

# ***Understanding Threats to Election Integrity in the Digital Age: 2024 European Parliamentary Elections***

*November 2024*



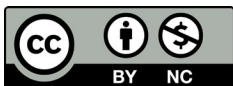
## About the project

This research paper was prepared as a contribution to the project ‘Electoral Integrity and Political Microtargeting: An Evidence-Based Analysis in Six EU Member States’, coordinated by the Civil Liberties Union for Europe (Liberties).

The research project monitored online political advertising in the run-up to the 2024 European Parliament elections in six EU countries: Bulgaria (BHC), France (VoxPublic), Germany (Reset Tech), Hungary (HCLU), Poland (PAF) and Spain (Xnet), supported by Who Targets Me (WTM) as technical partner. The project relied primarily on data collected during the European Parliamentary elections campaign from political advertisements promoted on Facebook by political entities. Researchers scrutinised whether political actors follow national campaigning rules and European data protection rules by examining data voluntarily donated by citizens through a privacy-friendly desktop browser extension.

The project was co-funded by Civitates and the Open Society Foundations.

Any views and opinions expressed by the author of this research paper are solely those of the author and do not reflect the views and opinions of the co-funders.



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# Executive summary

- This report examines the role of digital platforms in the 2024 European Parliament (EP) elections and evaluates compliance with key EU regulations: General Data Protection Regulation (GDPR), Digital Services Act (DSA), and (Regulation on Transparency and Targeting of Political Advertising) TTPA.
- The study is based on data from six EU Member States (Bulgaria, France, Germany, Hungary, Poland, Spain) and focused primarily on Facebook and YouTube due to their widespread use and data availability.

- Key findings:

## Targeting practices:

- Political advertisers extensively used Facebook's Custom Audiences and Lookalike Audiences to target supporters.
- Interest-based targeting and age-based targeting were also prevalent, while gender-based targeting was rare but notable in some instances.
- Ad delivery algorithms may contribute to public discourse fragmentation, with minimal transparency regarding how ads are distributed across audiences.

## Transparency issues:

- Google's and Meta's ad repositories provide insufficient information, with Google's lacking keyword search and platform-specific breakdowns.

## Defining political advertising:

- TTPA's broad definition of political advertising risks non-compliance from platforms like Google, which announced plans to cease serving political ads in the EU.

- Key recommendations:

Strengthen enforcement capacities for GDPR, DSA, TTPA.

Improve transparency in targeting practices and ad delivery algorithms.

Introduce spending caps and transparency requirements to ensure fair political competition.

## 1. Introduction

Digital platforms have become increasingly influential in shaping electoral outcomes across the European Union. In the 2024 European Parliament (EP) elections, social media platforms such as Facebook and YouTube played

crucial roles in disseminating political content, engaging voters, and shaping public discourse.

Facebook, with its vast user base across Europe, remained the leading platform for political advertising. Its advanced micro-targeting features allowed political parties to deliver highly personalised messages to specific voter segments. The platform's ability to match, collect and analyse vast amounts of user data enables political advertisers to craft highly targeted campaigns.

YouTube, though not as central as Facebook, also played a significant role in the 2024 EP elections. The platform's video-centric format allowed political parties to connect with voters through visual storytelling and longer-form content. Political advertisements on YouTube could reach broad audiences, particularly younger voters, who consume video content more frequently online. For political advertisers, Alphabet (formerly Google), the parent company of YouTube, offers fewer allowances than Facebook, allowing only less targeted campaigns to take place on its services.

The influence these platforms have over civic discourse and electoral integrity raises concerns about the transparency of political advertising, the spread of misinformation, and the legal-ethical implications of micro-targeting practices in democratic elections.

