

Event on Democratic Participation and Electoral Matters

25-26 April 2018

Questions to Member States' authorities

1. Has your country introduced any measures governing the use of media and social media in the context of election campaigns? These measures may include, but not be limited to:
 - i. the observance of election silence period, NO
 - ii. prohibition of disinformation (fake news) NO
 - iii. equal representation of candidates Yes, for the public broadcasting company
 - iv. financial rules on campaigning and especially advertising limitations, awareness campaigns or bypassing the established financial limits. Yes

If so, please briefly list such measures and explain possible exemptions for example for social media. If not, is your country currently considering introducing such measures in the future and for which media?

There are no exemptions for social media so all rules concerning campaigning apply also in social media.

2. Is there any existing case law in your country or relevant opinions of the electoral commission regarding the use of media, and of social media platforms, during election period? If so, please provide an overview.

No case law.

3. Has your country introduced any transparency or disclosure requirements for political entities advertising online in general and social media in particular? Do political digital ads have to be explicitly labelled with an imprint? Does the funding and provenance of these ads have to be clearly displayed?

The Act on a Candidate's Election funding (section 4) states that the payer of the advertisement must clearly be displayed in every election advertisement.

4. In which way do you monitor the application of relevant provisions of national election laws or other above mentioned measures? Which authority covers political ads (i.e. advertising authority or other authorities)? Have you started to develop online archives of political adverts?

No stakeholder is developing online archives of political adverts. National Audit Office is responsible for overseeing campaign expenses and their disclosure.

5. Would you consider a possible role for National Statisticians to play in formal fact checking during elections, at least of certain materials where statistical data is at the core?

We see that our role as EMB is to provide factual information about elections in cooperation with other administrative actors and political parties. Statistics Finland provides information about election results and voters. We have doubts whether any additional role in fact checking would be useful or would fit in their current mandate.

6. Given the importance of freedom of expression in election campaigning and the democratic process, what is in your view the balance between formal regulation and self-regulation?

There needs to be a balance and both are needed.

7. The use of third party data sources by political parties is increasing significantly - from companies such as Experian, Axiom etc. These data sources are then linked to electoral registers. There are significant issues around transparency and whether the public are aware of this. What in your view can be done to make the public more aware of how data is used in campaigning?

GDPR is important in this respect but overall transparency in society is needed as well.

8. Has your national data protection authority issued guidance on personal data processing, including with regards to social media, in the context of election campaigns?

Yes, they have provided a check list on data protection for electoral campaigning.

9. Does the electoral commission in your country have any specific collaboration with data protection authorities with regard to the issues discussed above? Is this collaboration formalised in any way (e.g. through a Memorandum of Understanding or similar)?

There is no specific formal collaboration but cooperation can take place on adhoc-basis.