



2023/2829

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**COMMISSION RECOMMENDATION (EU) 2023/2829**

**of 12 December 2023**

**on inclusive and resilient electoral processes in the Union and enhancing the European nature and efficient conduct of the elections to the European Parliament**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Article 2 of the Treaty on European Union ("TEU") states that the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.
- (2) Democracy should be protected and nurtured. While stability, security and prosperity in the Union rely on firmly upholding democratic principles, values and institutions, crises including the Covid-19 pandemic and the Russian war of aggression against Ukraine have made some challenges to democratic values and institutions more acute, including polarisation, covert influence and other interference, such as foreign information manipulation and interference, including disinformation.
- (3) Article 10(1) TEU provides that the functioning of the Union shall be founded on representative democracy. Article 10(2) TEU states that citizens are directly represented at Union level in the European Parliament. Article 10(3) TEU provides that every citizen shall have the right to participate in the democratic life of the Union and that decisions shall be taken as openly and as closely as possible to the citizen.
- (4) Member States have particular and far-reaching responsibilities to foster broad and inclusive democratic participation and to promote free, fair and resilient elections in the Union.
- (5) Political parties play a key role in European democracies in forming political awareness, promoting political candidates, encouraging voter participation, and expressing the will of the citizens. Article 10(4) TEU and Article 12(2) of the Charter of Fundamental Rights of the European Union assign a key role to European political parties. The statute and funding of European political parties and European political foundations is regulated at European level.
- (6) Cooperation among Member States to promote free, fair and resilient elections in the Union has increased over the last years. The measures taken ahead of the 2019 elections to the European Parliament led, among other things, to the establishment of a cooperation framework called the European Cooperation Network on Elections, in line with Commission Recommendation C(2018) 5949 <sup>(1)</sup>. This Network fosters collaboration, mutual learning and the sharing of best practices between authorities in charge of monitoring and enforcing rules relevant to the electoral context including electoral authorities.
- (7) In Recommendation C(2018) 5949, the Commission also encouraged Member States to take appropriate and proportionate technical and organisational measures to manage the risks posed to the security of network and information systems used for the organisation of elections.

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<sup>(1)</sup> Commission Recommendation on election cooperation networks, online transparency, protection against cybersecurity incidents and fighting disinformation campaigns in the context of elections to the European Parliament, C(2018) 5949, 12.9.2018, [https://commission.europa.eu/system/files/2018-09/soteu2018-cybersecurity-elections-recommendation-5949\\_en.pdf](https://commission.europa.eu/system/files/2018-09/soteu2018-cybersecurity-elections-recommendation-5949_en.pdf).

- (8) The European Democracy Action plan <sup>(2)</sup> pursues the objective to empower citizens and increase democratic resilience across the Union by promoting free and fair elections in the Union, strengthening media freedom and countering disinformation. The Commission presented in November 2021 a package of measures aiming at reinforcing the integrity of elections and open democratic debate including a proposal on transparency and targeting of political advertising <sup>(3)</sup>, a proposal on European political parties <sup>(4)</sup> and proposals on voting rights of mobile Union citizens <sup>(5)</sup>.
- (9) The resilience of electoral processes in the Union should be strengthened, in full compliance with fundamental rights and democratic values enshrined in Union and international standards.
- (10) Stability of electoral law is crucial to the integrity and credibility of electoral processes. Rules being changed frequently or just before elections may confuse both voters and election officials alike and those rules may be distorted or misapplied. This may also be perceived as a tool intended to influence the results in favour of the incumbents. In line with guideline II.2.b of the Code of Good Practice in electoral matters <sup>(6)</sup> adopted by the Council of Europe Commission for Democracy through Law (the 'Venice Commission'), the fundamental elements of national electoral law should not be open to amendment less than one year before an election. Those fundamental elements include, in particular, the rules relating to the transformation of votes into seats, membership of electoral commissions or other bodies which organise the ballot, and the drawing of constituency boundaries and distribution of seats between the constituencies. While the principle of stability of electoral law should not be invoked to maintain a situation contrary to international electoral standards, nothing in this Recommendation should be understood as inviting Member States to take any measures contrary to guideline II.2.b of the Code of Good Practice in electoral matters.
- (11) In order to support high voter turnout and support broad citizen participation in the democratic process, Member States should offer accessible and user-friendly registration tools for candidates and voters, taking into account the needs of different groups, including citizens residing abroad. Greater flexibility in times for the registration procedures used in elections or enhanced opportunities to register voters and candidates, including to allow access to specific voting arrangements, by electronic means should be provided, with due regard to Directive (EU) 2016/2102 of the European Parliament and of the Council <sup>(7)</sup>. At the same time, Member States should pay attention to the fact that different groups, including older persons, may face obstacles when accessing internet and digital technologies or may lack skills to effectively use them.
- (12) In order to ensure the effective exercise of electoral rights, Member States should provide Union citizens with information on basic rules and practical arrangements related to the exercise of their electoral rights in their country. This information should be provided proactively, in a comprehensive, clear, and simple way. More than one information channel should be used, and the local level should be involved. Member States could rely on

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<sup>(2)</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, on the European democracy action plan, COM(2020) 790 final, 3.12.2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A790%3AFIN>.

<sup>(3)</sup> Proposal for a Regulation of the European Parliament and of the Council on the transparency and targeting of political advertising, COM(2021) 731 final, 25.11.2021, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021PC0731>.

<sup>(4)</sup> Proposal for a Regulation of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations (recast) COM(2021) 734 final, 25.11.2021, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021PC0734>.

<sup>(5)</sup> Proposal for a Council Directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals (recast), COM(2021) 732 final, 25.11.2021 and Proposal for a Council Directive laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by Union citizens residing in a Member State of which they are not nationals (recast), COM (2021) 733 final, 25.11.2021, [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/eu-citizenship/democracy-and-electoral-rights\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/eu-citizenship/democracy-and-electoral-rights_en).

<sup>(6)</sup> Council of Europe, Venice Commission, 30 October 2002, Code of Good Practice in electoral matters, adopted by the Venice Commission at its 51<sup>st</sup> and 52<sup>nd</sup> sessions, <https://rm.coe.int/090000168092af01>.

<sup>(7)</sup> Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1, ELI: <http://data.europa.eu/eli/dir/2016/2102/oj>).

modern communication tools, in various formats and in more than one language, such as short explanatory videos delivering practical information in clear and plain language. In this context, Member States could also make use of the accessibility requirements laid down in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council <sup>(8)</sup>.