This paper relies on key findings from the project 'Electoral Integrity and Political Micro-targeting: An Evidence-Based Analysis in Six EU Member States', coordinated by the Civil Liberties Union for Europe (Liberties). The research, conducted in Bulgaria (BHC), France (VoxPublic), Germany (Reset Tech), Hungary (HCLU), Poland (PAF), and Spain (Xnet) with technical support from Who Targets Me (WTM), monitored online political advertising in the lead-up to the 2024 EP elections. The research focused primarily on data from Facebook political advertisements, assessing compliance with national campaign rules and European regulations, including the General Data Protection Regulation (GDPR), the Digital Services Act (DSA), and the Transparency and Targeting of Political Advertising (TTPA). In addition, researchers in some countries examined data from YouTube advertisements. The researchers focused on these two platforms due to the availability of data and their status as two of the most widely used platforms in Europe.<sup>1</sup>

This paper aims to explore the evolving role of digital platforms in European elections and address the regulatory challenges associated with their use in political campaigns.

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1 Summaries and hyperlinks to the full texts of the national research papers are available here: [Bulgaria](#), [France](#), [Germany](#), [Hungary](#), [Spain](#), and [Poland](#).

## 2. Targeting on Social Media in the 2024 EP Elections Campaign

Political parties and candidates have traditionally based their political advertising decisions in traditional media—such as billboards, radio, and television—on rudimentary data or intuitive judgments about their audience. However, advertising on the web is fundamentally different from traditional approaches. For over a decade, political advertisers have been able to use personal data to segment audiences and deliver highly personalised messages. The micro- and nano-targeting strategies they employ are often opaque. Political parties are generally unwilling to disclose their campaign methods, and social media platforms are reluctant to explain how their algorithms operate.

Since the Cambridge Analytica affair was uncovered in 2018, the use of personal data to manipulate users' political views has been a topic of intense debate. Microtargeting, the targeted display of personalised advertising to small groups of people, allows political actors to deliver vastly different messages to different people and undermines the shared experience of a unified public political narrative.

Political advertisements significantly influence the fairness of elections, freedom of expression, access to information, protection of personal

data and privacy, opinion formation, political decision-making, and the rule of law. These fundamental rights and principles, enshrined in Article 2 of the Treaty on European Union (TEU), form the cornerstone of any democratic society.

Our research on online political advertising during the 2024 EP elections campaign primarily relied on Facebook data collected through the Who Targets Me browser extension, as well as the Google Ad Transparency Center and the Meta Ad Library.

During the research period, the Who Targets Me browser extension recorded advertisements targeted at users exclusively on Facebook. The extension captured the advertisements shown to Facebook users and matched them against a list of political advertisers. Users who downloaded the extension received personalised insights, including details on who is targeting them and the criteria used for targeting. While much of this information is also available on Facebook, the browser extension enabled users to view the data more comprehensively.<sup>2</sup>

In the data the watchdog organisation Who Target Me received through the extension and shared with our research alliance, the users' ages are presented in the incoming data as ranges, locations as constituencies or districts. Users could also indicate where they sit on the left/right political spectrum.

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2 After the research period, the extension received an upgrade. The Who Targets Me browser extension now 'sees' the ads users see on Facebook, Instagram, YouTube and Twitter/X. More information on the extension is available [here](#).

Our findings indicate that no significant changes have occurred in the practices of political advertisers in recent years. On Facebook, parties and campaign groups across all covered countries where online campaigning was permitted continued to make extensive use of custom audiences and lookalike audiences. Interest-based targeting was also widely employed. Furthermore, we identified a few instances of gender-based targeting.

Facebook Custom Audiences is an ad targeting option that allows advertisers to reach specific groups of people based on data from various sources. Advertisers can create these audiences using customer lists (e.g., email addresses or phone numbers), website traffic, engagement with their Facebook Page, Instagram account, or video content. Once the data is uploaded, Facebook matches it with its user base to identify and target the intended audience across Meta's platforms. Each ad account can create up to 500 Custom Audiences, making it a versatile tool for targeting existing audiences.<sup>3</sup> Lookalike audiences, generated by Facebook based on custom audiences, are intended to identify audiences similar to the one selected by the advertiser as the source audience. The identification is based on machine learning, thus, the pattern that makes the lookalike audience similar to the source audience may even be unidentifiable to human eyes.

