

Friday, June 23, 2023 2: Press releases Data protection ensures free democratic elections - Planned EU regulation on transparency and targeting of political advertising

the conference of the independent data protection supervisory authorities of the federal and state governments on June 23, 2023. In recent years, parties have increasingly tried to use the Internet to vote in election campaigns. Cases like “Cambridge Analytica” show that e.g. B. unfair manipulations occurred in the US election campaign or in the Brexit vote. The EU legislator now wants to put a stop to this with a regulation on the transparency and targeting of political advertising.

The conference of the independent data protection supervisory authorities of the federal and state governments (DSK) shares this concern and points out that effective data protection is essential for ensuring a free political opinion-forming process. In connection with the draft regulation, the draft regulations under data protection law therefore play a special role, because it is about election advertising that is specifically addressed to the individual using techniques of targeting (specific addressing) and amplification (increasing the range): With such techniques, tailor-made political messages can be sent to a specific Target an individual or group of individuals, or control the circulation, reach, or visibility of a political ad. In this way, the advertisers can spread different – even contradictory – messages depending on the target group. The risk of misinformation, polarization and fragmentation of the public debate and the targeted manipulation of voters is high. For the individual people it is usually not recognizable that the messages are tailored to their individual interest profile and that advertisers are spreading different messages elsewhere. The underlying complex processing of personal data by various actors, which is used in connection with the targeting and amplification processes, is also hardly manageable. Practice has shown in recent years that in many situations the consent of data subjects has its limits as an effective means of controlling and directing the processing of personal data. Against this background, in the trilogue procedure, the European Parliament proposes not simply relying on the consent of the individual for such targeting and amplification procedures, but also to provide for more extensive legal regulations. The DSK encourages the trilogue parties to consistently pursue these considerations and to secure the free decision on the processing of one's own personal data through legal flanking measures in such a way that the consent as an instrument of informational self-determination can once again become effective. <https://uldsh.de/political-targeting-dsk> German translation: <https://uldsh.de/political-targeting-dsk>

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