- (13) The Covid-19 pandemic demonstrated that Member States are interested in introducing complementary voting methods to support voter turnout, such as advance, mobile, postal and electronic voting ('e-voting'). However, when making such complementary voting methods available, safeguards are necessary to ensure free, fair and resilient elections in full respect of democratic standards and fundamental rights. Member States should also ensure that traditional voting methods remain available. Regulation (EU) 2016/679 of the European Parliament and of the Council applies when such voting methods imply the processing of personal data <sup>(9)</sup>. The compendium on e-voting and other ICT practices <sup>(10)</sup>, published by the Commission as part of the 2023 Citizenship Package, provides important information on the applicable legal frameworks, software systems and technologies, testing methodologies, functional and operational flows, accessibility features, and threats and vulnerabilities and measures for mitigation.
- (14) To support the respect of citizens' electoral rights, Member States, when they implement complementary voting methods, should ensure that citizens are duly informed and receive the necessary support to make use of them. It is also important that election officials receive appropriate training.
- (15) In 2018 the Commission issued guidance on the application of Union data protection rules in the electoral context, highlighting the data protection obligations of the various actors involved in election processes such as national electoral authorities, political parties, data brokers and analysts, social media platforms and online ad networks. The European Data Protection Board, the European Data Protection Supervisor and national data protection authorities have also addressed the issue of data protection in the electoral context <sup>(11)</sup>. Such guidance should be taken into account, as relevant, by all actors ahead of the 2024 elections to the European Parliament and after these elections.
- (16) Surveillance and spyware tools should not be used to interfere with the democratic debate, notably by targeting political actors and journalists. The use of spyware can under certain conditions be a matter of national security but using spyware in order to gain a political advantage can never be justified as a national security matter. National security should be interpreted in compliance with the case law of the Court of Justice of the European Union to preserve the effective application of Union law.
- (17) It is necessary to support the participation in elections, as voters and as candidates, of all groups of citizens, taking into account their specific needs and the challenges they are confronted with. The Commission report on the 2019 elections to the European Parliament <sup>(12)</sup> underlined, among others, that there is still progress to be made on inclusiveness and democratic participation in elections of younger people, women, mobile Union citizens, and persons with disabilities. It also highlighted that, for the 2019 elections to the European Parliament, while constituting a significant part of the electorate, specific groups remained underrepresented among elected Members of the European Parliament, such as persons with disabilities.

<sup>(8)</sup> Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70, ELI: <http://data.europa.eu/eli/dir/2019/882/oj>).

<sup>(9)</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

<sup>(10)</sup> [https://commission.europa.eu/document/b0898ba3-c7ad-4af5-8467-5e23a0469a78\\_en](https://commission.europa.eu/document/b0898ba3-c7ad-4af5-8467-5e23a0469a78_en).

<sup>(11)</sup> Annex I to Statement 2/2019 of the European Data Protection Board on the use of personal data in the course of political campaigns, adopted on 13 March 2019.

<sup>(12)</sup> Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee, Report on the 2019 elections to the European Parliament, COM(2020) 252 final, 19.6.2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0252>.

- (18) Inclusiveness of elections and participation of all groups can be supported by Member States and political parties through specific policies and measures, which consider their needs and challenges. In this context, they may take into account the demographic background and geographical location. Data collection on participation of specific groups, in full compliance with fundamental rights and data protection requirements, could support the identification of challenges and the design of policies to address them. Member States could, for instance, launch targeted information campaigns that take into account the needs of specific groups. Member States should also support, in line with their electoral rules, the participation in elections of Union citizens residing in third countries.
- (19) Young citizens should be supported in the exercise of their electoral rights, both as voters and candidates. Several Member States have already lowered their minimum voting age to 16 or 17 years while others are considering doing so. Supporting the participation of young citizens, including first time voters, may include actions such as fostering citizenship education, organising election simulations in schools, knowledge tests or art competitions on elections, youth-friendly communication campaigns, election guides to familiarise children and teenagers with the registration and voting process, encouraging students to become election observers and peer-to-peer programs where young voters can share their experiences with each other. Support to the young citizens exercising their electoral rights should be provided including by promoting their skills and supporting an environment allowing them to vote in a free and fair manner. Member States should promote the 'Guide to EU citizenship' to help young citizens familiarise themselves with the history, values and rights that underpin their status as citizens of the Union, as well as with the benefits of citizenship of the Union and the opportunities it offers for democratic engagement. The dissemination of good practices should be supported.
- (20) As the EU Roma Strategic framework <sup>(13)</sup> highlights, participation of Roma in political life at local, regional, national and Union levels should be encouraged. This is particularly relevant in Member States with a significant Roma population. The Commission anti-racism action plan <sup>(14)</sup> signalled Commission's intention to work with European political parties, the European Cooperation Network on Elections and civil society to improve participation of groups susceptible to marginalisation, such as people with a minority racial or ethnic background.
- (21) Article 8 TFEU states that the EU should aim to eliminate inequalities and promote equality between men and women in all its activities. In its 'Gender Equality Strategy 2020-2025' <sup>(15)</sup>, the Commission committed to apply equal opportunities to women and achieve gender balance in decision-making and in politics. In its 2023 Report on Gender Equality in the EU <sup>(16)</sup>, the Commission recalled the need for an equal participation of women and men in political decision-making positions to better reflect the composition of society and strengthen democracy in the EU. Member States should also encourage gender balance in governing bodies of electoral management bodies, and monitor, support and regularly evaluate progress on gender equality in the exercise of electoral rights. Member States could promote measures to support gender equality regarding access to and participation in elections. When designing such measures, they could build on the European Institute for Gender Equality's expertise and data on gender equality. Measures could include alternating women and men on candidate lists, using other types of gender quotas, linking the allocation of public funding for political parties to the promotion of political participation of women or other similar measures. To support gender equality, political parties should have internal policies on gender balance, targeted training and awareness raising. Political parties should encourage gender balance in electoral lists and their own governing bodies. Member States and political parties should take measures to effectively prevent and address gender-based hate speech against politically active women that aims to discredit them or discourage them from political participation.

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<sup>(13)</sup> Communication from the Commission to the European Parliament and the Council, A Union of Equality: EU Roma strategic framework for equality, inclusion and participation, COM(2020) 620 final, 7.10.2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0620>.

<sup>(14)</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A Union of Equality: EU anti-racism action plan 2020-2025, COM(2020) 565 final, 18.9.2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A0565%3AFIN>.

<sup>(15)</sup> Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee, A Union of Equality: Gender Equality Strategy 2020-2025, COM(2020) 152 final, 5.3.2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:152:FIN>.

<sup>(16)</sup> European Commission, Directorate-General for Justice and Consumers, 2023 report on gender equality in the EU, Publications Office of the European Union, 2023, <https://data.europa.eu/doi/10.2838/4966>.