Our research indicates that political advertisers extensively employed Custom Audiences - especially to target existing supporters - across the countries we monitored. Lookalike Audiences and interest-based targeting were also utilised, though to a lesser extent. Age-based targeting was prevalent, with parties aiming to reach eligible voters; however, delivering significantly different messages to various age groups did not appear to be a major concern. Gender-based targeting was rare, with our Bulgarian research partner reporting nine unique ads targeting women, all from the anti-corruption coalition PP-DB, focusing on issues such as violence against women and children's health.<sup>4</sup>

As noted in our previous papers, these targeting methods pose significant risks to the integrity of democratic civic discourse. Men and women should be equally aware of a given party's stance on children's health, and known, potential, and unlikely supporters should receive the same promises. To maintain a shared understanding of the objectives and promises of different political actors, it is advisable for political advertisers to limit their targeting criteria to country and language.

During the 2024 EP elections campaign, Alphabet offered a narrow(er) set of targeting criteria that applies only to political ads. These were geographic location (except radius around a location), age, gender and contextual

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<sup>3</sup> More detailed information on how Custom Audiences are built can be found [here](#).

<sup>4</sup> It is important to note that these targeting practices can also be used to prevent certain users from seeing the targets' advertisements.

targeting options such as ad placements, topics, keywords against sites, apps, pages and videos. While in our view, even gender-based targeting is undesirable, we find Alphabet's curtailed practice of allowing targeting to be used in the political advertising process preferable to Meta.<sup>5</sup>

It is important to highlight that not only targeting allowances but also ad delivery algorithms may also contribute to the fragmentation of public discourse. Studies have shown that these algorithms can cause significant harm; for instance, Black women may not see the same job ads as white men, even with comparable education and backgrounds, due to algorithmic optimisation based on historical patterns.<sup>6</sup> In political advertising, delivery algorithms may similarly fragment audiences by distributing different messages to different groups. Unlike targeting, where some transparency exists regarding the advertiser's intended audience, delivery algorithm optimisation operates with little if any visibility and makes it extremely difficult for researchers and journalists to determine which groups receive what specific messages and why.

We recommend that the European Commission encourages Very Large Online Platforms and Search Engines (VLOPs and VLOSEs)

to disclose detailed information about their ad delivery algorithms. Such transparency is essential to ensure accountability and mitigate the risks of algorithmic fragmentation in public and political discourse.

### **3. Compliance with the General Data Protection Regulation (GDPR)**

Civil society watchdogs have long warned that many online advertising practices violate the General Data Protection Regulation (GDPR) due to their lack of transparency and the absence of meaningful user consent for the processing of personal data.<sup>7</sup>

Due to public and legislative pressure, on 19 January 2022, Meta removed the 'Detailed Targeting' option based on sensitive data from its Facebook ad allowances. Advertisers can no longer reach specific audiences for their messages related to users' interest in health-related issues, sexual orientation, religious practices and groups, political beliefs, social issues, causes, organisations, and figures.<sup>8</sup> However, the platform still offers a range of targeting options that raise questions about their compliance with the GDPR.

5 Our policy paper on regulating political ads in Europe can be found [here](#).

6 See the phenomenon reported e.g., [here](#).

7 The full text of the GDPR is available [here](#).

8 See the announcement [here](#).



In a notable case, Austrian watchdog *noyb* filed complaints against all German parties with German Data Protection Authorities (DPAs),<sup>9</sup> drawing on research conducted by *ZDF Magazin Royale* during the 2021 German federal elections.<sup>10</sup> The complaints argued that the users who received microtargeted messages were selected based on Facebook's background evaluation of their political views, which constituted a violation of the GDPR by both the parties and the social network. Political opinions receive special protection under Article 9 of the GDPR as they are considered a special category of personal data, similar to sexual orientation and health data. To date, *noyb*'s complaints remain pending.

