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# International Standards, Commitments and Good Practice for Online Campaign Finance

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# Standards and good practice

***There are no standards that directly govern online campaign finance BUT***

*variety of principles, commitments, and best practices are nonetheless directly applicable, particularly in relation to campaigning and political financing, and accordingly for online campaign financing*

***Article 7.3 of the 2003 UN Convention against Corruption (UNCAC)*** “each State Party shall also consider taking appropriate legislative and administrative measures...to enhance transparency in the funding of candidatures for elected public office”

# Standards and good practice

***Paragraph 19 of the 1996 UN Human Rights Committee General Comment No. 25 to Article 25 of the International Covenant on Civil and Political Rights (ICCPR) provides that “where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by disproportionate expenditure on behalf of any candidate or party, reasonable limitations on campaign expenditures may be established”***

# Standards and good practice

**OSCE:**

***Paragraph 7.7 of 1990 Copenhagen Document***, which requires the participating States to "permit political campaigning to be conducted in a free and fair atmosphere"

***Paragraph 7.6 of 1990 Copenhagen Document***, which requires participating states to "enable them [political parties and organizations] to compete with each other on a basis of equal treatment before the law and by the authorities"

The main goal of regulation: **Maintaining equality of opportunity by reducing the influence of money on election results.**

**Key principles:** Transparency and accountability.



# New approaches and standards: CoE

## **Recommendation CM/Rec(2018)2: roles and responsibilities of internet intermediaries:**

- highlights the significant social contribution that online intermediaries make;
- notes regulatory issues and the speed at which the landscape is changing;
- highlights data privacy concerns;
- recognizes that private companies make their own rules.

## **Recommendation CM/Rec(2022)12 on electoral communication and media coverage of election campaigns.**

- Focused around political finance.
- Paragraph 2, the Recommendation underscores that transparency of expenditure is essential for ensuring the equality of opportunity of electoral contestants and the resultant impact of online communication on public opinion.

# New approaches and standards: EU

**In November 2021 the European Commission proposed a draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the transparency and targeting of political advertising**

## **Article 8 Periodic reporting on political advertising services**

1. Where they provide political advertising services, advertising publishers shall include information on the amounts or the value of other benefits received in part or full exchange for those services, including on the use of targeting and amplification techniques, aggregated by campaign, as part of their management report within the meaning of Article 19 of Directive 2013/34/EU in their annual financial statements.

# New approaches and standards: EU

## Article 16 Sanctions

1. In relation to Articles 5 to 11, 13 and 14 Member States shall lay down rules on sanctions including administrative fines and financial penalties applicable to providers of political advertising services under their jurisdiction for infringements of the present Regulation, which shall in each individual case be effective, proportionate and dissuasive.

**Thank you for  
attention!**

**Questions?**

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