- (22) The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), to which the EU, within its competence, and all Member States are party, requires States Parties to guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others. In order to support inclusive participation, Member States should, in line with their international commitments including the UNCRPD, support the exercise of electoral rights by persons with disabilities, whether as voters or candidates, and prevent and remove the barriers they encounter when participating in elections, in accordance with the Commission Strategy for the Rights of Persons with Disabilities 2021-2030 <sup>(17)</sup>. Member States should, in line with relevant Union law and international standards, review the possibility for the blanket removal of electoral rights of persons with intellectual and psycho-social disabilities without individual assessment and possibility of judicial review. Member States should make best use of the guide of good electoral practices in Member States addressing participation of citizens with disabilities in the electoral process <sup>(18)</sup> announced in the Commission Strategy for the rights of persons with disabilities 2021-2030 and continue to work with the Commission, in the framework of the European Cooperation Network on Elections, to support effective follow-up, taking into account views expressed by entities representing the interests of persons with disabilities. Member States should consider implementing practical measures to ensure accessibility of polling stations, including by making use of means such as QR codes, Braille, large printouts, audio and easy-to-read guides, tactile stencils, magnifying glasses, extra lighting, stamps, and accessible writing utensils. Political parties should address the needs of persons with disabilities in their campaigning, for example by organising events in accessible locations and by using means, modes and formats of communication, in line with accessibility legislation in the Union and Member States. Member States and political parties should also consider providing other forms of support, such as telephone assistance, sign interpretation, accessible transport and accessible procedures for requesting accommodation.
- (23) As they are on the front lines of election integrity and well-positioned to support genuine political participation, political parties and campaign organisations should be encouraged to promote election integrity and fair campaigning including by developing and adhering to codes of conduct or campaign pledges supporting free, fair and resilient elections. Such codes of conduct or pledges should promote high democratic standards. They could include commitments such as not to accept financial contributions in exchange for an advantage or to refrain from promoting stereotypes, discriminatory statements and biases against specific groups based in particular on their gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation.
- (24) Such codes or pledges should be made available to the wider public sufficiently ahead of election days and be accompanied by appropriate awareness-raising activities of the concerned entities.
- (25) Information about organisations, foundations and other legal entities linked to European and national political parties or campaigning on their behalf should be made publicly available by European and national political parties to allow citizens to understand the interdependencies between the various political actors promoting the same political objectives and actions, including in the context of political advertising. Such information would also help oversight authorities to have an overview of the financial connections and structural links between the various entities affiliated with political parties.
- (26) European and national political parties should further enable citizens, authorities and interested entities to fulfil their role in the democratic process, including by identifying possible interference or manipulation of the electoral processes, by disclosing relevant information on their websites on their use of political advertising, including information about the amounts spent on advertising and the sources of their financing. In the interests of ensuring a high level of transparency in political campaigning and to support accountability in the use of political advertising, European and national political parties should also consider ensuring, in a voluntary manner, and reflect in their pledges and codes of conduct, that the political advertising they use can be clearly identified as such and distinguished from other advertising, and where relevant, from other material such as editorial content. They should consider making their political advertising available with information about the identity of the political party which sponsors it and where applicable, meaningful information about the targeting of the advertising and on the use of artificial intelligence systems being used.

<sup>(17)</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030, COM(2021)101 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52021DC0101>.

<sup>(18)</sup> Commission staff working document: Guide of good electoral practices in Member States addressing the participation of citizens with disabilities in the electoral process, SWD(2023) 408 final, [https://commission.europa.eu/document/66b9212e-e9b0-409d-88a3-c0e505a5e670\\_en](https://commission.europa.eu/document/66b9212e-e9b0-409d-88a3-c0e505a5e670_en).

- (27) Election observation is an efficient way to engage citizens with the electoral process and improve public trust in elections. In order to foster the transparency of electoral processes, support engagement and participation and promote free, fair and resilient electoral processes. Member States should encourage and facilitate impartial and independent election observation including by citizens as well as international organisations, at all the stages of the electoral process, taking into account their legal frameworks and international commitments. This should include, in particular, observation of voter registration, counting of ballots, participation of specific groups, the monitoring of political advertising and financing, and the application of electoral rules online.
- (28) Member States should support the development of capacity and expertise in election observation, including by supporting training for election observers, drawing on the knowledge shared within the European Cooperation Network on Elections and international standards and best practices, such as the Declaration of principles for international election observation adopted in 2005 at the United Nations <sup>(19)</sup>, and the standards of the Venice Commission and of the Organization for Security and Cooperation in Europe Office of Democratic Institutions and Human Rights. Specific training could be provided to younger election observers.
- (29) Specific actions to support election observation could include the organisation of dedicated meetings and consultations between national election networks and observers' groups, joint seminars on the assessment of elections and common initiatives aimed at raising awareness and developing policies on election observation to support the integrity, resilience and democratic nature of elections. Exchanges of best practices regarding election observation between Member States in the framework of the European Cooperation Network on Elections should include support for election observers and specific actions to raise awareness.
- (30) Political parties and campaign organisations should also facilitate the activities of election observers cooperating with them including by providing them with the necessary access to information on their activities in the context of elections.
- (31) Robust electoral systems and processes, with minimal disruptions, are basic prerequisites of democracies. Human errors, unforeseen disasters and various incidents could threaten electoral processes. Member States should ensure the resilience of electoral processes, including through particular protection of election-related infrastructure and by taking the necessary measures vis-à-vis facilities, equipment, networks, systems and infrastructure from other sectors, used for elections.
- (32) As highlighted in the European Democracy Action Plan, marking electoral processes or aspects of their administration as critical infrastructure could render more effective efforts to address specific threats. This would imply addressing challenges related to election periods, election observation, independent electoral oversight and effective remedies and would also cover monitoring including online, threat identification, capacity building, the operation of national elections networks and engagement with the private sector. As regards entities operating infrastructure possibly supporting elections, due regard should be given, where applicable, to the requirements laid down by Directives (EU) 2022/2555 <sup>(20)</sup> and (EU) 2022/2557 <sup>(21)</sup> of the European Parliament and of the Council.
- (33) In addition to the obligations under Directives (EU) 2022/2555 and (EU) 2022/2557, where applicable, Member States should strive to ensure a similar level of resilience of entities operating election-related infrastructure, by performing and updating risk assessments, conducting tests, and enhancing support for and the resilience of entities that play a significant role in the conduct of elections. Member States should also ensure that all relevant entities take

<sup>(19)</sup> United Nations, 27 October 2005, Declaration of Principles for International Election Observation, [https://www.eas.europa.eu/eas/declaration-principles-international-election-observation\\_en?s=328](https://www.eas.europa.eu/eas/declaration-principles-international-election-observation_en?s=328).

<sup>(20)</sup> Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive) (OJ L 333, 27.12.2022, p. 80, ELI: <http://data.europa.eu/eli/dir/2022/2555/oj>).

<sup>(21)</sup> Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164, ELI: <http://data.europa.eu/eli/dir/2022/2557/oj>).

appropriate and proportionate technical, operational and organisational measures to manage the risks posed by natural, human-made and cyber incidents. They should put in place methodologies and plans for crisis management and for securing swift recovery after such incidents, and exchange experiences and best practices.