One method of creating a Custom Audience on Meta's platforms is uploading a 'customer list'. In political advertising, such lists typically consist of supporters identified by political parties and are used to deliver targeted messages. According to the *European Data Protection Board* (EDPB), both the political party (as the advertiser) and Meta (as the platform)

act as joint controllers under the GDPR when processing personal data in this way.<sup>11</sup>

Under the GDPR, individuals whose data is included in these lists must have explicitly agreed to be targeted with political advertisements by the given party on Meta's platforms. This consent must be specific, informed, freely given, and revocable at any time. Furthermore, platforms like Meta have an obligation to ensure compliance by verifying that the uploaded data was lawfully collected and that valid consent is in place. This includes providing mechanisms to inform individuals about how their data is being processed and to enable them to exercise their rights, like withdrawing consent or requesting data erasure.

After consultations with our research partners, we find it highly doubtful that political parties consistently obtain the necessary consent from individuals included in these lists. The lack of compliance by advertisers, combined with insufficient enforcement of GDPR obligations by platforms, raises significant concerns about

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9 The complaints can be read (in German) [here](#).

10 The [research](#) revealed that all parties used microtargeting during the campaign, with some employing deeply unethical targeting practices. For instance, FDP ran Facebook advertisements presenting contradictory messages: users interested in environmental issues were targeted with ads emphasising the party's commitment to stronger climate protection, while frequent travellers were assured that the government should not restrict freedoms in addressing challenges like climate change. See more [here](#).

11 The European Data Protection Board (EDPB) has addressed the concept of joint controllership in scenarios involving social media platforms and other entities. In its [Guidelines 8/2020](#) on the targeting of social media users, the EDPB clarifies that when a social media provider and a targeter (such as a political party) jointly determine the purposes and means of processing personal data, they are considered joint controllers. This joint responsibility arises from their collaborative role in targeting activities, where both parties influence how and why personal data is processed.

the legality and transparency of these targeting practices.<sup>12</sup>

Lookalike Audiences, generated by Meta using targeters' custom audiences, are designed to identify and target individuals who share characteristics with the original audience. If the source audience comprises supporters, we believe that it is highly likely that Article 9 of the GDPR is violated, as the Lookalike Audience would be constructed based on inferred political views. This tool can also be potentially misused to covertly target people based on other special categories of data too, for instance, members of the LGBTQI+ community. Our earlier inquiries in 2022, conducted in collaboration with our research partner, the investigative news portal *Lakmusz.hu*, sought to understand how Lookalike Audiences are created and what data is used to generate them. Unfortunately, these inquiries yielded no substantive answers.<sup>13</sup>

Based on the above observations, we recommend that the national DPAs support political parties and campaign organisations by issuing guidelines on developing GDPR-compliant data collecting and processing practices. We also recommend that the EDPB explore further necessary steps to support national DPAs in enforcing the TTPA, building on its previous relevant guidelines issued 01/2022 on data

subject rights (Right of Access) and Guideline 8/2020 on the targeting of social media users.

## 4. Compliance with the Digital Services Act (DSA)

The Digital Services Act (DSA), which came into force in November 2022 and entered into full effect in February 2024, quickly became a cornerstone of EU digital regulation alongside the GDPR.<sup>14</sup> The Act establishes robust safeguards against both individual and systemic online harms and introduces a distinctive framework for ensuring transparency and accountability among digital platforms.

Under DSA, Very Large Online Platforms (VLOPs) and Very Large Online Search Engines (VLOSEs), defined as those with over 45 million monthly users - are required to fulfil several obligations. These include user-friendly terms and conditions, and ensuring transparency regarding advertising, recommender systems and content moderation decisions. VLOPs and VLOSEs must also identify, analyse, and assess systemic risks linked to their services, including risks related to civic discourse and electoral integrity. Additionally, the DSA mandates that VLOPs and VLOSEs report on their actions to mitigate risks, including addressing the spread of

12 To our understanding, Meta is trying to define itself as a processor only, putting all relevant responsibilities on the targeters uploading custom lists.

