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Answer given by Mr McGrath
on behalf of the European Commission
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Free and fair elections are at the core of democracy. The conduct and the organisation of elections is a competence of the Member States, in accordance with their national constitutional rules and legislation, as well as their international obligations and EU law. National authorities and courts are primarily responsible for ensuring compliance with the applicable rules.

The Commission supports Member States on electoral matters, mainly through the European cooperation network on elections¹. This brings together authorities with competence in elections to exchange information and best practices. In 2023, the Commission also issued a Recommendation on inclusive and resilient elections².

The Digital Services Act (DSA)³ sets rules for online intermediaries and platforms. In 2024, the Commission issued Guidelines for providers of Very Large Online Platforms and Search Engines to mitigate systemic risks linked to electoral processes⁴. In the context of the Romanian presidential elections, on 5 December 2024, the Commission issued a retention order to TikTok⁵ and, on 17 December 2024, opened formal proceedings⁶ against the provider of TikTok for suspected DSA breach. The proceedings focus on management of risks to elections or civic discourse linked to TikTok's recommender systems and policies on political advertisements and paid-for political content. The Regulation on political advertising⁷, entering into full application in October 2025, will strengthen the transparency and accountability in the use of political advertising.

The Commission's forthcoming Democracy Shield will aim to strengthen free and fair elections and the integrity of electoral processes in the EU.

¹ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/democracy-eu-citizenship-anti-corruption/democracy-and-electoral-rights/european-cooperation-network-elections_en

² Commission Recommendation (EU) 2023/2829 on inclusive and resilient electoral processes in the Union and enhancing the European nature and efficient conduct of the elections to the European Parliament, OJ L, 2023/2829, 20.12.2023.

³ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act), OJ L 277, 27.10.2022, p. 1–102.

⁴ Communication from the Commission – Commission Guidelines for providers of Very Large Online Platforms and Very Large Online Search Engines on the mitigation of systemic risks for electoral processes pursuant to Article 35(3) of Regulation (EU) 2022/2065, <https://eur-lex.europa.eu/eli/C/2024/3014/oj/eng>

⁵ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_6243

⁶ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_6487

⁷ Regulation (EU) 2024/900 on the transparency and targeting of political advertising, OJ L, 2024/900, 20.3.2024.