the Law on Security of Network and Information Systems and Digital Transformation was adopted by the government. The text of the law is aligned with EU Directive 2022/2555 of the European Parliament and of the Council of 14 December 2022 (i.e. the NIS 2 Directive). In July 2025 the text was adopted by the parliament adding Republic of North Macedonia to the list of countries with cybersecurity laws in place. The Ministry of Digital Transformation announced a transitional period for institutions and companies to achieve

compliance. However, the ultimate aim is to ensure infrastructure and data security.

#### **Box 3.4. Cyberattacks targeting the electoral process**

In the electoral context, the law on cybersecurity will ensure that electoral infrastructure is stronger and more resilient. The importance of achieving this aim is underscored by events that occurred on election day in 2020, when the SEC's website was subjected to a cyberattack (Stankovik 2020). Towards the end of the election process, and especially during the publication of the preliminary results, a distributed denial-of-service (DDoS) attack targeted the SEC website. It was declared to be 'software terrorism' carried out by several foreign states. The attack affected the SEC's ability to publish the election results through the dedicated server set up for this purpose and led to speculation about manipulation of the results. The incident also highlighted the need for greater preparedness and interinstitutional coordination to ensure resilient electoral processes.

At the time of the incident, the SEC was not a member of the National Centre for Computer Incident Response (MKD-CIRT), which functions as a dedicated unit within the Agency for Electronic Communications. Participation is voluntary, and MKD-CIRT's constituents include both private and state entities.

Since cyberattacks know no borders, MKD-CIRT operates as part of an international network. This model of organizing resilience to computer incidents stems from European legislation, namely the NIS 1 directive. The protection provided through certain MKD-CIRT services helped mitigate the SEC attack, and the SEC is now a member of MKD-CIRT.

Implementation of the law on cybersecurity is expected to strengthen security protocols, since electoral processes fall within the scope of critical infrastructure.

#### **3.2.5. First steps in the use (or applicability) of AI in the public sector**

At the initiative of the Fund for Innovation and Technological Development and the deputy prime minister responsible for economic affairs, a working group was established to create the first National Strategy for Artificial Intelligence in the Republic of North Macedonia. The strategy is part of the Economic Development Plan of the Republic of North Macedonia and of the National Development Strategy 2021–2041 (Fund for Innovation and Technological Development n.d.). Although there is no AI strategy in place, AI is one of the priorities of the National ICT Strategy of the Republic of North Macedonia 2023–2027 (Republic of North Macedonia 2022).

The first results of AI implementation are expected to be seen in the national digital services portal, [uslugi.gov.mk](https://uslugi.gov.mk), where new technologies will enable AI-based searches for a particular service and then support the process of service delivery.

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### 3.3. NATIONAL POLICIES AND ENFORCEMENT INSTITUTIONS

For a long time, ethics in online media in North Macedonia was left to self-regulation. The Journalists' Association played a major role in raising awareness of the fact that online media should respect journalistic standards. An official online media registry was established, but it was to be used on a voluntary basis. Online portals that wished to register could do so, but many of them neither registered nor complied with basic journalistic standards. In response, the Journalists' Association and the Council of Media Ethics made significant efforts to urge journalists to adhere to the highest professional and ethical standards and to self-regulate, making these two entities major actors in providing institutional support for online media behaviour.

The Agency for Audio and Audiovisual Media Services issues recommendations and condemns unprofessional or unethical behaviour. To date, however, its main focus has been on the conduct of traditional media—which are subject to stricter rules—during elections. It remains to be seen how the amendment to the Law on Media to ensure that online portals are governed by basic regulations will be monitored in the upcoming local elections in October 2025.

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**While nearly half of the population regularly uses social media platforms, there are no legal provisions or authorities in place to regulate the digital campaign environment.**

While nearly half of the population regularly uses social media platforms, there are no legal provisions or authorities in place to regulate the digital campaign environment. Despite the lack of regulation, efforts are being made to combat the spread of campaign-related disinformation (ODIHR 2024).



### Box 3.5. The 2016 US election and the North Macedonia ‘fake news’ case

Since the summer of 2016, the term ‘fake news’ has come to refer to the deliberate viral spread of false news online, including through social media. The term encompasses fabricated, manipulated, false and misleading content, as well as false context or connections, satire and parody. Accordingly, its meaning varies depending on the context.

*The Guardian* was the first newspaper to report on the small town of Veles in North Macedonia, where political websites used clickbait (content designed to encourage visitors to click on a link to a specific website) to make money from so-called Trumpmania during the 2016 US presidential election campaign.

Teenagers from Veles created over 100 websites that published fake news. The success of this phenomenon was detailed in an investigation conducted by the US website BuzzFeed on 3 November 2016, just days before the election.

## 3.4. USE OF SOFT-LAW INSTRUMENTS

At the initiative of the Agency for Audio and Audiovisual Media Services, supported by the ODIHR and other institutions, a Code of Conduct in the Online Sphere during Electoral Processes and Referenda was introduced ([Republic of North Macedonia 2023](#)).

The goal of the code is to ensure the integrity of information posted in online spaces and to stop the spread of disinformation, hate speech and discrimination on any basis, by establishing basic standards of ethical and professional behaviour for entities that directly participate in the electoral process ([Kolekevski 2023](#)).

A coordinating body comprised of representatives of the Association of Journalists of Macedonia, the Macedonian Institute for Media, the Council for Media Ethics of Macedonia, the Institute of Communication Studies, the Metamorphosis Foundation, and the Agency for Audio and Audiovisual Media Services was established to monitor the functioning of the code.

At the most recent conference of the International Foundation for Electoral Systems, the ODIHR and the SEC in North Macedonia, held on 17 June 2025 and titled ‘Informed Voters: Strategies for Effective Education and Outreach’, it was concluded from the session on the role of social media in elections that North Macedonia was still raising public awareness, with no concrete measures or activities to be reported. However, the Agency for Audio and Audiovisual Media

Services will be responsible for oversight of influencers and vloggers. The development of its mandate is still at an early stage, and some criteria for who should be registered as an influencer are yet to be determined.

