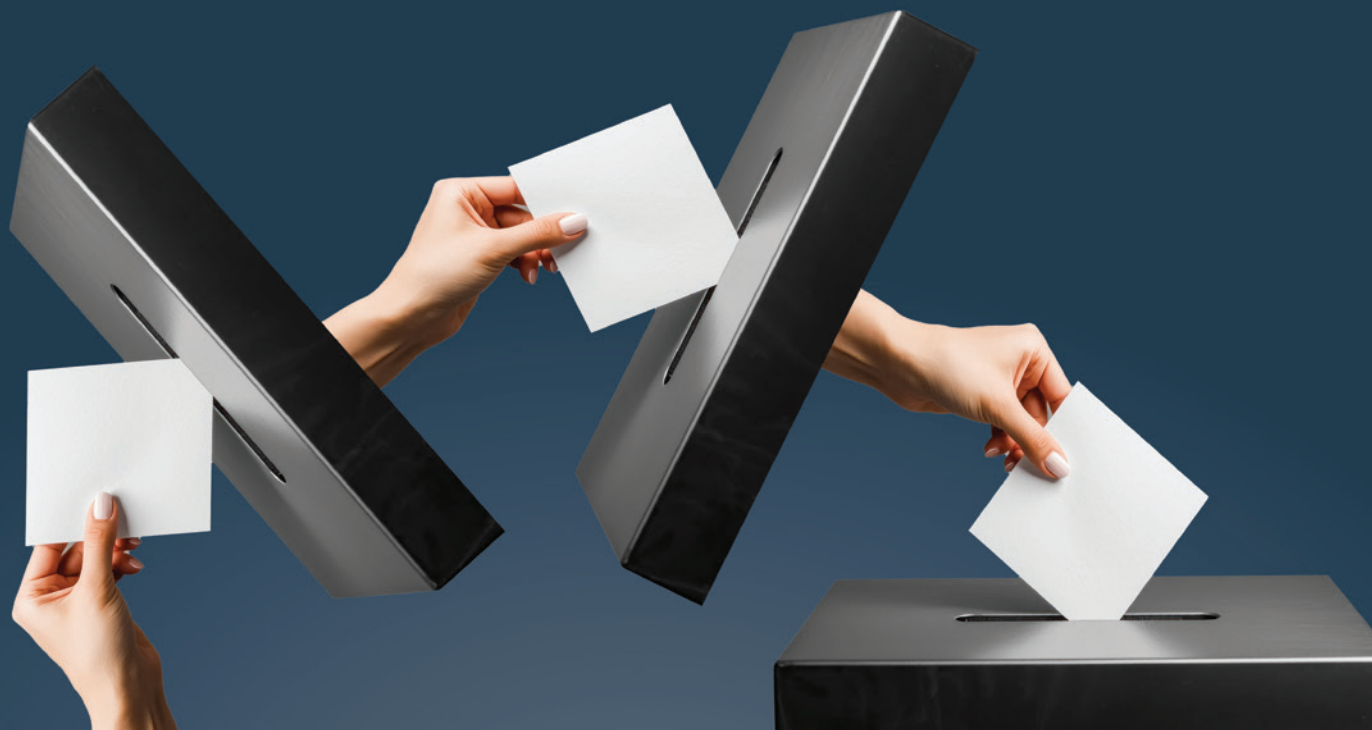


# The managed ballot

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The EU's playbook for shaping national elections

March 2026





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## Executive Summary

**This report examines the evolving relationship between the European Union’s institutional and regulatory architecture and national electoral sovereignty within its member states.**

While the EU Treaties clearly place national elections within national competence, protected by the principle of conferral (Art. 5 TEU) and respect for national constitutional identity (Art. 4(2) TEU), the Union has gradually developed a dense ecosystem of regulatory, financial, legal and informational instruments capable of shaping the political environments in which elections occur.

The central claim of this volume is not that the EU directly administers or formally invalidates national elections. Rather, it argues that **a growing constellation of supranational mechanisms enables EU institutions and affiliated actors to indirectly influence electoral conditions.**

This influence operates through financial conditionality, legal pressure, digital governance frameworks, reputational signalling and coordinated narrative production across institutional, media and NGO networks.