- (34) Specific measures should be taken to further enhance the cybersecurity of voter registration databases, e-voting systems and other information systems used to manage electoral operations such as the counting, auditing, and displaying of election results, and post-election reporting to certify and validate results. Other measures could cover the physical security of polling places and counting places, and facilities, assets and systems for the printing, transportation and storage of ballots and other relevant election materials, such as specifically secured ballot boxes or stamps.
- (35) In September 2022, the Commission adopted a proposal for a Cyber Resilience Act <sup>(22)</sup>, aiming to establish common mandatory cybersecurity requirements for products with digital elements, hardware and software. To enhance the cyber-resilience of elections, Member States should ensure that more secure hardware and software products are used in elections, including by taking into account this proposal. Furthermore, Member States should take into account relevant international standards, such as the Recommendation (2017) of the Committee of Ministers of the Council of Europe on standards for e-voting <sup>(23)</sup> and the Guidelines (2022) of the Council of Europe on the use of information and communication technology in electoral processes <sup>(24)</sup>. They should also make use of the compendium on e-voting and ICT practices.
- (36) In order to protect election-related infrastructure against cyber-attacks, specific measures should also be taken by Member States, with the support of the Commission, including through the joint mechanism for electoral resilience as referred to in the European Democracy Action Plan. Member States should also take part in practical exercises to assess risks and preparedness, drawing on the joint work supported by the Commission in the framework of the European Cooperation Network on Elections and the Network and Information Systems (NIS) Cooperation Group. Member States should also make best use of the lessons learnt in the table-top exercise organised within the framework of the joint election resilience mechanism on 21 November 2023. This should be taken into account to update the Compendium on Cyber Security of Election Technology prepared by the NIS Cooperation Group. Member States' electoral and cyber authorities should continue to exchange relevant information, in particular through joint exchanges between the European Cooperation Network on Elections and the NIS Cooperation Group, especially in advance of elections to the European Parliament. Based on that, Member States should carry out awareness-raising activities on the steps that political parties, campaign organisations, candidates, election officials and other entities involved in the conduct of elections can take to improve their online security and mitigate potential cyber-attacks.
- (37) Continuous risk management based on predefined criteria for risk acceptance and a predefined methodology is essential to protect election-related infrastructure. Data collected in the course of risk assessments and stress tests play a key role in that regard. Member States should, with the support of the Commission in the framework of the European Cooperation Network on Elections working in close cooperation with the NIS Cooperation Group, exchange on relevant practices in performing risks assessments and risk mitigation measures in order to allow for experience and expertise to spread quickly including on successful innovations. Exchanges should cover the development of common methodologies and plans for crisis management and for securing swift recovery after any natural and human-made incidents, including, cyber incidents.

<sup>(22)</sup> Proposal for a Regulation of the European Parliament and of the Council on horizontal cybersecurity requirements for products with digital elements and amending Regulation (EU) 2019/1020 COM(2022)454 final, 15.9.2022, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022PC0454>.

<sup>(23)</sup> Recommendation CM/Rec(2017)5 of the Committee of Ministers to Member States on standards for e-voting, adopted by the Committee of Ministers on 14 June 2017 at the 1289th meeting of the Ministers' Deputies.

<sup>(24)</sup> Committee of Ministers' Guidelines on the use of information and communication technology (ICT) in electoral processes in Council of Europe member States (adopted by the European Committee on Democracy and Governance on 9 February 2022 at the 1424th meeting of the Committee of Ministers).

- (38) In order to be appropriately shielded against such threats, political parties, political foundations and campaign organisations should take action to address cybersecurity risks in their internal activities and in campaigning. Awareness raising activities and measures to ensure resilience could include distributing information to party members and candidates on cybersecurity risks related to their activities and activities of other entities close to them, participating in training on cybersecurity, as well as improving monitoring of the security of digital platforms and tools used for electoral campaigns.
- (39) In order to ensure that voters receive reliable information, it is important to protect the information environment around elections. Information manipulation, interference and the spread of disinformation, including by automated means on social media, can have negative consequences on the quality of the democratic debate, the exercise of voting rights, the perception and attitude of voters, leading to long-term effects including on participation in future elections. Artificial intelligence can be used to generate or manipulate image, audio or video content that appreciably resembles existing persons, places or events and would falsely appear to a person to be authentic (so called 'deep fakes'). Political advertising can be a vector of disinformation and of foreign interference, in particular where the advertising does not disclose its political nature, the identity of its sponsors and the entities financing it, and where and how it was targeted. The Commission has put forward a proposal on transparency and targeting of political advertising, which will establish a binding framework based on common standards allowing citizens to recognise political advertisements and exercise their democratic rights in an informed manner. It will also limit and frame the use of personal data to target political advertising. The 2022 Strengthened Code of Practice on Disinformation <sup>(25)</sup> provides self-regulatory standards to combat disinformation and information manipulation. The Commission has put forward a proposal on artificial intelligence <sup>(26)</sup> which will ensure the labelling of artificial intelligence content and disclosure of its origin.
- (40) In order to support competent authorities and policymakers, opinion polls and surveys may be considered by Member States as means to monitor the prevalence and socio-demographic distribution of key elections-related disinformation messages. Information obtained in the context of such polls could be made available to researchers, journalists, election observers and civil society and other relevant stakeholders.
- (41) Political parties also have a specific responsibility to protect the information environment around elections by ensuring that voters receive correct information in a timely, accessible and intelligible manner and by addressing elections related information manipulation, interference and disinformation, in collaboration with other stakeholders and in full respect of fundamental rights and democratic values.
- (42) To ensure that the citizens are well informed and aware of how to safeguard the free formation of their opinions, building resilience, awareness raising and training on interference around elections should be promoted. The role of civil society, media organisations, research institutions and academia in developing public awareness, media literacy skills and critical thinking is key to equip citizens with the skills required to exercise judgment in complex realities affecting the democratic sphere. Such skills are particularly important in the context of the increasing role of artificial intelligence, including in election campaigns for instance when citizens use artificial intelligence systems to inform their electoral choices. Member States should make best use of funding available at Union level towards activities addressing information manipulation, interference and disinformation and affecting free, fair and resilient elections, including by promoting the funding opportunities of the Citizens, Equality, Rights and Values Programme, established by Regulation (EU) 2021/692 of the European Parliament and of the Council <sup>(27)</sup>, and the Erasmus + Programme, established by Regulation (EU) 2021/817 of the European Parliament and of the Council <sup>(28)</sup>. Such activities should support knowledge and understanding on how to access and use media

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<sup>(25)</sup> Strengthened Code of Practice on disinformation (2022), <https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation>.

<sup>(26)</sup> Proposal for a regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (artificial intelligence act) and amending certain union legislative acts, COM(2021) 206 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021PC0206>.

<sup>(27)</sup> Regulation (EU) 2021/692 of the European Parliament and of the Council of 28 April 2021 establishing the Citizens, Equality, Rights and Values Programme and repealing Regulation (EU) No 1381/2013 of the European Parliament and of the Council and Council Regulation (EU) No 390/2014, (OJ L 156, 5.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/692/oj>).

<sup>(28)</sup> Regulation (EU) 2021/817 of the European Parliament and of the Council of 20 May 2021 establishing Erasmus+: the Union Programme for education and training, youth and sport and repealing Regulation (EU) No 1288/2013, (OJ L 189, 28.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/817/oj>).



effectively and safely and how to create media content responsibly. Member States could encourage schools and higher education institutions to include media literacy, critical thinking, citizens' political rights and obligations, and understanding of the functioning of democratic institutions and processes both in their country and at Union level and promotion of democratic participation in their curricula.