In terms of digital services, the current Law on Audio and Audiovisual Media Services regulates only the operation of linear and non-linear providers of audio and audiovisual media services. A basic tier of coordinated rules applies to all audiovisual media services, both television broadcasting (i.e. linear audiovisual media services) and on-demand audiovisual media services (i.e. non-linear audiovisual media services). In accordance with the amendments to this law adopted on 17 July 2023, video-sharing platforms established in North Macedonia will also be subject to regulation. Any video-sharing platform service providers under the jurisdiction of the Republic of North Macedonia have an obligation to register their operations with the Agency for Audio and Audiovisual Media Services ([Republic of North Macedonia 2025](#)). However, no such platforms are currently registered in North Macedonia. In accordance with the latest amendments to the law, adopted on 6 March 2024, the financing of state campaigns for elections on state and local level is also regulated.

Digital services are also defined in the Law on Electronic Commerce. Information society services are provided for remuneration, at a distance, by electronic means and at the personal request of the recipient of the service. This law transposes the provisions of Directive 2000/31 on Electronic Commerce, which obliges certain service providers, including some online platforms, to remove illegal content following complaints. The obligations of the network operators are stipulated in the Law on Electronic Communications, which also provides for net neutrality. The expert group on the Law on Digital Services has stated that there is no need for a specific law, adding that sufficient harmonization can be achieved through horizontal alignment of existing laws.

The main focus is on the national coordination systems and working bodies for digital transformation ([Danilovska-Bajdevska et al. 2024](#)). The Ministry of Digital Transformation will be responsible for coordination, while the members will come from state bodies and regulators, civil society, media organizations, academia, independent researchers and other relevant institutions that can contribute expertise and experience in various aspects related to digital services and platforms ([Danilovska-Bajdevska et al. 2024](#)).

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## 3.5. CONSIDERATIONS FOR NEXT STEPS

While North Macedonia has made some advancements in aligning its legislation with the GDPR, several aspects of electoral processes directly pertaining to the EU's digital regulatory framework remain to be addressed.

### 3.5.1. Political campaign advertising

The following measures are recommended to improve transparency and accountability in political advertising and state funding of media:

1. Reconsider the practice of providing state funding directly to media outlets (ODIHR 2024).
2. If paid political advertising is not abolished, the Ministry of Justice and the SEC should establish, through appropriate by-laws, clear and objective criteria for the eligibility of online news portals for state reimbursement of paid political advertisements. The Ministry of Justice and the SEC should also regulate a clear procedure for maintaining the Register of Broadcasters, Print Media and Electronic Media maintained by the SEC, which could be achieved through an amendment the Electoral Code or the adoption of a general by-law (i.e. an SEC instruction).
3. The SEC could enhance accountability by adopting reasoned decisions on the recognition of invoices and payment for published paid political advertising, in line with established criteria and procedures.

### 3.5.2. Fostering media integrity in elections

The following measures are recommended to promote stricter standards for professionalism and integrity in election-related media coverage:

1. The media should be encouraged to adhere to stricter standards for fair and balanced media coverage of elections. Bodies such as the SEC and journalist organizations should implement stricter guidelines to ensure impartial reporting and require transparency regarding sources of information and the motives behind political content.
2. Training programmes should be introduced to improve professionalism in online journalism, focusing on journalistic integrity and skills, balanced reporting and reliance on multiple sources of information.

### **3.5.3. Future use of AI in administrative procedures**

When regulating the design, development and use of AI algorithms and systems, the government should also keep support for innovation in mind and should promote innovation in accordance with human rights, democracy and the rule of law, as set out in the EU's digital regulatory framework.

Moving forward, it is important for North Macedonia to meet the legislative requirements of its reform agenda, such as adopting and implementing a legislative framework for digitalization and cybersecurity that is fully aligned with EU policy and enhances the capacities of all institutions to meet their legal obligations.

In particular, consideration should be given to completing the alignment of election-related digital laws with the EU acquis. North Macedonia should also consolidate the coordination framework for digital threats and bolster the digital expertise of the SEC and other relevant agencies for social media and online campaign monitoring so that they can systematically track compliance on digital platforms.

## Chapter 4

# PERSPECTIVES FROM UKRAINE

### 4.1. INTRODUCTION

Ukraine is facing an extraordinary democratic test as it defends itself against Russia's full-scale invasion launched in 2022. Under martial law, the Ukrainian Constitution and legal framework have suspended regular electoral cycles, with article 19 of the Law on the Legal Regime of Martial Law (Ukraine 2015) explicitly prohibiting national elections until the cessation of martial law. The suspension of elections has triggered vigorous debates about the timing and modalities of post-war elections. Public sentiment overwhelmingly supports postponement: recent polls indicate that approximately 66 per cent of Ukrainians oppose holding elections during wartime, citing the grave security and logistical risks associated with active conflict (Razumkov Centre 2025). The immediate priority for Ukrainian citizens remains the defence of the nation rather than the pursuit of electoral campaigns. Despite these constraints, Ukraine's democratic resilience endures. The Central Election Commission (CEC) remains committed to ensuring the integrity of future electoral processes, and its chairperson has emphasized that 'post-war elections are not a place for experiments', underscoring the historic responsibility that lies ahead (Romaniuk 2025).

In parallel, Ukraine has accelerated its European integration efforts. Having applied for EU membership mere days after the invasion, in February 2022, the country was granted candidate status by June 2022. By late 2023 the European Council had agreed to open accession negotiations, culminating in the first intergovernmental conference in June 2024. These developments reflect Ukraine's strategic realignment towards the EU even amid wartime challenges.

