# Guidelines for providers of VLOPs and VLOSEs on the mitigation of systemic risks for electoral processes

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On 26 March 2024, the European Commission published guidelines for Very Large Online Platforms and Search Engines (VLOPs and VLOSEs) to mitigate systemic risks online that may impact the integrity of elections. These guidelines come in the specific context of the 2024 European Parliament elections and provide clarification on the obligation for these services to carry out risk assessments and to implement risk mitigation measures, as provided for in Articles 34(1)(c) and 35 of the Digital Services Act (DSA) respectively.

The public consultation launched by the Commission in February 2024 received 77 replies including from civil society organisations, VLOPs and VLOSEs, business associations, public authorities, EU and non-EU citizens and academics, who largely welcomed the initiative.

The measures and best practices are recommended to be taken before, during and after electoral events. They include:

- The reinforcement of their internal processes

- The implementation of election-specific risk mitigation measures tailored to each individual electoral period and local context

- The clear labelling of political advertising

- The adoption of specific mitigation measures linked to generative AI for example by clearly labelling content generated by AI, adapting terms and conditions accordingly and enforcing them adequately

- Cooperation with EU level and national authorities, independent experts, and civil society organisations, including the European Digital Media Observatory (EDMO) hubs and independent fact-checking organisations

- The adoption of specific measures, including an incident response mechanism

- The assessment of the effectiveness of the measures

According to the European Commission’s press release, “VLOPs and VLOSEs which do not follow these guidelines must prove to the Commission that the measures

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undertaken are equally effective in mitigating the risks. Should the Commission receive information casting doubt on the suitability of such measures, it can request further information or start formal proceedings under the Digital Services Act".

The guidelines further emphasise that "in view of several elections planned in the Union in the months to come, including the upcoming 2024 elections to the European Parliament taking place from 6-9 June 2024, it is important that the draft guidelines are adopted and enter into force as soon as possible. (...) The draft Commission Communication from the Commission on Guidelines for providers of VLOPs and VLOSEs on the mitigation of systemic risks for electoral processes will be formally adopted by the Commission later, when all language versions are available. It is only from that moment that the Communication will be applicable. The intention is to adopt the Communication before 26 April 2024. The text of the draft Commission Communication is enclosed as Annex to this Communication.

***Public consultation on draft guidelines for Providers of Very Large Online Platforms (VLOPs) and Very Large Online Search Engines (VLOSEs) on the Mitigation of Systemic Risks for Electoral Processes***

https://ec.europa.eu/newsroom/dae/redirection/document/103868

***Communication to the Commission Approval of the content of a draft Communication from the Commission on 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 the Digital Services Act***

https://ec.europa.eu/newsroom/repository/document/2024-13/C_2024_2121_1_EN_ACT_part1_v3_wSnHsDzSYI6Lm9YQuikNXr8xOw_103910.pdf

***Annex to the Communication to the Commission Approval of the content of a draft Communication from the Commission on 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 the Digital Services Act***

https://ec.europa.eu/newsroom/repository/document/2024-13/C_2024_2121_1_EN_annexe_acte_autonome_cp_part1_v3_tpHHZgYyBGFMF8J5rE0OR1GdOis_103911.pdf

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