- (43) Pre-bunking of election related information manipulation, interference and disinformation relies on pre-emptively publishing reliable information on election procedures. Debunking information manipulation and disinformation on electoral procedures relies on swift and reliable responses. Training of election and other relevant authorities on how to efficiently pre-bunk and debunk information manipulation, interference and disinformation, online and offline, about election procedures is particularly important in the current rapidly changing security environment. Member States should implement other complementary actions that fight disinformation and information manipulation disrupting elections. They could in this context rely on the European Digital Media Observatory and its hubs as sources of information for entities involved in elections processes, such as polls-watchers, educators, and other disseminators, regarding manners for debunking of election related disinformation.
- (44) Commission Recommendation (EU) 2018/234 <sup>(29)</sup>, already encourages competent national authorities to identify, based on the experiences of Member States, best practices in the identification, mitigation and management of risks to the electoral process from disinformation. Since then, changes in the security environment compared to previous elections have made such risks more acute. Competent national authorities should therefore further develop and update those best practices, including by making use of artificial intelligence detection tools. National election networks should enhance their cooperation on this topic including by exchanging best practices in the framework of the European Cooperation Network on Elections and working in close cooperation with the Rapid Alert System. This could involve exchanges of expertise among Member States that share similar challenges, including due to their geographical situation.
- (45) Clear channels of cooperation between national election networks, the European Cooperation Network on Elections and media platforms and publishers of political advertising could help mitigate the risk of information manipulation and disinformation during elections, in particular by supporting the development of standards to enhance the dissemination of reliable information. Member States already cooperate within the European Cooperation Network on Elections, the European Regulators Group for Audiovisual Media Services <sup>(30)</sup>, the Rapid Alert System <sup>(31)</sup> and other frameworks, to address information manipulation, interference and disinformation, developing a multi-disciplinary response to such threats in election processes. These networks should continue to develop appropriate responses, including by supporting cooperation between Member States. Cooperation between the European Cooperation Network on Elections and these other European networks with activities relevant to electoral processes, including in the context of the joint mechanism for electoral resilience, should be reinforced. Good practices, including joint meetings between different networks, such as the common session between the European Cooperation Network on Elections and the Rapid Alert System on 6 December 2023, should be supported. The European Cooperation Network on Elections should also continue facilitating engagement with international entities like the Council of Europe and the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe, as part of its comprehensive approach to free, fair and resilient elections in Europe.
- (46) Donations from third countries to national political parties, political foundations, political candidates and campaign organisations, especially when left unchecked, could unduly influence democratic processes in the Union and be a vector of interference by third countries. Such donations could affect the fairness or integrity of political competition, lead to distortions of the electoral process, distort the level playing field by breaching rules on income and expenditure ceilings, enable corruption or pose a threat to national public order. Donations from third countries to political parties, political foundations, candidates, campaign organisations and as relevant political movements should therefore be limited or prohibited and in any case be subject to transparency requirements.

<sup>(29)</sup> Commission Recommendation (EU) 2018/234 of 14 February 2018 on enhancing the European nature and efficient conduct of the 2019 elections to the European Parliament (OJ L 45, 17.2.2018, p. 40, ELI: <http://data.europa.eu/eli/reco/2018/234/oj>).

<sup>(30)</sup> Commission Decision of 3.2.2014 on establishing the European Regulators Group for Audiovisual Media Services, C(2014) 462 final.

<sup>(31)</sup> Joint Communication to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions Action Plan against Disinformation, JOIN(2018) 36 final, <https://op.europa.eu/en/publication-detail/-/publication/586157e5-923f-11e9-9369-01aa75ed71a1>.

- (47) Regulation 1141/2014 of the European Parliament and of the Council <sup>(32)</sup> regulates the funding of European Political Parties including as regards funding from third countries. In line with this Regulation, European political parties and European political foundations are not allowed to accept anonymous donations or contributions, from any public authority of a Member State or a third country, or from any undertaking over which such a public authority may exercise, directly or indirectly, a dominant influence by virtue of its ownership of it, its financial participation therein, or the rules which govern it, or donations from any private entities based in a third country or from individuals from a third country who are not entitled to vote in elections to the European Parliament.
- (48) The Recommendation of the Council of Europe on common rules against corruption in the funding of political parties and electoral campaigns <sup>(33)</sup> emphasizes that states should specifically limit, prohibit or otherwise regulate donations from foreign donors to political parties. The Venice Commission's Guidelines on the Financing of Political Parties <sup>(34)</sup> state that donations from foreign states or enterprises should be prohibited, although this prohibition should not prevent donations from nationals living abroad. In line with these guidelines, other limitations may also be envisaged notably of a maximum level for each contribution, a prohibition of contributions from enterprises of an industrial, or commercial nature or from religious organisations, or prior control of contributions by members of parties who wish to stand as candidates in elections by public organs specialised in electoral matters.
- (49) To prevent foreign interference, Member States should identify and address possible gaps in their legislation and other regulatory measures related to donations provided from third countries to political parties, political foundations, political candidates, and campaign organisations. They should effectively address the circumvention of relevant rules, including by considering prohibiting donations in the name of another person. Donations should be understood as covering any cash offering, any offering in kind, the provision below market value of any goods, services or works, and/or any other transaction which constitutes an economic advantage for the entity concerned (including loans), with the exception of usual political activities carried out on a voluntary basis by individuals. In this context, Member States could make use of guidance from the OECD Working Party of Senior Public Integrity Officials <sup>(35)</sup> and the Group of States against Corruption (GRECO) established by the Council of Europe <sup>(36)</sup>.
- (50) The Commission monitors corruption prevention linked to political party financing in the Member States in the context of the Rule of Law reports and, since 2022, issues related recommendations.
- (51) In order to support the integrity of electoral process and address actual or foreseeable negative effects on free and fair elections, political parties and their affiliated entities should assess risks stemming from donations from third countries and donations potentially linked to corruption or other criminal activity. In their risk assessment, political parties and their affiliated entities should consider measures to address the identified risks, including by properly identifying donors in order to avoid any risks of covert funding through strawmen.

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<sup>(32)</sup> Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations, (OJ L 317, 4.11.2014, p. 1, ELI: <http://data.europa.eu/eli/reg/2014/1141/2018-05-04>).

<sup>(33)</sup> Council of Europe, Recommendation Rec(2003)4 of 8 April 2003 of the Committee of Ministers to Member States on common rules against corruption in the funding of political parties and electoral campaign, <https://rm.coe.int/16806cc1f1>.

<sup>(34)</sup> Venice Commission, Guidelines and Report on the financing of political parties, adopted at its 46<sup>th</sup> Plenary Session, CDL-INF(2001)8, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-INF\(2001\)008-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-INF(2001)008-e).

<sup>(35)</sup> The Working Party of Senior Public Integrity Officials of the OECD promotes the design and implementation of integrity and anti-corruption policies supporting good governance. They also aim to strengthen cover values, credibility and capacity of the institutions involved in policy making processes. More information on: <https://www.oecd.org/corruption/ethics/working-party-of-senior-public-integrity-officials.htm>

<sup>(36)</sup> The Group of States against Corruption (GRECO) was established by the Council of Europe to monitor States' compliance with the Council's anti-corruption rules.