13 See our earlier research [here](#).

14 The full text of the DSA is available [here](#).

misinformation, which is particularly relevant in the electoral context.

In April 2024, the European Commission published *Guidelines for providers of Very Large Online Platforms and Very Large Online Search Engines on the mitigation of systemic risks for electoral processes pursuant to the Digital Services Act (Guidelines)*.<sup>15</sup> These Guidelines recommend that VLOPs and VLOSEs maintain publicly searchable political ad repositories, in addition to the general ad repository required by the DSA. Furthermore, the Guidelines advise aligning platform policies with the forthcoming *Regulation on the Transparency and Targeting of Political Advertising (TTPA)*, even prior to its full implementation.

The Guidelines serve as recommendations rather than binding obligations. However, VLOPs and VLOSEs are required to implement reasonable, proportionate, and effective mitigation measures, guided by the latest scientific evidence.

By the time of finalising this paper, the specific reports detailing the mitigation efforts undertaken by Alphabet and Meta services, along with their accompanying audit reports, have not been made publicly available. This lack of transparency poses challenges for researchers and the public in understanding the concrete steps these platforms have taken to safeguard civic discourse and electoral integrity.

Despite the absence of detailed disclosures, certain observations can be made regarding the platforms' actions.

The parent companies of both platforms our research partners collected data from, Alphabet and Meta, maintain a general ad repository (as per DSA Article 39) and a separate political ad repository. Ads that are not declared by advertisers as political, and are later not identified as such by the platforms' algorithms, end up in the general repository. In both Facebook and YouTube, the general ad repository provides very limited information, making it difficult to locate content without knowing exactly what to search for. This significantly undermines its effectiveness as a transparency tool.

Google's general repository lacks keyword search functionality, requiring users to input the exact names of advertisers to investigate potential illegitimate activities. This limitation severely hinders the ability to monitor and analyse a wide range of political advertising effectively. Secondly, there is no clarity on which Google platforms the ads were displayed. While searches can be filtered by ad format, there is no option to identify where the ads appeared, such as on 'YouTube' or 'Google Search'. This gap restricts researchers' ability to comprehensively track and analyse the spread of advertising content across Google's various platforms.

Our research partners have found Meta's Ads Library to be more user- and researcher-friendly,

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15 The full text of the Guidelines is available [here](#).

offering features such as keyword searches and filters based on criteria like platform, ad status, dates, and advertiser. However, the repository provides limited targeting information. For instance, while it indicates that an ad was posted in multiple versions using custom lists, it does not specify the nature of these lists—whether they are proprietary or derived from user interactions, such as liking the advertiser’s page. Additionally, aggregated targeting data for a specific advertiser is only available for 90 days, which constrains research efforts.

In 2021, Liberties observed that “the GDPR has also shown us that enforcement can be quite unevenly applied throughout the EU, allowing platforms to forum shop.”<sup>16</sup> This observation underscores the challenges in ensuring consistent application of data protection rules across Member States. For this reason, we were optimistic about the enforcement regime introduced under the Digital Services Act (DSA), with the European Commission taking primary responsibility for enforcing many of its provisions vis-a-vis VLOPs and VLOSEs.

However, the effectiveness of the Commission’s enforcement efforts is closely tied to the level of political will and institutional capacity. The previous Commission demonstrated notable determination in addressing the influence of Big Tech platforms, reflecting a strong commitment to implementing rules that serve the common good. Nevertheless, the scale of the challenge requires resources and strategies

that match the complexity and power of the digital ecosystem.

We recommend that the Commission strengthens its enforcement capacity by adequately resourcing the relevant departments. This includes ensuring sufficient funding, staffing, and expertise to support effective and timely enforcement of the DSA and related regulations.