**The CEC remains committed to ensuring the integrity of future electoral processes, and its chairperson has emphasized that 'post-war elections are not a place for experiments', underscoring the historic responsibility that lies ahead.**

Negotiations under the EU's revised enlargement methodology begin with the crucial 'Fundamentals' cluster, focusing on the rule of law, public administration reform and the functioning of democratic institutions. Despite the ongoing conflict, Kyiv continues to advance critical reforms in these areas. On 14 May 2025 the Ukrainian Government adopted detailed roadmaps for justice system reform, administrative capacity building and the safeguarding of democratic institutions ([Ukraine 2025b](#)). Notably, the Functioning of Democratic Institutions Roadmap includes a dedicated section on elections, structured into three thematic areas:

1. *Free and fair elections.* The first area of the roadmap establishes transparent criteria for excluding territories affected by Russian aggression, implementing ODIHR recommendations and Commission Recommendation (EU) 2023/2829, developing a public communication strategy for the CEC, and enhancing the CEC's institutional and cybersecurity capacities.
2. *Media in election campaigns.* Part 2 of the roadmap calls for the re-establishment of a pluralistic media landscape once martial law is lifted, the implementation of the DSA and the TTPA, and efforts to combat foreign information manipulation and interference and to strengthen the National Council of Television and Radio Broadcasting.
3. *Political financing.* The third part of the roadmap focuses on reinforcing the institutional framework for monitoring political party finances, adopting risk-oriented assessment approaches, regulating the use of public funds by political parties and updating sanctions for financial misconduct.

While the roadmap outlines critical priorities broadly aligned with developments in the EU's digital acquis, many activities are described in general terms, necessitating the development of detailed institutional action plans. Furthermore, most deadlines extend into the fourth quarter of 2026 or the fourth quarter of 2027, with only a few immediate actions identified. The exact timing of post-war elections in Ukraine remains unclear.

The Constitution of Ukraine and the Law on the Legal Regime of Martial Law do not provide specifics about post-war elections. However, article 20 of the Electoral Code prescribes the following:

The decision to call elections whose electoral process was suspended or did not begin due to the imposition of martial law or state of emergency shall be adopted by the body responsible for their appointment not later than one month

from the date of the termination or abolition of martial law or the state of emergency, and if the law does not require a separate decision on the appointment of elections, the Central Election Commission shall announce the start of the election process no later than one month from the date of termination or abolition of martial law or the state of emergency.

This article means that the Parliament of Ukraine, being empowered by article 85 of the Constitution to call presidential elections, must perform this duty within one month after the official end of martial law. At the same time, under article 136 of the Electoral Code, parliamentary elections must be called by the CEC within the same time frame. After elections are called in accordance with article 20 of the Electoral Code, presidential elections must be conducted within 90 days (article 78 of the Electoral Code), while parliamentary elections must be held within 60 days (article 136 of the Electoral Code).

However, CEC Chairperson Oleh Didenko has already publicly declared that the above-mentioned timeline is unrealistic for the proper organization of democratic elections ([Romaniuk 2025](#)). Moreover, the code contains no provisions on post-war elections. In particular, it does not take into account the mass displacement of the population, the destruction of polling stations or other negative effects of the war. Nevertheless, Ukraine may face a scenario where preparations for elections will need to be conducted within a very short time frame. Under such circumstances, the government may need to accelerate its efforts to align national legislation with the EU digital acquis.

Once elections are called, there is a high probability that Russia will target Ukraine's e-services, registries and the digital campaign environment, considering the high stakes of post-war voting in deciding the future of Ukraine and the region overall. Goals not achieved by military force may still be pursued via political influence and likely attempts at interference.

Ukraine's drive towards EU membership will also require a re-evaluation of the country's digital framework. Ukraine's digital sector has undergone rapid growth thanks to liberal regulation and efforts to reduce red tape ([Mamediiieva 2025](#)). Thus, national legislation and the institutional framework for its enforcement have to undergo meticulous scrutiny to ensure compliance with the EU acquis.

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**Goals not achieved through military force may still be pursued via political influence and likely attempts at interference.**

The following analysis will delve deeper into how Ukraine can solidify electoral integrity through digital innovation and legal harmonization, and what steps remain to fully align its democracy with the EU's digital democratic norms. Each step towards approximating EU digital policies, from safeguarding data to countering cyberthreats, will help Ukraine cement its democratic institutions on the path to EU membership—closing the digital gap and reinforcing trust in the electoral processes that underpin its European future.

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## 4.2. STATE OF AFFAIRS REGARDING APPROXIMATION EFFORTS AND LEGAL GAPS

### 4.2.1. Gaps in the regulation of political advertising and online platforms

The European Commission's 2024 Ukraine report positively assessed Ukraine's overall legal framework for conducting democratic elections but underscored the need for continued reforms ([European Commission 2024e](#)). Addressing recommendations from ODIHR election observation missions and preparing for post-war elections remain pressing priorities. Notably, the ODIHR's report on Ukraine's 2020 local elections highlighted the circumvention of campaign finance rules through the extensive use of online political advertisements, recommending that campaigning on social networks be formally included within the definition of 'political campaigning' ([OSCE/ODIHR 2021](#)).

Accordingly, Ukraine's legislation on political advertising must be amended to explicitly regulate online campaigning, in line with ODIHR recommendations. For example, the Law on Advertising does not cover 'pre-election campaigning', while the Electoral Code defines 'pre-election campaigning' in a non-exhaustive list of actions classified as campaigning. The code states that such actions must be financed from election funds specially created during an election period and that such actions must be carried out in a set time frame—starting from the day after an individual or party is officially registered until midnight on the last Friday before election day, which always falls on a Sunday.

In this regard, Ukraine's legislation crucially lacks the TTPA's broad definition of 'political advertising'. Moreover, the Electoral Code employs outdated terms even in comparison with other national legal acts.



In December 2022 Ukraine's Parliament adopted the Law on Media, which implements provisions of the Audiovisual Media Services Directive and aligns Ukraine with the EU Code of Conduct on Countering Illegal Hate Speech Online. However, the Electoral Code was not amended in this respect, meaning that it does not cover political campaigning through online platforms or social media.