- (52) Member States should increase their cooperation within the framework of the European Cooperation Network on Elections, including by jointly identifying common standards and references on donations and other support from third countries to national political parties, political foundations and campaign organisations.
- (53) To further enhance the European nature and efficient conduct of the elections to the European Parliament, efforts to engage all citizens in elections to the European Parliament and further facilitate the exercise of related electoral rights should continue.
- (54) Disseminating information on the opening hours of polling stations sufficiently in advance as well as providing for early opening and late closing of the polling stations on election day, including in the elections to the European Parliament, would allow more citizens to be able to cast their vote, including those living in remote areas or working atypical hours.
- (55) As mentioned in the Report on the 2019 elections to the European Parliament, the 2018 Report on the application of Directive 94/80/EC <sup>(37)</sup> and the 2020 European Citizenship Report <sup>(38)</sup>, Member States should further support the exercise of electoral rights of Union citizens and promote awareness about their rights and applicable procedures. They should also address possible obstacles to the participation of mobile Union citizens in elections to the European Parliament, either as a voter or as a candidate. The provision of information on the relevant rights and applicable procedures could be supported through the use of commonly available digital tools, including the single digital gateway established by Regulation (EU) 2018/1724 of the European Parliament and of the Council <sup>(39)</sup>, which gives access to relevant Union and national webpages, including on electoral rights. Member States are also encouraged to make best use of the communication and problem-solving services at Union level, such as the Europe Direct Contact Centre (EDCC) and SOLVIT, made available by the Commission, in order to provide Union citizens with accurate and timely information on citizenship rights and electoral procedures.
- (56) Additional communication measures would enhance the European nature of the elections to the European Parliament. National political parties should start the campaigns for the elections to the European Parliament as early as possible, as they are key players in raising awareness of Union citizens, including mobile Union citizens, about the elections to the European Parliament. As noted in the Commission report on the 2019 elections to the European Parliament, joint communication efforts of different EU institutions, Member States and civil society remain a key element in enhancing the European nature of the elections to the European Parliament.
- (57) In order to further increase transparency of the link between national political parties and European political parties and political groups in the European Parliament, national political parties should be able and are encouraged to make known ahead of the start of the campaign their affiliation or process of affiliation to a European political party. To help increase the European dimension of the elections, Member States should encourage and facilitate the provision of such information to the public. Member States and political parties could support other measures increasing the transparency of the link between European and national political parties for instance supporting the organisation of joint events with European and national political parties.
- (58) In order to fulfil their role as provided for in Article 10(4) TEU to contribute to forming European political awareness and expressing the will of European citizens, European political parties should be able to reach out to their members and constituencies across the Union including by carrying out cross-border campaigns in the Union. To help increase the European dimension of the elections to the European Parliament, Member States should facilitate the conduct of effective cross-border campaigns by European political parties and political groups of the European Parliament across the Union.

<sup>(37)</sup> Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Application of Directive 94/80/EC on the right to vote and to stand as a candidate in municipal elections, COM(2018)44 final, 25.1.2018, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52018DC0044>.

<sup>(38)</sup> European Commission, Directorate-General for Justice and Consumers, EU citizenship report 2020 – Empowering citizens and protecting their rights, Publications Office of the European Union, 2020, <https://data.europa.eu/doi/10.2775/559516>.

<sup>(39)</sup> Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1724/oj>).

- (59) To continue safeguarding the integrity of the elections of the European Parliament, Member States should be encouraged to further address the risk of multiple voting and candidacies. To that end, Union citizens should be informed of the rules and sanctions related to multiple voting. Member States should, with the support of the Commission, exchange, in an accurate and timely manner, data on mobile Union citizens taking part in elections as voters or candidates. In this context, Member States should continue preparations started in the framework of the Expert group on electoral matters<sup>(40)</sup>, to ensure an efficient and encrypted exchange of the necessary data to prevent multiple voting through the relevant secure tool made available by the Commission. Mobile Union citizens should not be removed from the electoral roll for all types of elections in their country of origin due to the fact that they have been entered on the electoral roll of their Member State of residence.
- (60) In order to foster free, fair and resilient electoral processes, cooperation within national election networks, as referred to in Recommendation (EU) C(2018) 5949, should be further strengthened. Members of national election networks should exchange information swiftly on issues that have the potential to affect the elections to the European Parliament including by jointly identifying threats and gaps, sharing findings and expertise, and establish, as necessary, protocols and ways of working for cooperation and information sharing, to prevent, protect against, respond to, mitigate, and recover from disruptive incidents affecting elections. Where law enforcement authorities are not part of the national election networks, Member States could consider establishing a permanent liaison between national election networks and relevant national law enforcement authorities, in full respect of democratic values. The national election networks could engage with other stakeholders such as researchers, academia, election observers and human rights defenders for that purpose. They should also liaise with national Parliaments and together with them support awareness raising on the importance of protecting the integrity of electoral processes including against the risk of interference. In order to ensure national election networks are able to adequately fulfil their role and carry on their activities, Member States should provide them with the necessary frameworks, resources and means.
- (61) Ahead of the next elections to the European Parliament and beyond, Member States should strengthen cooperation between their national election networks, especially in the framework of the European Cooperation Network on Elections. When doing so, they should rely on mechanisms supporting the swift exchange of information on issues affecting elections,

HAS ADOPTED THIS RECOMMENDATION

### **I. Subject matter**

1. This Recommendation promotes high democratic standards for elections in the Union and the enhancement of the European nature and efficient conduct of the elections to the European Parliament. It is addressed to Member States, European and national political parties, political foundations and campaign organisations in the context of the preparation for elections in the Union, including the 2024 elections to the European Parliament.

### **II. General principles on elections in the Union**

2. Elections in the Union should follow the highest democratic standards. Member States should support among others high voter turnout, inclusive participation, easy and equal exercise of electoral rights, resilience of electoral processes, integrity and secrecy of the vote, as well as equality of opportunity, in particular with regard to public funding of parties and campaigns, in full respect of fundamental rights.
3. In line with the Code of Good Practice in electoral matters of the Venice Commission of the Council of Europe, the fundamental elements of electoral law should not be open to amendment less than one year before an election.

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<sup>(40)</sup> Expert group on electoral matters – Right to vote and to stand as a candidate in elections for the EP and in municipal elections (E00617), <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&do=groupDetail.groupDetail&groupID=617>

### III. Supporting voter turnout and inclusive participation

4. In order to support broad turnout, Member States should take the necessary steps to facilitate, where applicable, voter and candidate registration in elections, including by providing the necessary information, tools and support at local level. The use of tools such as online registration or electronic collection of support signatures for candidates should be made easily accessible and user friendly.
5. When introducing complementary voting methods, such as advance, mobile, postal and e-voting, Member States should ensure that such methods are subject to the necessary safeguards. Additionally, they should take the necessary measures to inform citizens about the availability and accessibility of those voting methods and provide them with the necessary support at all levels, including at local level. In that regard, Member States are invited to make best use of the compendium on e-voting and other ICT practices prepared by the Commission together with Member States in the framework of the European Cooperation Network on Elections. Member States should make sure that election officials receive appropriate training on new voting methods.
6. When supporting voter turnout and participation, Member States should take steps to effectively address the needs of the different groups, including in their communication activities. When providing information on elections to the European Parliament, Member States should make best use of the Guide to EU citizenship to further advance awareness of EU citizenship for young EU citizens who start being democratically engaged.
7. Member States should promote measures to support gender equality regarding access to and participation in elections. Member States should also encourage gender balance in governing bodies of electoral management bodies. Member States should monitor, support and regularly evaluate progress on gender equality in the exercise of electoral rights, including through the collection, analysis and dissemination of data on women and men both as voters and candidates in elections, in elected positions and in decision-making positions in political parties.
8. Member States should support the electoral participation of persons with disabilities, both as voters and candidates, and prevent and remove the barriers they encounter when participating in elections, including the blanket removal of electoral rights of persons with intellectual and psycho-social disabilities without individual assessment and possibility of judicial review. They should also support the participation of persons with disabilities as election officials. Member States should ensure the wide dissemination of best practices supporting participation of citizens with disabilities in the electoral process. They should make best use of the guide of good electoral practices in Member States addressing participation of citizens with disabilities in the electoral process, prepared in the framework of the European Cooperation Network on Elections.
9. European and national political parties, political foundations and campaign organisations are encouraged to take steps to effectively address the needs of the different groups in elections. They should pay particular attention to this in their communication materials and political advertising, by using adequate means, modes and formats of communication and facilitating their active political participation. Political parties should encourage gender balance in their electoral lists and in their governing bodies.