## **5. Compliance with the Transparency and Targeting of Political Advertising (TTPA)**

The *Regulation on the Transparency and Targeting of Political Advertising* (TTPA)<sup>17</sup> regulation is the most recent file of the three this research focuses on. This regulation was introduced to address the growing concerns about the opaque nature of online political ads and the potential for undue influence on voters. The TTPA requires that all political advertisements be clearly labelled, with information about who paid for the ad, the amounts spent, and the criteria used for targeting, additionally providing for a European political ad repository. Furthermore, it reiterates the need for explicit consent from users to be targeted by political advertisements and the prohibition of profiling based on sensitive personal data (Article 18).

16 Our paper on regulating targeted advertising can be read [here](#).

17 The full text of the TTPA is available [here](#).

During the 2024 EP elections campaign, only two articles of the TTPA were in force, Article 3 on definitions and Article 5(1) prohibiting platforms from banning EU advertisers from placing ads in different Member States to their place of residence or establishment.

The TTPA defines political advertising very widely.<sup>18</sup> According to the TTPA Article 3(2), ‘political advertising’ means “the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a message, normally provided for remuneration or through in-house activities or as part of a political advertising campaign: (a) by, for or on behalf of a political actor, unless it is of a purely private or a purely commercial nature; or (b) which is liable and designed to influence the outcome of an election or referendum, voting behaviour or a legislative or regulatory process, at Union, national, regional or local level. (...)”

In an open letter dated 27 May 2024, Liberties and research partners argued that the scope of Google’s ‘election ads’ is significantly narrower than the scope of TTPA’s ‘political advertising’, and fails to adequately capture all relevant political advertisements. Google’s narrower classification may inadvertently allow covert attempts to influence electoral outcomes.

In the autumn of 2023, the Hungarian government, for example, was able to run

advertisements on the dangers of illegal migration in seven EU countries, without these ads appearing in the political ad repository. Since these campaigns did not explicitly endorse any political party, they could reach substantial portions of the electorate without being classified as political advertisements. In Slovakia, for instance, these ads reached nearly a third of the population just two days before the September general election. Robert Fico, who campaigned on an anti-immigration platform, secured the most votes in that election. Former Slovak Defense Minister Jaroslav Nad’ remarked that “Hungary played an intense role in helping Fico win the elections.”<sup>19</sup>

While Google’s general ad repository (required by the DSA) contains ads that fall outside the narrow definition, the research friendliness of that repository is notably inadequate. Unless the researcher knows exactly what they are looking for, it is impossible to encounter illegitimate activities. This tool, therefore, falls short of being an adequate tool for transparency.<sup>20</sup>

The open letter argued that TTPA is *lex specialis* to DSA, and therefore, terms of services should have already been built on the definition set out by the TTPA. In addition, the Guidelines generally recommended that VLOPs align their policies with the TTPA even before it enters into full force.

18 Throughout the legislative process, Liberties was arguing for a narrower definition.

19 Hungarian investigative portal, Direkt36’s full report on the Hungarian Prime Minister’s Cabinet Office ran video campaigns on YouTube can be read [here](#).

20 The full text of our open letter can be read [here](#).

Google has not issued an official response to our concerns. However, on 14 November 2024, Annette Kroeber-Riel, Vice President, Government Affairs and Public Policy for Europe, announced in a blog post that “Google will stop serving political advertising in the EU before the TTPA enters into force in October 2025. Additionally, paid political promotions, where they qualify as political ads under the TTPA, will no longer be permitted on YouTube in the EU.”

In the announcement, Kroeber-Riel argued that the TTPA’s definition of political advertising is overly broad and “failed to provide the necessary clarity and specificity” needed for Google to comply with its requirements. She noted that the regulation encompasses an exceptionally wide range of issues, making it difficult to reliably identify such ads at scale.