To help address these issues, a group of parliamentarians introduced in December 2022 draft Law No. 8310 on Amendments to the Electoral Code of Ukraine Regarding the Improvement of Regulation of Election Information Support and the Conduct of Election Campaigning, aimed at aligning the Electoral Code with the Law on Media—for example, by fixing outdated terminology and including online media and online platforms ([Ukraine 2022b](#)).

Moreover, the draft law grants additional powers to the National Council of Television and Radio Broadcasting to secure a free and fair media landscape during election periods. In particular, the National Council may conclude memoranda with online platforms on cooperation aimed at countering the spread of disinformation during the pre-election period, ensuring the transparency of online campaigning through the introduction of campaign labelling and the implementation of notifications containing information about campaign sponsors, the period of advertising placements, the funds spent for this purpose and the possibilities to report unlawful campaigning. In addition, online platforms will be obliged to follow the same legislative requirements on the content and labelling of pre-election agitation as traditional media, and, in case of violations, the National Council may request that the platform providers comply with the legislation. The draft law also outlaws hate speech, discriminatory messages, subliminal techniques to influence voters and other types of illegal speech during election campaigns. Moreover, it grants the right to reply to candidates (parties) in the same media outlets that share misinformation. However, the draft still lacks the TTPA definition of 'political advertising', mainly covering content and messages delivered during an election campaign by registered candidates and parties.

Despite numerous positive provisions, the draft law described above has not been reviewed by parliament for more than two years since its registration. Representatives from the legislature and the executive cite a political agreement among all major political forces that elections will not take place during active hostilities as the reason for the delay. Thus, bringing the draft law to the plenary for

consideration may be viewed by some opposition parties as active preparation for elections and as a breach of this agreement.

Another vital piece of legislation—draft Law No. 11115 on Amendments to Certain Laws of Ukraine Regarding the Regulation of the Activities of Information-Sharing Platforms through Which Mass Information Is Disseminated ([Ukraine 2022c](#))—enhances the regulation of social networks, including Telegram, among others. In particular, it sets legislative requirements for social network platforms, requires the presence of a representative of the platform in Ukraine (a representative office, a legal entity or an individual with a power of attorney) for communication purposes (this requirement does not apply to platforms that are registered or have a representative office in the EU), and requires platforms to disclose their ownership structure and sources of funding upon the request of the National Council. However, parliament has not considered this legislation since its registration in March 2024.

**Regulatory gaps in the oversight of online political advertising persist and the delayed consideration of key draft laws underscores the need for continued dialogue and consensus building.**

To summarize, Ukraine has taken important steps to align its legal framework with European standards, particularly through recent legislative initiatives. However, regulatory gaps in the oversight of online political advertising persist and the delayed consideration of key draft laws underscores the need for continued dialogue and consensus building to ensure a transparent electoral process prepared for the digital age.

#### **4.2.2. Countering disinformation: Fragmented approaches**

Ukraine's legislative framework does not define 'disinformation', and the country lacks a comprehensive approach to combating it. Nonetheless, numerous efforts to track and combat disinformation are being carried out through various routes—for example, via hate speech prohibition tools envisaged in the above-mentioned Law on Media, or by filing criminal charges against violators for collaboration, war propaganda, and severe cases of hate speech and discrimination.

While these instruments are necessary, they target different forms of prohibited communication. In addition, the absence of a proper legislative basis to combat disinformation leaves the issue of balancing security and human rights solely to supervisory executive authorities.

As the European Commission noted in its 2024 Ukraine report:

Ukraine continued to face several challenges to internet freedom, in particular stemming from measures taken to counter Russian cyberattacks, hacking and disinformation campaigns ... [and] access to internet resources should be governed by proper regulation, in compliance with international human rights standards and the EU *acquis* on freedom of expression, data protection and a person's right to privacy (European Commission 2024e).

The Roadmap to Support the Re-establishment of a Pluralistic, Transparent and Independent Media Space after the End of Martial Law, adopted by the Ministry of Culture and Information Policy of Ukraine in 2024 (Ukraine 2024e), contains a separate chapter on disinformation that includes the following actions:

- implementing the Filter national project, which unites state authorities and civil society organizations in combating disinformation and fact-checking;
- implementing a 'single voice' policy for government bodies in the information space;
- providing methodological support to public authorities to counter disinformation and manipulative information;
- implementing measures aimed at improving the skills of the population, particularly state sector employees, on media literacy and countering disinformation; and
- facilitating the ongoing monitoring of Ukraine's information space, including the Internet, to prevent violations of legislation and the spread of false or discriminatory information or propaganda.

All the above-mentioned actions are of great importance; however, the government's counter-disinformation policy, outlined in the roadmap described above, lacks complexity. First, there is no mention of plans to re-evaluate the legislative framework, which may be necessary to increase the effectiveness of counter-disinformation actions. Second, the list of responsible bodies includes only the Ministry of Culture and Information Policy and the National News Agency (Ukrinform). However, countering disinformation is an enormous task that will most likely require efforts by a wide range of authorities. For instance, the Roadmap does not mention the CEC,

which is an active participant in the Europe and Eurasia Regional Working Group on Social Media, Disinformation and Electoral Integrity and in the Centre for Countering Disinformation established within the National Security and Defence Council of Ukraine in 2021 (Ukraine 2021a). Third, some actions are outlined broadly and need to be further detailed. The reason for most of these shortcomings is likely the fact that the roadmap was adopted at the level of a single ministry. Thus, a more comprehensive approach may require the adoption of a similar document by decision of the Cabinet of Ministers or the president of Ukraine.

#### **4.2.3. Challenges in aligning with the AI Act, the DMA and the DSA**

The situation with media and online transparency during elections may also worsen due to the absence of regulations similar to those outlined in the AI Act, the DMA and the DSA. Since 2022 the Ministry of Digital Transformation has been working on a draft law to implement the DMA, DSA and Private-to-Business (P2B) Regulation. However, the Ministry is facing some difficulties in transposing key provisions of these acts into national legislation. Since the DMA and DSA are EU regulations, Ukraine must replicate these acts with minimal changes. However, as noted by several Ukrainian officials interviewed when conducting this research, some of their provisions, particularly on regulatory supervision conducted by EU institutions, do not apply to Ukraine, as it is not a member of the Union. Another example is the definition of VLOPs and VLOSEs, which encompass platforms and search engines that have at least 45 million average monthly active users in the EU—that is, a number equivalent to 10 per cent of the EU population. As a representative of the Ministry noted, applying the same threshold in Ukraine would be questionable due to the difference between Ukraine's digital market and that of the EU. The Ministry is working on settling these and many other discrepancies, and it is planning to finalize a respective legislative proposal in 2026.