Taken together, these instruments form what this report describes as **a playbook of electoral influence.**

Intervention rarely takes the form of direct institutional control over the ballot. Instead, influence emerges through **the cumulative interaction of regulatory oversight, financial leverage, judicial interpretation, digital platform governance and reputational pressure, shaping the terrain in which domestic institutions, parties and voters operate.**

These processes do not require explicit central coordination. Rather, they function as mutually reinforcing pressures in which legal proceedings, financial instruments, regulatory frameworks and reputational narratives interact to shape electoral environments. The result is a political context in which certain outcomes are implicitly encouraged while others become structurally disadvantaged.

The report examines **three case studies – Romania, Poland and Czechia** – which represent different stages of this dynamic.

**Romania represents the most escalatory case.** During the 2024–25 presidential election cycle, multiple layers of influence converged. EU regulatory frameworks, particularly under the Digital Services Act (DSA), interacted with intelligence narratives, coordinated NGO advocacy, fact-checking infrastructures and foreign political signalling. The process culminated in an unprecedented outcome: the annulment of a presidential election in an EU member state. The Romanian case illustrates how digital governance mechanisms and security narratives can shift from mitigating information risks to institutional rupture.

**Poland illustrates a different model: long-term structural conditioning.** Over several years, EU institutions deployed rule-of-law procedures, infringement actions, financial conditionality linked to EU budget protection, judicial disputes before the Court of Justice of the European Union and sustained reputational pressure through European Parliament resolutions and agency reporting. Although none of these instruments formally targeted elections, their cumulative deployment significantly shaped the political environment leading up to the 2023 parliamentary and 2025 presidential elections.

**Czechia represents an earlier stage of the same pattern.** Its electoral system remains comparatively robust, characterised by rapid vote counting,

limited postal voting and few direct restrictions on campaign speech. Nevertheless, emerging EU regulatory frameworks, particularly the DSA and proposed initiatives such as the European Democracy Shield, are introducing mechanisms that could influence political communication and future electoral dynamics.

Across the three cases, **a common institutional architecture** becomes visible. The European Commission, European Parliament, Council of the EU, EU agencies, the Court of Justice, digital platform regulation, transnational NGO networks and media ecosystems interact in ways that **extend EU influence around national elections beyond the formal competences defined in the Treaties.**

The report, therefore, raises a broader question about the future of European democracy. The danger is not overt dictatorship but technocrat-managed democracy. If the dynamics identified in these case studies continue to expand, the risk is the consolidation of what this volume describes as **the managed ballot: a system in which democratic procedures remain intact but electoral competition unfolds under growing structural constraints** generated beyond the national political sphere.

The fundamental question for the EU is whether it will remain a framework that safeguards the sovereign democratic choices of its member states, or evolve into a political order in which electoral outcomes are increasingly conditioned by supranational governance structures.

The report argues that **the EU must abandon its mistrust of the European citizen**, too often portrayed as a passive victim of foreign interference, misinformation, polarisation and hate speech. Instead, **it must recognise the European citizen as a self-determining political actor capable of making electoral choices without technocratic guardianship.**

# 1 The managed ballot: electoral sovereignty and the European Union

*by Richard J Schenk*

*After round 1, I was contacted by these forces of the system. I was proposed a head of the Intelligence services, whom I did not want. [...] I haven't seen any clear, black-and-white evidence of existing Russian influence. I can think of influences from any other part of the planet, but I haven't seen the Russian ones [...]*

Elena Lasconi, 2024 presidential candidate for USR (Renew),  
November 2025<sup>1</sup>

When even a liberal presidential candidate in an EU member state questions both institutional pressure and the evidentiary basis for claims of foreign interference and points toward self-proclaimed allies, the issue of EU electoral interference ceases to be anecdotal. It becomes a fundamental question about the condition of democracy in Europe.

This volume advances a clear and controversial claim: while the EU holds no formal competence over national elections, it has developed instruments capable of shaping electoral environments within member states and beyond. This is not through administering ballots nor through direct annulment from Brussels. Rather, this is through regulatory pressure, financial leverage, judicial expansion, digital-governance frameworks, reputational signalling and coordinated narrative amplification. Together, these mechanisms exert pressure on voters and domestic institutions, limiting policy options available to them, which may then function (intentionally or not) as extensions of supranational influence.

The treaties are explicit: national elections fall within member-state competence under the principle of conferral (Art. 5(1)–(2) TEU) and respect for national identity and constitutional structures (Art. 4(2) TEU). Electoral law for parliamentary and presidential contests remains domestic. EU authority extends primarily to European Parliament elections (Art. 223 TFEU). Yet influence does not require formal competence.