While Liberties also shares concerns about the overly broad scope of the TTPA’s definition, we view Google’s announcement as a strategic move, potentially aimed at pressuring the European Commission. Against the backdrop of a second Trump administration in the United States, which has signalled an intent to deregulate platforms, the announcement appears less as a compliance challenge and more as a signal to regulators that pushing

for stringent rules beyond what the company deems acceptable will result in non-cooperation. Statements such as, “We know political ads are a valuable resource for voters to find information and for candidates to share their message, so we regret that we have to take this step,” are unconvincing in demonstrating genuine concern for democratic discourse.<sup>21</sup>

If this step is more than a rhetorical threat, it risks leaving all political advertisers reliant on Facebook’s services, effectively handing a monopoly to its competitor in this market. In an era where VLOPs and VLOSEs wield considerable influence, this move exacerbates an already precarious situation.<sup>22</sup>

Under Article 5(1) of the TTPA, which has been the other provision already in force, another regulatory issue has arisen. Article 5(1) of the TTPA obliges platforms to allow organisations and individuals to place political advertisements in Member States other than where they reside or work. For example, this enables European parties or party groups to advertise across multiple constituencies without significant barriers.<sup>23</sup>

However, inconsistencies between EU and national laws have become apparent. For instance, our Polish research partner, the

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21 Especially considering the fact that in order to *not* allow ads that would qualify as political advertising under TTPA, Google will need to identify these ads *at scale*.

22 At the time of the research, Meta employed a broad definition of political advertising, very similar to the definition outlined in the TTPA.

23 Despite the obligations set forth in Article 5(1) of the TTPA, we have received reports that civil society organisations attempting to place cross-border issue advertisements have encountered obstacles on Facebook.

*Political Accountability Foundation* (PAF) reported that under Polish law, it is illegal for individuals or organisations outside of Poland to participate in a political campaign.<sup>24</sup> While platforms are required under EU law to allow such ads to run, those placing the ads may be in breach of Polish law. Such conflicts highlight the need for alignment between European and national legislation, an issue that remains unaddressed. Many of our research partners have reported that legislative work to reconcile the TTPA with national laws is not on the agenda, nor is there clarity about which authorities will be tasked with enforcing the regulation.

We believe that the effectiveness of the new law on transparency and targeting of political advertising hinges on competent authorities operating in an environment that guarantees full independence, free from political or financial pressure. These authorities must be adequately funded and staffed to carry out their duties effectively and promptly. Prompt reactions are especially critical in the context of political advertising, as swift actions against rule-breaking advertisers are essential to minimising the damage caused and ensuring that voters can make a genuine choice at the ballot box.

## **6. Miscellaneous observations**

### **Targeting and fairness**

While Liberties has long advocated for a regulatory framework that significantly reduces profiling-based targeting in political advertising, where political advertising is understood in the narrow electoral sense, it is important to acknowledge that restrictions on targeting can affect political parties and actors differently. In systems where third-party spending is permitted and spending caps are absent, financially weaker parties often depend on sophisticated targeting methods to efficiently identify and engage with potential supporters.

To mitigate the risk to the fairness of the electoral process, the European Commission should encourage Member States to implement measures that level the playing field, such as introducing spending caps or transparency requirements for third-party funding. At the same time, it is essential to ensure that illegitimate targeting practices are completely eradicated to safeguard democratic processes.

### **Misinformation**

Our project, contrary to a host of recent research, did not focus on the spread of foreign misinformation campaigns. However, domestic misinformation campaigns are equally problematic. During our research, we encountered

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24 PAF's research is available [here](#).

a report on a significant gap between Meta's policies and actual practices.

On Meta platforms, active politicians' posts and ads are free from fact-checking under the premise of protecting freedom of expression. Claims from former politicians, campaign staff, or organisations supporting political campaigns remain subject to review. However, while Facebook's policy states that "no false or misleading information may be advertised on the platform," in practice, misinformation that has been flagged and demoted in organic posts was still promoted at scale in Hungary as paid political advertisements, Hungarian investigative journal *Lakmusz* discovered.<sup>25</sup>

The most well-known case of misinformation involved the false claim that Manfred Weber, the president of the *European People's Party*, advocated for mandatory conscription across the EU. Fact-checkers, including Facebook's Hungarian partner *AFP*, determined this to be misleading. Weber expressed support for reintroducing military service in Germany, but did not call for an EU-wide conscription. In order to invoke fear and anti-EU sentiments, and to hold the nationalist camp together, the claim became a central element of the Hungarian government's campaign and appeared in numerous ads and posts by government-aligned media and influencers.