At the same time, the approach adopted by the Ministry towards the soft regulation of AI in Ukraine is worth noting. In 2023 the Ministry developed the Roadmap on AI Regulation, the cornerstone of which is a bottom-up approach to regulation and enforcement. In this regard, the government relies on AI businesses to develop their own voluntary rules—facilitated by the Ministry—and soft-law instruments. This approach was reiterated and detailed in the White Paper on Artificial Intelligence Regulation in Ukraine, published by the Ministry

for stakeholder consultations in June 2024. The White Paper divides the path to mandatory regulation into two stages:

1. The preparatory stage (2–3 years) includes facilitating self- and co-regulation among stakeholders and providing them with tools for compliance.
2. The implementation stage of the law is analogous to that of the EU AI Act. By the time the law is ready for implementation, Ukraine will have ensured the state's and the industry's capacity for regulation and compliance.

Ukraine is currently at the first stage and has already produced some results. In October 2024 the government launched a sandbox for two purposes: (a) testing high-tech products, particularly AI-based products, for compliance with existing national legislation and, in the case of AI, with the AI Act; and (b) allowing high-tech products to enter the EU market ([Ukraine 2024e](#)).

Fourteen ICT companies have signed the Voluntary Code of Conduct on AI Utilization ([Center for Democracy and Rule of Law 2024](#)). In addition, the Ministry, jointly with the respective sectoral public authorities and non-governmental organizations, has developed guidelines on AI for various sectors—civil servants ([Ukraine 2025a](#)), schools ([Ukraine 2024c](#)), intellectual property ([Ukrainian Bar Association 2024](#)), the media ([Ukraine 2024b](#)) and advertising ([Ukraine 2024d](#)). Guidelines for developers, lawyers, the courts and universities are under development.

The Voluntary Code of Conduct on AI Utilization and the mentioned guidelines replicate some of the core principles outlined in the AI Act, such as the labelling of AI-generated content, the employment of risk management concerning personal data, the need for a human review of AI-generated materials. However, these provisions are much less detailed than those outlined in the AI Act, and, considering the nature of the guidelines, they are not obligatory. According to the Ministry's current plans, Ukraine will adopt its own AI law in 2027, with a transitional period for implementation lasting until to 2030.

While the Ministry's approach described above deserves attention, companies that are currently developing or using high-risk or prohibited AI practices, as determined by the AI Act, will not be regulated by the above-mentioned soft-law instruments. In addition, there is an issue with self-regulation in the media market. The Law on Media stipulates that a significant part of media regulation and content oversight is to be determined by self-regulatory bodies

created by media outlets themselves. However, most of these bodies are inactive in practice and have not developed codes of conduct or oversight mechanisms ([Ostapa 2024](#)).

Therefore, Ukraine has made commendable progress in developing soft-law regulations in line with the AI Act, the DMA and the DSA, encouraging voluntary commitments to the key provisions outlined in these acts. Nonetheless, the need to transition to binding legal instruments is expected to become increasingly evident as the country approaches the commencement of its post-war electoral cycle.

#### **4.2.4. Electoral digital infrastructure: Strengths, vulnerabilities and data protection**

Another important issue requiring renewed attention is the digital infrastructure used to manage elections. At the centre of this infrastructure is the State Voter Register, a database of eligible voters and polling stations. Since the beginning of Russia's full-scale invasion, the CEC has suspended the operation of the register. This time has been used to strengthen the register's resilience to external threats. As of now, however, its functionality has mostly been restored, with the exception of services that enable citizens to view their personal information and submit a request to change their voting address.

The department of the CEC Secretariat responsible for the register believes that the register is ready to be fully restored. Thus, the members of the CEC are currently considering making the register's services accessible to citizens once again, which would be a crucial development. Due to the ongoing hostilities, much of the country's population has been displaced. Thus, to update the information in the register, the CEC relies on voters to register their current place of residence—an effort that will require sustained public outreach and targeted advocacy and media campaigns to ensure broad participation.

However, the legislative basis for the functioning of the Voter Register may require a reassessment in the context of Ukraine's EU accession obligation to implement the GDPR. According to article 1 of the Law on the State Voter Register, the register was established to ensure the state registration of Ukrainian citizens eligible to vote in accordance with article 70 of the Constitution. However, article 26 of the law provides a broad list of situations where the register's data may be accessed and used for other reasons by public authorities, including as a data source for creating or verifying information in other state

registers. For example, the Ministry of Finance may access the register to verify the legality of social assistance payments, the National Agency on Corruption Prevention may use it in the course of its operations, and the Ministry of Defence may request data for compiling the State Register of Conscripts. While the GDPR permits certain cases where data may be further processed by public authorities, Ukraine will need to carefully assess whether article 26 of the Law on the State Voter Register complies with the GDPR's strict limitations on such processing.

In this regard, draft Law No. 8153 on Personal Data Protection ([Ukraine 2022a](#)), registered in parliament in October 2022, is expected to replace the outdated data protection legislation currently in place and to introduce GDPR-style privacy rights, oversight mechanisms and sanctions for data misuse. The draft law envisages numerous innovations compared with the existing legal framework. It sets out key principles for data processing, including lawfulness, fairness, transparency, purpose limitation, minimization of data collected, accuracy of personal data, storage limitation, integrity, confidentiality and accountability. In addition, the draft law introduces a detailed catalogue of data subjects' rights and controllers' obligations, harmonizes national legal terminology with the EU acquis and specifies how certain categories of personal data may be processed. Moreover, it provides for unprecedentedly high fines for violations of personal data protection rules and integrates multiple provisions borrowed directly from the GDPR. However, the draft law does not touch upon election-related legislation. This omission raises important questions regarding the usage of personal data in electoral processes, particularly in relation to the State Voter Register.

