Question for written answer E-004384/2025
to the Commission
Rule 144
Merja Kyllönen (The Left)

Subject: Political Advertising Regulation risks harming civil society

The definition of political advertising in the Political Advertising Regulation[1] into force on 10 October 2025, risks harming civil society. Major platforms and media companies (e.g. Meta, Microsoft, Sanoma Oy) plan to restrict or ban paid content by NGOs related to issues such as civil rights, the environment, health, migration or taxation. This undermines NGOs' ability to communicate, advocate and fundraise, which are core elements of democratic participation. These restrictions may be misused in countries where civic space is already under pressure. Clear guidance is therefore needed to distinguish legitimate civil advocacy from political advertising.

The ongoing revision of the Public Procurement Directive[2] should address the definition of a body governed by public law, as in some Member States, such as Finland, it forces many NGOs to follow full procurement procedures for contracts above EUR 60 000, even when privately funded. This creates an excessive administrative burden and fails to recognise the autonomy of NGOs. As clarified in the Court of Justice of the European Union case C-526/11 Ärztekammer[3], receiving public grants alone should not imply control by the public authorities.

1. How will the Commission ensure that guidance on the Political Advertising Regulation will protect civil society advocacy and freedom of expression?

2. Will the Commission clarify the definition of a body governed by public law in order to safeguard the independence of NGOs in the forthcoming Public Procurement Directive?

Submitted: 6.11.2025

[1] Regulation (EU) 2024/900 of 13 March 2024 on the transparency and targeting of political advertising (OJ L, 2024/900, 20.3.2024, ELI: http://data.europa.eu/eli/reg/2024/900/oj).
[2] Directive 2014/24/EU of 26 February 2014 on public procurement (OJ L 94, 28.3.2014, p. 65, ELI: http://data.europa.eu/eli/dir/2014/24/oj).
[3] *IVD GmbH & Co. KG* v *Ärztekammer Westfalen-Lippe.* Case C-526/11. ECLI:EU:C:2013:543.