Romania, Poland and Czechia were selected for three reasons: their recent and controversial elections attracted international attention; at the same time, their perception as being ‘Eastern’ led to a different type of scrutiny from Western Europe. Most importantly, what occurred in these countries was not isolated irregularity but a variation within a structural pattern of supranational electoral shaping.

Taken together, they form a playbook.

The three main EU institutions sit at the centre of this architecture. Each is formally limited in electoral authority, yet together they shape national political environments.

The European Commission cannot supervise ballots; electoral administration remains national under Art. 5 and Art. 4(2) TEU. Yet it wields indirect instruments: infringement proceedings (Art. 258 TFEU), Article 7(1) TEU procedures, rule-of-law conditionality tied to EU budget protection (Regulation 2020/2092; Art. 322 TFEU), the delay or conditioning of EU funds under the Multiannual Financial Framework (Art. 312 TFEU) and NextGenerationEU, annual Rule of Law Reports, supervision of very large online platforms under the Digital Services Act (DSA), and the definition of ‘systemic risks’ to elections (DSA, Art. 34–35).

None are formally electoral. Yet their timing and accumulation are decisive. Funding freezes alter incentives. Rule-of-law reports reshape reputations. DSA election-risk mechanisms and Rapid Response coordina-

tion can influence discourse in real time. Trusted-flagger systems restrict outreach during campaigns. Within an integrated legal order, these tools operate as indirect but effective electoral levers.

The European Parliament has no authority over national elections beyond its own procedures (Art. 223 TFEU), yet it exercises substantial soft-law influence. Through resolutions, LIBE hearings and repeated declarations of ‘democratic backsliding’, it generates normative pressure that feeds Commission enforcement and Article 7 TEU contexts. Transnational party families reinforce alignment across member states, transforming reputational judgement into political force.

The Council acts formally in Article 7 TEU procedures and co-decides financial architecture (Art. 312, 322 TFEU). Final sanctions are rare, but initiation and continuation already signal isolation. Financial conditionality directly affects political balance: the withholding or release of EU funds can weaken incumbents or empower challengers near elections. Even in the absence of sanctions, institutional signalling shapes markets, media narratives and voter perceptions. Where the Council as an institution hesitates, powerful member states may exert bilateral pressure on perceived ‘peripheral’ states on their own.

The democratic premise is simple: elections must remain sovereign not only in form, but in substance. Europeans must retain the final word in choosing their parliaments and presidents. Hence, this report does not object to foreign politicians publicly expressing opinions on elections or candidates of another country, as this actually increases transparency for voters. Instead, it objects to the by-design structural blurring between treaty-conform EU oversight and electoral interference, because it removes, narrows or delegitimises policy options available to voters.

Romania, Poland and Czechia represent three variations of this dynamic.

Romania is the most escalatory case. DSA governance, Rapid Response mechanisms, trusted-flagger systems, intelligence framing and foreign political signalling converged during an active presidential race. The unprecedented escalation was the annulment of a presidential election in an EU member state. Romania shows how digital-mitigation frameworks can evolve into an intervention during a live contest.

Poland reflects sustained conditioning rather than acute activation. Over the years, Article 7 proceedings, rule-of-law conditionality, CJEU jurisprudence reinforcing EU primacy, frozen funds under Art. 322 TFEU mechanisms and repeated parliamentary signalling gradually structured the political landscape. By 2023 and 2025, the electoral field had already been shaped by cumulative supranational pressure. The playbook operated in advance.

Czechia presents a lower-friction model. Though exposed to similar digital and narrative frameworks, escalation was limited. Stronger domestic institutional resistance, cautious DSA implementation and a more resilient judicial system prevented the formation of as powerful a package as in Romania. Yet the Czech case ends with a warning: conditions are shifting there, too.

The danger is not an overt dictatorship. It is a technocrat-managed democracy: formally free but substantively shaped by dense supranational calibration. While all the EU leaders are referring to ‘EU values’, the political reality is that the EU cannot simultaneously claim to defend democracy and operate a system that disciplines it.

The question before policymakers, scholars and citizens is stark: will the Union remain a framework that respects democratic choice at the national level, or evolve into an order where electoral outcomes are tolerated only when aligned with Brussels’s expectations?