The scope and complexity of the legislative reform significantly complicate the adoption process. Despite being registered in late 2022, the draft law was adopted in the first reading by parliament following nearly two years of deliberations. The Rule of Law Roadmap under Cluster 1, adopted by the government on 14 May 2025, sets the deadline for the final adoption of the law in the fourth quarter of 2025 ([Ukraine 2025b](#)). The responsibility for refining the draft for the second reading currently rests with the parliament's Human Rights Committee.

The adaptation of GDPR principles brings significant challenges for both the government and the private sector in Ukraine. While local businesses—already suffering the consequences of the war—express concerns regarding the strict compliance rules and potentially burdensome fines, public authorities themselves face the need to

review and likely redesign existing digital public infrastructure to ensure that individuals retain full control over the processing of their personal data.

Another important aspect to consider is how Ukraine's swift progress in digital innovation interacts with the logistical demands of electoral processes. Ukraine was the first country to grant digital passports with equal legal status to physical identification documents and was among the first in Europe to introduce digital driver's licences ([Mamediiieva 2025](#)). The digital passport is accessible via Diia (meaning 'Action'), the official e-governance app and web portal, with approximately 22 million users (virtually the entire adult population). Verification of e-passports is carried out by scanning the document or entering a unique electronic identifier. However, considering that elections in Ukraine usually involve around 30,000 polling stations, there is insufficient organizational or financial capacity to equip the staff of every station with the necessary technical means to verify e-passports on election day. In this regard, the CEC has proposed amendments to the Electoral Code of Ukraine to make e-passports an acceptable form of voter identification only if a polling station commission has the technical means to verify them. These amendments have not yet been introduced in parliament.

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### 4.3. NATIONAL POLICIES AND ENFORCEMENT INSTITUTIONS

The task of implementing the EU digital acquis highlights the need for an effective and capable institutional framework for the enforcement of legislation. In most cases, Ukraine has responded to this need by establishing new institutions.

Under current legislation, the ombudsman of Ukraine oversees personal data protection. However, the ombudsman institution lacks the necessary specialized competence and capacity to do so. Thus, in order to establish an independent supervisory authority in line with the GDPR requirement of 'complete independence in performing its tasks and exercising its powers', draft Law No. 6177 on the National Commission for Personal Data Protection and Access to Public Information, registered in parliament in October 2021, proposes the creation of a National Commission for Personal Data Protection and Access to Public Information ([Ukraine 2021b](#)). Yet the consideration of this draft has been postponed, as the Human Rights Committee intends to finalize the text of the draft law before returning to the



question of institutional arrangements. According to the above-mentioned Rule of Law Roadmap, the appointment of members of the National Commission for Personal Data Protection and Access to Public Information is planned for the third quarter of 2026, while the full operational launch of the commission is expected in the following quarter ([Ukraine 2025b](#)).

In respect of alignment with the AI Act, the DMA and the DSA, the Ministry of Digital Transformation sees the best option to be the establishment of a unified digital regulator responsible for every aspect of the three EU regulations. The Ministry is now developing a concept for such a regulator, including financial calculations and technical specifications. So far, the Ministry lists the following features of the future regulator:

- an independent central executive body with special status guaranteeing autonomous decision making;
- a regulatory authority in the areas of AI, digital services, digital markets, data and public information access, protection of children online and other digital issues that require regulation;
- compliance with EU requirements for regulators—in particular, independence, transparency, impartiality and the provision of financial, technical and human resources;
- a solution to the challenge of implementing complex EU digital regulations without creating multiple agencies; and
- an integrated regulatory body addressing challenges in interconnected digital domains and implementing and enforcing EU digital regulations as Ukraine progresses towards EU membership.

The draft law on a digital regulator, currently in development, is expected to be adopted by the fourth quarter of 2026.

By contrast, when it comes to media regulation both during elections and outside election periods, Ukraine's Government is committed to enhancing the capacities of the existing National Council of Television and Radio Broadcasting. Under current provisions of the Electoral Code, the regulation of different types of media is divided among various state authorities, resulting in different approaches depending on the type of media (print, television, radio, etc.). Therefore, one of the objectives of the previously mentioned

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**In respect of alignment with the AI Act, the DMA and the DSA, the Ministry of Digital Transformation sees the best option to be the establishment of a unified digital regulator responsible for every aspect of the three EU regulations.**

Functioning of Democratic Institutions Roadmap is to make the National Council of Television and Radio Broadcasting a single oversight authority for all media outlets. The deadline for achieving this objective is the fourth quarter of 2026.

However, the key electoral institution is undoubtedly the CEC, whose budget has been reduced under martial law. For comparison, the state budget for 2021 allocated more than UAH 338 million (approximately USD 9.2 million) for the CEC, while the 2025 budget allocates UAH 275 million (around USD 7.5 million) for the Commission's activities. The difference is even more substantial when inflation and the economic decline due to the war are taken into consideration. Of course, the country's wartime budget has many competing priorities, and financing the CEC while elections are postponed may not be one of them.

Before the election cycle resumes, however, the CEC will need to strengthen its digital infrastructure, including both hardware and software. Due to a lack of financing, the Commission has already put on hold its initiative to introduce a completely new automated information and analytical system, which was supposed to revamp back-office procedures at the CEC and local commissions and provide stakeholders (candidates, parties and citizens) with user-friendly services, while also strengthening digital resilience ([Ukraine 2021c](#)). While the concept for this new system was presented in 2021, there have been no major updates in its development since then. With the help of international assistance, the CEC plans to update its existing digital system to better protect it against cyberthreats.

Nonetheless, CEC representatives interviewed as part of the research for this report agree that, if data is deleted from the Commission's servers due to a cyberattack, the updated but still outdated digital infrastructure will enable data restoration, but the process could take more than a week or two, thus risking breaches of the deadlines set in the Electoral Code or undermining public trust in fair elections.