While Facebook flagged and labelled organic posts containing this falsehood, ads from

government-aligned organisations were not flagged. These ads continued to circulate freely, despite Meta's policy barring the promotion of flagged misinformation.

We believe that Meta should harmonise its approach to fact-checking for both organic posts and paid advertisements, ensuring that misinformation flagged in one context is consistently addressed across all formats. We also recommend that the European Commission and national regulators should intensify oversight of platforms like Meta to ensure they comply with the commitments under the Digital Services Act (DSA) and other relevant regulations.

### Meaningful transparency

Despite recent transparency efforts, it remains challenging to determine precisely what is allowed and what is not on platforms like Meta and Google. Even experienced researchers often struggle to locate relevant policies and understand platform functionalities. While we recognise that providing exhaustive information and maintaining user-friendliness can sometimes conflict, this balance remains problematic in certain areas.

One example is the 'Why am I seeing this ad?' feature on Facebook. Previous research has shown that the information provided is often incomplete and lacks meaningful details.<sup>26</sup> Instead of offering insights into more

25 The full report on Lakmusz's findings is available [here](#).

26 The 2018 study by an international group of computer scientists is available [here](#).



impactful targeting criteria, such as behavioural or inferred data, the feature typically lists superficial information like city and age. This omission obscures the more critical factors influencing how ads are targeted, limiting transparency for users and researchers alike, while at the same time, the publicly available information is formulated in a way that would normally read as if the information users receive were complete.<sup>27</sup> To date, it is unclear whether it is.

We strongly encourage Meta to ensure that the information presented in the ‘Why am I seeing this ad?’ is clear, comprehensive, and accurately represents the underlying targeting logic to avoid creating a false sense of transparency. In addition, we strongly encourage all platforms to provide detailed and clear explanations of their rules, targeting options and operational practices.

## 7. Recommendations

Based on our observations during the monitoring exercise, we propose the following recommendations to address the regulatory gaps and challenges associated with digital political advertising, ensuring transparency, fairness, and accountability in the electoral context.

### **General Data Protection Regulation (GDPR)**

- National Data Protection Authorities (DPAs) should provide explicit guidelines

for political parties, candidates and campaign organisations on GDPR-compliant data collection and processing practices.

- The European Data Protection Board (EDPB) should explore necessary further steps to support national DPAs in enforcing the TTPA, building on its previous relevant guidelines.

### **Digital Services Act (DSA)**

- The European Commission must strengthen its enforcement capacity by providing sufficient funding, staffing, and expertise to relevant departments overseeing the DSA.

### **Transparency and Targeting of Political Advertising Regulation (TTPA)**

- Competent authorities tasked with enforcing the TTPA must operate independently, free from political or financial pressure, and be adequately funded and staffed.
- The European Commission should collaborate with Member States to align national laws with the TTPA, addressing inconsistencies such as cross-border political advertising prohibitions in certain jurisdictions.

### **Miscellaneous**

- The European Commission should encourage Member States to implement measures, such as spending caps and enhanced

<sup>27</sup> See the explanation in Facebook Help Centre [here](#).

transparency requirements for third-party funding, to address imbalances in financial resources among political actors.

In addition, we strongly encourage

- Platforms to disclose detailed information about their ad delivery algorithms, including criteria used for optimisation and potential biases.
- Platforms to provide more detailed and clear explanations of their rules, targeting options and operational practices.

## **Contacts**

### **Civil Liberties Union for Europe**

The Civil Liberties Union for Europe (Liberties) is a Berlin-based civil liberties group with 22 member organisations across the EU campaigning on human and digital rights issues including the rule of law, media freedom, SLAPPs, privacy, targeted political advertising, AI, and mass surveillance.

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