## 2 Romania's hybrid regime and its European accomplices

*by Stéphane Luçon*

In a famous joke published by the right-wing satirical website *The Babylon Bee* in March 2022 – ‘Putin Receives Nobel Prize in Medicine for Ending Covid Pandemic’ – the punchline rests on a sudden and revealing shift. Leaving aside the dramatic reality of war on European soil and without forgetting the respect and compassion due to all victims of the war machine, the underlying truth of the joke lies in how an entire Covid propaganda apparatus and its associated censorship–industrial complex refocused its attention – almost in the blink of an eye – from fighting Covid ‘disinformation’ to combating narratives that could be framed as pro-Russian.<sup>2</sup>

The build-up of the Covid years was followed by two further years of mobilisation and organisation by a constellation of actors spanning EU institutions, member-state governments, the Biden administration, a network of EU-sponsored organisations, mainstream media outlets, intelligence communities and diplomats.

In Romania, this build-up culminated in the electoral year of 2024, when all levels of political representation were due for renewal at different times: from mayors and city councils, to county presidents and county councils, members of both chambers of parliament – the Senate and the National Assembly – members of the European Parliament and, last but not least, the president. Its paroxysmal moment was the annulment of the presidential election, which occurred while Romanian citizens abroad, within the

Romanian diaspora, had already begun casting their votes for the second round. This event extended the presidential electoral cycle by an additional six months.

As will be shown, numerous actors were mobilised throughout this process, reflecting the country's historical legacies, its geopolitical position and the domestic security and institutional ecosystem that has shaped political life since 1989. Within this broader mobilisation, however, one element is particularly consequential for this report: the entire Romanian electoral sequence unfolded under the first-ever activation of the DSA-related Rapid Response System (RRS), which would ultimately be activated three times within a single year – spring 2024, autumn 2024 and spring 2025 – amid efforts to consolidate and expand its scope and impact, culminating in the election of a candidate supported by the European establishment.

## **2.1 Actor map**

### **EU-level actors**

#### **European Commission**

In the Romanian case, the European Commission played a central role in shaping the regulatory environment surrounding the elections. Under the Digital Services Act (DSA), it holds supervisory and enforcement powers over very large online platforms and search engines (VLOPs/VLOSEs), including the authority to issue guidance on systemic risks to electoral processes.

The Commission chairs the Permanent Task Force established under the Code of Practice on Disinformation, which operates the Rapid Response System (RRS) during elections and crises. It also has the power to initiate

formal proceedings against platforms and impose interim measures, including data-retention orders. In Romania, these instruments became directly relevant during the 2024–2025 electoral cycle.

### **European Parliament and the ecosystem of the European political parties**

The European Parliament contributed to the Romanian electoral environment primarily through political signalling related to democracy, rule of law and disinformation. While it holds no direct competence over national elections, its resolutions and hearings shaped the broader interpretive framework within which Romanian developments were discussed at the European level.

European political-party families – including the European People's Party (EPP), the Party of European Socialists (PES) and Renew Europe – engaged in transnational campaigning, endorsements and coordination with their Romanian affiliates. In Romania, the governing parties PSD and PNL were affiliated with PES and EPP respectively, while USR was aligned with Renew Europe.

The 2024 European Parliament elections also produced a reconfiguration of the political landscape, with sovereigntist forces consolidating into the European Conservatives and Reformists (ECR) and the newly-formed Patriots for Europe (PfE). These dynamics formed part of the wider European context in which Romanian political alignments were interpreted.<sup>3</sup>

### **EU Council**

The EU Council held political authority in relation to Article 7 procedures, rule-of-law conditionality and broader political positioning toward member states. Although it exercised no direct control over Romania's elections, its responses, or lack thereof, constituted an important contextual factor during moments of democratic rupture.

**EU agencies and coordination bodies**

Several EU-level bodies participated in the broader coordination framework relevant to Romania's electoral environment, including the European Digital Media Observatory (EDMO), the European Regulators Group for Audiovisual Media Services (ERGA) and the European External Action Service (EEAS).

While these entities do not exercise direct enforcement powers over elections, they provide analytical support, coordination and risk assessments, particularly regarding foreign information manipulation and interference (FIMI) and participate in the task force linked to the Rapid Response System.