#### **Box 4.1. Strengthening data recovery following cyberattacks: The case of the Ministry of Justice**

On 19 December 2024 Ukraine experienced its most significant cyberattack to date, attributed to Russian state-sponsored hackers. The attack targeted the Ministry of Justice's electronic registers, leading to the temporary suspension of numerous critical public services, including the business registry, the real estate registry and the criminal records registry, among many others (Diakonov 2024). The Ministry of Justice announced the complete restoration of all state registries affected by the cyberattack on 20 January 2025 (Ukrinform 2025a). Considering the scale of the attack, the restoration was relatively quick. However, any delays could be critical and unacceptable during an election period.

### **4.4. CHALLENGES AND LESSONS LEARNED REGARDING DIGITAL THREATS TO DEMOCRACY**

Ukraine's democratic resilience has been tested through not only armed conflict but also persistent digital threats that target the integrity of public discourse and electoral processes. As the country prepares for its first post-war elections, the lessons learned from recent digital disruptions—including cyberattacks, disinformation campaigns and AI-driven manipulation—will be instrumental in shaping safeguards for electoral democracy.

One of the most significant and persistent threats comes from Russian disinformation and foreign information manipulation and interference. In this regard, Ukraine's regulation of online platforms and social media is particularly vulnerable. This vulnerability is concerning, as a substantial majority of Ukrainians rely on social media for news.

**As Ukraine prepares for its first post-war elections, the lessons learned from recent digital disruptions will be instrumental in shaping safeguards for electoral democracy.**

#### **Box 4.2. Surveys indicate most Ukrainians rely on social media for news**

According to a USAID/Internews survey conducted in 2024, 84 per cent of Ukrainians use social media to get news, while only 30 per cent, 12 per cent and 5 per cent of respondents rely on television, radio and print media for news, respectively (Chorna 2024). This reality should be taken into account when regulating and exercising oversight of online campaigning.

A new layer of complexity is AI-generated content, which is increasingly used in disinformation campaigns. While voluntary AI guidelines have been developed under Ukraine's AI Roadmap, their non-binding nature limits their effectiveness in the high-stakes electoral context.

#### **Box 4.3. AI-generated content is a common tool in information warfare against Ukraine**

As of April 2025, Ukraine's Centre for Countering Disinformation reported that there had been 191 Russian information operations involving AI-generated content on social media platforms since the beginning of the year ([Ukrinform 2025b](#)).

Public trust in the electoral process also depends on personal data protection. Public concerns regarding the potential misuse of such data for purposes other than those initially declared have already had tangible consequences.

#### **Box 4.4. Fear of data misuse: Male unemployment registration**

During the ongoing military mobilization, fears that personal data could be misused for conscription purposes have discouraged certain groups, particularly unemployed men, from registering with the State Employment Service ([Zheleznyak 2022](#)). These fears have resulted in a significant gender imbalance in official unemployment numbers. Prior to the full-scale invasion, men accounted for approximately 45–50 per cent of the registered unemployed, but this figure had dropped to only 28 per cent by September 2023 ([Ukraine 2023](#)).

Looking ahead to the first post-war elections, Ukraine faces the formidable task of updating voters' personal data within the State Voter Register. Unless citizens trust that their personal data will be processed strictly within the legal framework and for legitimate purposes, the fear of data misuse may undermine efforts to update voters' records and ultimately impact electoral participation.

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## 4.5. CONSIDERATIONS FOR NEXT STEPS

As Ukraine moves closer to EU accession, the post-war electoral cycle will demand urgent and targeted efforts to align the country's digital and electoral frameworks with the EU digital acquis. The complexities involved in holding elections in a post-conflict environment—marked by damaged infrastructure, population displacement and digital insecurity—necessitate a pragmatic but accelerated approach to legal harmonization and institutional preparedness.

Several legislative initiatives critical to Ukraine's digital alignment remain stalled. Draft laws on media and online campaigning, on regulation of social networks and on GDPR-aligned data protection offer comprehensive solutions to existing gaps but require swift parliamentary action. These legal reforms are essential for enhancing transparency in political advertising, countering disinformation and safeguarding personal data, especially given the growing use of AI-generated content and cybersecurity vulnerabilities exposed by recent attacks on state digital infrastructure.

Institutionally, the CEC and the National Council of Television and Radio Broadcasting must be given increased financial and technical resources. The CEC, in particular, requires support to upgrade its digital systems, ensure data redundancy and restore full functionality of the State Voter Register. Equally, the National Council should become a unified regulator for all media formats, consistent with the Functioning of Democratic Institutions Roadmap. Additionally, clear roles and responsibilities should be identified for other state agencies dealing with disinformation, and frameworks for effective collaboration should be established.

While Ukraine may not fully implement the EU acquis before its next elections, immediate progress is both feasible and necessary, including adopting draft legislation that has already been prepared, expanding the media oversight capacities of the National Council of Television and Radio Broadcasting, and ensuring that electoral data is processed in a secure manner that respects rights. Enhancing digital resilience and public trust must become core priorities—not only for successful elections but also for sustaining Ukraine's broader democratic trajectory.

Finally, Ukraine and the EU should institutionalize a structured dialogue to address implementation challenges, particularly those arising from war-related constraints. Coordinated support and realistic timetables will be essential to ensure that Ukraine's digital reforms both reflect and reinforce the EU's democratic standards.

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**As Ukraine moves closer to EU accession, the post-war electoral cycle will demand urgent and targeted efforts to align the country's digital and electoral frameworks with the EU digital acquis.**

## Chapter 5

# CONCLUSION

EU candidate and potential candidate countries, including the four countries in focus—Albania, Moldova, North Macedonia and Ukraine—are undergoing a profound digital transformation in relation to their democratic processes. In the realm of elections, the main focus of this report, this transformation concerns both political campaigning, now taking place largely online, and aspects of the electoral process closely related to personal data protection and cybersecurity.