### IV. Encouraging election integrity and fair campaigning

10. Political parties and campaign organisations are encouraged to adopt campaign pledges and codes of conduct on election integrity and fair campaigning. Member States are encouraged to facilitate and support adherence to such pledges and codes.
11. Pledges and codes of conduct referred to in point 10 should encompass in particular the following:
  - (a) encouraging an inclusive political discourse;
  - (b) refraining from manipulative behaviour that threatens or has the potential to negatively impact values, procedures and political processes, in particular:
    - (i) producing, using or disseminating falsified, fabricated, doxed or stolen data or material, including deep fakes generated by artificial intelligence systems;

- (ii) producing, using or disseminating misleading or hateful content;
  - (iii) using manipulative tactics, techniques and procedures to disseminate or amplify political messages;
  - (iv) representing undeclared interests.
- (c) ensuring transparency of received financial contributions, including benefits in kind such as gifts and hospitality received, loans and campaign contributions and expenditure, in particular, donations exceeding a fixed ceiling;
  - (d) ensuring transparency of their political advertising, including as recommended at point 13;
  - (e) taking active steps to maintain good cyber hygiene, such as regular cybersecurity checks, in order to recognize, deter and prevent attacks;
  - (f) promoting independent observation of the commitments laid down in such pledges and codes of conduct.

#### V. Transparency measures for affiliations and political advertising

- 12. European and national political parties should provide information on their websites on the organisations, foundations and other legal entities affiliated with them or campaigning on their behalf.
- 13. European and national political parties should provide information on their websites on their use of political advertising including on the amounts spent on political advertising and the sources of funding used. European and national political parties should, consider ensuring in a voluntary manner that their political advertising can be clearly identified as such, including when it involves material prepared internally for dissemination using online social media. Political advertising should be made available with information about the identity of the political party which sponsors the advertising and where applicable, meaningful information about the targeting of the advertising, and on the use of artificial intelligence systems in the preparation of the content or the dissemination of the advertising.

#### VI. Promoting election observation

- 14. Taking into account their legal framework and international commitments, Member States are encouraged to promote the observation of elections by citizens and international organisations which endorse relevant international standards, including by facilitating their registration with the competent national authorities, where applicable.
- 15. Member States should support training activities for election observers, including when conducted by citizens, to build expertise and response capability on election-related topics. Training should cover participation in electoral processes of different groups, election malpractice and fraud, including online, the detection of covert and unlawful influence, including from third countries, and information manipulation, interference and disinformation.
- 16. Member States should cooperate, through their national election networks, with organisations of election observers:
  - (a) to raise awareness on the importance of scrutinising election processes;
  - (b) to develop policies furthering the integrity, resilience, and democratic nature of elections;
  - (c) to understand how new technologies can be used to engage in information manipulation, interference and the spread of disinformation to the detriment of free and fair elections.
- 17. Member States, through their national election networks, should continue to exchange best practices regarding election observation in the framework of the European Cooperation Network on Elections.

18. Political parties and campaign organisations should cooperate with election observers to facilitate their election observation activities.

#### **VII. Protecting election-related infrastructure and ensuring resilience against cyber and other hybrid threats**

19. Member States should ensure the adequate protection of election-related infrastructure, including by promoting awareness of and planning for all contingencies that could have significant disruptive effects on the smooth running of elections. Without prejudice to their obligations in the context of the implementation of Directive (EU) 2022/2557, Member States are encouraged to immediately start identifying the entities operating election-related infrastructure that are critical for the organisation and conduct of elections, and to take the necessary measures to enhance the resilience of those entities and help them address the risks inherent in their operations.
20. Member States should take measures ensuring preparedness for, responsiveness to and recovery from cybersecurity incidents related to elections, taking into account the requirements established by Directive (EU) 2022/2555. In particular, they should ensure that technology used in elections is designed, developed and produced to ensure a high level of cybersecurity. Moreover, Member States should ensure cooperation between public and private entities involved in the cybersecurity of elections. They should increase awareness on cyber hygiene of political parties, candidates, election officials and other entities related to elections.
21. Member States should carry out or update risk assessments regarding the resilience of election-related infrastructure and of entities operating it, and collect and aggregate data resulting from such risk assessments including any relevant tests of the cyber resilience of their electoral systems. Member States should share experiences in the framework of the European Cooperation Network on Elections, and where appropriate, in joint sessions with the NIS Cooperation Group, on the identified risks and the corresponding risk owners, their likelihood and risk mitigation measures, potential consequences, and acceptable levels, and, where applicable, a description of the tests conducted on electoral infrastructure. Member States should support, in the framework of the European Cooperation Network on Elections, and where appropriate, in close cooperation with the NIS Cooperation Group, the development and best use of common standards and templates on data collection.
22. Member States should continue making best use of the joint mechanism for electoral resilience, made available by the Commission in the framework of the European Cooperation Network on Elections, to exchange best practices and practical measures to ensure free, fair and resilient elections in the Union including regarding online forensics, disinformation and cybersecurity of elections and mutual support to address threats. Member States should also continue and deepen their cooperation and exchange of information and best practices in the European Cooperation Network on Elections and NIS Cooperation Group, including, when necessary, through joint meetings, and updates, as necessary, to the Compendium on Cyber Security of Election Technology, especially before the next elections to the European Parliament.

#### **VIII. Protecting election-related information**

23. Member States should take measures to protect the information environment around elections and ensure that voters receive correct information in a timely and intelligible manner.
24. Member States are encouraged to support projects, including from civil society, media organisations, research and education institutes and academia, to build resilience and develop public awareness, media literacy and critical thinking to address information manipulation, interference and disinformation related to election or otherwise affecting free, fair and resilient elections. They should promote Erasmus+ Programme and the Citizens, Equality, Rights and Values Programme and funding opportunities under the Citizens' engagement and participation strand to support such projects.

25. Member States should, in full respect of freedom of expression and other fundamental rights and democratic values, support and facilitate the transmission of swift messages and responses to protect the information environment around elections, such as messages pre-bunking or debunking information manipulation and disinformation about election procedures. Member States should also develop training for election and other relevant authorities to protect the information environment around elections and ensure preparedness to detect, pre-bunk and debunk disinformation about elections. In this regard, when it comes to foreign information manipulation and interference, Member States should make use of existing tools such as the Foreign Information Manipulation and Interference toolbox to discuss appropriate responses and support the quick exchange of information, including in the framework of the Rapid Alert System.
26. Member States should, through their national election networks, facilitate cooperation at national level with relevant stakeholders, including as relevant with civil society, to further develop and update best practices for identifying, mitigating, and managing information manipulation, interference and disinformation risks in electoral processes. Member States should also facilitate cooperation between national election networks and media platforms regarding sources of verified information related to electoral procedures to enhance the dissemination of reliable information and restrict the spread of inaccurate or manipulated content around elections. Member States should consider further supporting independent media and fact-checking organisations in their activities addressing information manipulation and disinformation during election periods.
27. Member States should develop common standards for cooperation on protecting information around elections in the framework of the European Cooperation Network on Elections, including in close cooperation with the Rapid Alert System, when it comes to foreign information manipulation and interference. To that end, Member States should use the joint mechanism for electoral resilience to exchange expertise on the protection of the information environment around elections and organise dedicated exchanges involving experts from Member States with similar challenges due to their geographical location or other vulnerabilities.

#### **IX. Measures regarding funding from third countries of political parties, political foundations, electoral campaigns and candidates**

28. To minimise the risk of interference from third countries in the activities of national political parties, political foundations, political candidates and campaign organisations, Member States should identify possible gaps in their legislation and other regulatory measures related to donations and other funding from third countries. On that basis and as necessary, Member States are encouraged to address such gaps, in particular by promoting transparency of donations and other funding and by limiting donations up to a certain amount or prohibiting donations to national political parties, political foundations, political candidates, campaign organisations and, as relevant, political movements, when such donations come from third countries and entities based in third countries or from third-country nationals who are not entitled to vote in elections to the European Parliament or national elections. Measures referred to in this point should fully respect the principle of proportionality, democratic values and fundamental rights.
29. Political parties and their affiliated entities should assess risks stemming from donations from third countries and donations potentially linked to criminal activity including corruption, money laundering and organised crime. This assessment should cover electoral campaigns and the identification of donors. It should address actual or foreseeable negative effects for free and fair elections and include measures to address identified risks.
30. Member States are encouraged to identify, in the framework of the European Cooperation Network on Elections, common standards for donations and other support from third countries to national political parties, political foundations and campaign organisations, including to improve oversight of existing obligations regarding such donations and support.



## **X. Promoting easy access to electoral rights for elections to the European Parliament**

31. Member States should, well ahead of the election days, promote initiatives, including at local level, aiming at increasing election accessibility and political engagement. Such activities could include awareness-raising initiatives, information campaigns and other outreach through platforms and channels used by different groups of citizens, conferences or debates, for instance by promoting exchanges between Union citizens on Union-related topics to foster a better understanding of different perspectives. Special focus should be placed on young people, especially first-time voters, as well as on addressing the barriers limiting the opportunities of members of different groups to vote and stand as candidate. Information about elections, including its form and content, should be adapted to the special needs of those different groups.
32. Member States are encouraged to have in place voting hours long-enough to accommodate the needs of as many voters as possible and help ensure that the greatest number of people can exercise their right to vote.
33. Ahead of the elections to the European Parliament, Member States should take appropriate measures to increase mobile Union citizens awareness of their electoral rights and obligations, both as voters and candidates. Member States are encouraged to create conditions in which mobile Union citizens can easily access information about the progress and status of their registration. Where local authorities are competent to enter mobile Union citizens on the electoral rolls, Member States are encouraged to take the necessary steps to support those authorities, including via administrative guidance, in their actions to inform mobile Union citizens about their electoral rights under Union law. In line with their electoral rules, Member States should equally take measures to inform their citizens living in third countries on how and where they can exercise their right to vote.
34. Member States are encouraged to provide for a sufficiently wide language selection for explaining the electoral process to voters.

## **XI. Enhancing the European nature of the elections to the European Parliament**

35. Member States should enable the announcement of candidates and the start of campaigning in elections to the European Parliament at least 6 weeks prior to the election day.
36. Member States should encourage and facilitate the provision of information to the public on the affiliation between national political parties and European political parties before and during the elections to the European Parliament. They could do so by indicating such an affiliation on the ballots and by supporting the distribution of such information by the relevant competent authorities.
37. National political parties participating in elections to the European Parliament are encouraged to make publicly known before the start of the electoral campaign, which European political party they are affiliated with or in the process of affiliating with. National political parties should promote measures aimed at increasing the knowledge of their members about the elections to the European Parliament.
38. Member States should consider appropriate measures to help European political parties and political groups of the European Parliament conduct their campaigns in the context of the elections to the European Parliament.

## **XII. Addressing the risk of multiple voting in the elections to the European Parliament**

39. In due time ahead of the elections to the European Parliament, Member States should provide mobile Union citizens with information on the rules and sanctions related to multiple voting.

40. Where, in the context of the elections to the European Parliament, a citizen is removed from the electoral roll of a Member State in order to vote in another Member State, the first Member State should at the same time consider taking measures to avoid that such a removal affects the registration of that citizen in electoral rolls for national elections.

### XIII. Strengthening election networks, electoral cooperation and reporting

41. Member States should take steps to promote and increase cooperation within national election networks, in order to foster free, fair and resilient elections. Members of national election networks should exchange information on issues capable of affecting the elections including by jointly identifying threats and gaps and by sharing findings and expertise. National election networks could engage with other stakeholders such as researchers, academia, election observers and human rights defenders for that purpose. National elections networks should liaise with national Parliaments. Member States should support national election networks by giving them adequate resources and means and ensuring that they have the necessary framework to conduct their activities.
42. Ahead of the 2024 elections to the European Parliament, Member States should strengthen cooperation on election-related matters in the framework of the European Cooperation Network on Elections, including through operational work streams addressing covert funding from third countries, and on awareness raising activities and strategies, among other issues. Member States are encouraged to continue exchanging best practices and perspectives on promoting the exercise of electoral rights and supporting democratic conduct of elections and a high turnout in the 2024 elections to the European Parliament and beyond.
43. The Commission will hold, as relevant, discussions in the framework of the European Cooperation Network on Elections, in close cooperation with other relevant European networks including the Rapid Alert System, when it comes to foreign information manipulation and interference, and the European Regulators Group for Audiovisual Media Services on the measures and actions taken following this Recommendation.
44. Member States are invited to transmit, within 6 months after the 2024 elections to the European Parliament, information on the conduct of those elections in their territory, including on the measures implementing this Recommendation and, where applicable, relevant information on election observation by citizens.
45. Starting with 2025, once a year, Member States should exchange information on the implementation of this Recommendation in the framework of the European Cooperation Network on Elections.
46. No later than 1 year after the 2024 elections to the European Parliament, the Commission will, taking into account the information transmitted by Member States in accordance with point 44, assess the impact of this Recommendation in the context of the Commission's Report on the 2024 elections to the European Parliament.

Done at Brussels, 12 December 2023.

*For the Commission*  
Didier REYNDERS  
*Member of the Commission*

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