With its robust body of legislation in regulating the digital sphere, the EU remains the driving regulatory force for these countries, not least in view of the obligation to approximate the *acquis* under Chapter 10, but also in line with the fundamentals of democracy, including the integrity of elections.

This research, which examined in detail the legal frameworks and approximation efforts of the four countries, showed that they have all made important progress in aligning with the GDPR. Approximation to the other key aspects of the EU digital *acquis* remains at an early stage or is planned for the years to come.

Meanwhile, the online sphere in Albania, Moldova, North Macedonia and Ukraine remains largely unregulated, including when it comes to third-party campaigning, political finance transparency, disinformation and foreign interference in elections.

The report highlights important instances of disinformation, foreign interference, threats to personal data integrity and cybersecurity vulnerabilities during different stages of the electoral cycle. It also describes significant efforts made by oversight agencies and civil society to ensure the resilience of elections despite operating in a

context of underdeveloped legislation. Efforts to enhance resilience are limited by capacity constraints and a lack of interagency coordination.

Soft-law instruments and electoral management body (EMB) regulation are some of the tools that have so far helped proactively safeguard the integrity of elections in the four countries. The report highlights that, moving forward, it will be necessary to back the use of such instruments with comprehensive legislation, a clear institutional architecture and mandates to oversee the digital sphere.

Overall, the EMBs of the four countries in focus display limited expertise on how EU standards can help them improve the integrity of their electoral processes. While EMBs are involved at different levels in the EU accession process, and some even in the work of the European Cooperation Network on Elections, more should be done to increase exposure to processes that are being driven by Brussels.

The report argues that, while regulation is imperative, it is equally important that forthcoming legislation uphold fundamental rights, an area where EU support is essential to help candidate countries achieve compliance.

An opportunity to support closer alignment with the EU digital acquis and capacity building is the forthcoming European Democracy Shield initiative. While candidate countries have to speed up their alignment with the EU digital acquis, the EU must make its instruments and policies available to candidate and potential candidate countries to help them remain anchored to its core values in addressing these complex challenges.

# Glossary

<b>Ad-delivery techniques</b>	Optimization techniques that are used to increase the circulation, reach or visibility of a political advertisement on the basis of the automated processing of personal data and that can serve to deliver the political advertisement to a specific person or group of persons only (article 3[12] TTPA).
<b>Artificial intelligence system/generative AI</b>	A machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations or decisions that can influence physical or virtual environments. AI systems vary in their levels of autonomy and adaptiveness after deployment (OECD n.d.).
<b>Astroturfing</b>	A deceptive practice that involves hiding the sponsors of an orchestrated message or organization (e.g. a political, economic, advertising, religious or public relations organization) to make it appear as grassroots support for a particular cause or idea. This practice can take many forms such as fake social media accounts, paid influencers and fake reviews, among others. It is intended to give certain statements or organizations credibility by hiding the financial sources behind them.
<b>Behavioural targeting</b>	A technique where a system—often through ‘real-time bidding’—targets individuals visiting a website by collecting personal data and behavioural information that is shared with publishers and advertisers. For instance, Facebook offers a tool called Facebook Pixel, which is a piece of code that advertisers can place on websites to track users’ activities and then target those visitors again later with ads on Facebook.
<b>Dark patterns</b>	Digital practices used on websites and in apps that persuade consumers and users to take decisions that they did not intend to take, such as purchasing a product or signing up for a service. The Organisation for Economic Co-operation and Development (OECD) mentions in its definition that users can be steered, deceived, coerced or manipulated into taking decisions that are against their best interest.
<b>Deepfake</b>	AI-generated or manipulated image, audio or video content that resembles existing individuals, objects, places, entities or events and that appears to be authentic or truthful (article 3[60] AI Act).
<b>Disinformation</b>	Fabricated information or deliberately manipulated audiovisual content—for instance, intentionally created conspiracy theories or rumours. The information may be legal but is designed to cause harm.
<b>Foreign information manipulation and interference</b>	A pattern of behaviour that threatens or has the potential to negatively impact values, procedures and political processes. The activities involved are manipulative, conducted in an intentional and coordinated manner, and carried out by state or non-state actors, including their proxies inside and outside of their own territory.
<b>Inferred data</b>	Data created by a data controller on the basis of the data provided by a data subject or as observed by the controller.



<b>Information integrity</b>	The United Nations defines information integrity as the accuracy, consistency and reliability of information. Information integrity is threatened by disinformation, misinformation and hate speech.
<b>Misinformation</b>	Disinformation without the intent to manipulate people. It does not include the active fabrication of misleading content. Some examples are unintentional mistakes such as inaccurate photo captions, dates, statistics, translations or satire that is taken seriously.
<b>Observed data</b>	Data provided by a data subject—such as a user on a social media platform—when using a service or device (likes, shares, content consulted, etc.) ( <a href="#">European Data Protection Board 2020: 12</a> ).
<b>Recommender system</b>	A fully or partially automated system used by an online platform to suggest specific information to recipients of the platform or to prioritize that information, including as a result of a search initiated by a user of the platform or otherwise determining the relative order or prominence of information displayed (article 3[s] DSA).
<b>Targeting techniques</b>	Techniques that are used to address a political advertisement to only a specific person or group of persons, or to exclude them, on the basis of the processing of personal data (article 3[11] TTPA).

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The prospect of EU membership continues to drive democratic reforms in Albania, Moldova, North Macedonia and Ukraine. This report—Part 2 of a broader analysis—focuses on electoral processes and the impact of digitalization in these four candidate countries. It assesses progress in aligning with the EU acquis, particularly in areas such as data protection, cybersecurity and digital governance, while identifying persistent gaps in oversight and institutional capacity.

Based on legal analysis and interviews with electoral management bodies, legislators and civil society, the report examines how the four countries are addressing challenges such as disinformation, foreign interference and online campaigning. It offers recommendations to strengthen regulation, improve cooperation among institutions and uphold fundamental rights as electoral frameworks adapt to the digital sphere in the context of EU accession.