**Other member states with interests**

Other EU member states influenced the broader political environment through diplomatic engagement, political signalling, intelligence cooperation and public statements by political leaders.

In the Romanian case, France and the United States of America were longstanding strategic partners, operating across multiple layers of cooperation – from NATO and bilateral frameworks to cultural and political engagement – which intersected with the electoral period.

**Courts (EU level)**

To date, matters related to the Romanian elections and the application of the DSA have been litigated at the national level or before the European Court of Human Rights. No known case has reached the Court of Justice of the European Union.

While not part of the EU's judicial system, the European Ombudsman was one of the first entities to issue a decision related to the Romanian elections. In December 2025, it rejected a complaint by MCC Brussels

against the non-disclosure of DSA-related files by the European Commission, which could potentially contain crucial evidence if Russian interference took place in the Romanian elections or not.<sup>4</sup>

### **Other European, non-EU Institutions**

The Venice Commission of the Council of Europe examined key constitutional developments during the period. The European Court of Human Rights rejected Călin Georgescu's application on admissibility grounds, holding that the Convention does not extend protection to presidential elections and that the complaints fell outside its material scope or were insufficiently substantiated.<sup>5</sup>

### **The Romanian actors**

Following the annulment of the presidential election in 2024, the Economist Intelligence Unit classified Romania as a 'hybrid regime' in its Democracy Index 2024,<sup>6</sup> marking the first time an EU member state has received this designation. The assessment points to systemic weaknesses in institutional checks and balances, governance and the functioning of democratic processes.

This classification provides relevant context for examining the national actors involved in the 2024–2025 electoral sequence and their interaction with EU-level mechanisms.

### **Digital Services Coordinator and National Regulators**

Romania transposed the Digital Services Act by designating the National Authority for Management and Regulation in Communications (ANCOM) as Digital Services Coordinator. The National Audiovisual Council (CNA),

traditionally responsible for broadcast media, saw its competences expanded to cover online content during the transposition process. The CNA operates through a council that meets to examine petitions and decides, by vote, on the application of fines and moderation orders, which are made public. This empowerment allowed the CNA to issue takedown decisions against non-professional online content, putting virtually any individual within its reach at risk, while refocusing the energy of a Council – that, by law, should guarantee media pluralism – into a never-ending race for censorship decisions.

ANCOM, by its own account, does not issue takedown or moderation orders. It is, however, responsible for nominating trusted flaggers, participates in meetings with organisations linked to the content-moderation architecture and serves as the focal point for the implementation and oversight of the Digital Services Act.

#### **National election authorities and courts**

The Central Electoral Bureau (BEC) is responsible for overseeing electoral procedures, validating candidacies and managing election logistics.

The Constitutional Court of Romania (CCR) exercises jurisdiction over constitutional disputes and validates election results.

The scope of action available to the Constitutional Court became extremely variable in the course of a year. It started the electoral calendar by nullifying its own prior jurisprudence and the safeguards it had itself established against using emergency government ordinances less than a year before an election.<sup>78</sup> Then, for the first time, it decided to ban a candidate from running for president – Diana Șoșoacă, a sitting member of the European Parliament – sparking concern throughout the political spectrum.<sup>9</sup>

Later, the Court's decision to annul an entire electoral process in the absence of established electoral fraud and without a complaint lodged by a candidate constituted another unprecedented use of its powers and became, in itself, a matter of constitutional controversy.<sup>10,11,12</sup> Then it repeated the extraordinary move of excluding a major contender, Călin Georgescu, from the presidential race in March 2025.<sup>13</sup>

### **Military and intelligence agencies**

Romanian military and intelligence agencies – including the Romanian Intelligence Service (SRI), the Foreign Intelligence Service (SIE), the Special Telecommunications Service (STS) and structures within the Ministry of Internal Affairs (MAI) – participate in national security assessments and coordination through bodies such as the Supreme Council of National Defence (CSAT), chaired by the president of Romania and including the prime minister. Their legal mandates include addressing threats framed as hybrid actions and risks to national security.

Platform transparency reporting indicates that several Romanian security and executive authorities – including the Ministry of Internal Affairs and the Cyber Security Directorate (DNSC) – were granted access to direct-escalation channels enabling them to report content to online platforms during the electoral period.

Conflicting signals emerged from within the intelligence apparatus. Pivotal information presented to the Supreme Council of National Defence (CSAT) originated from the SRI and largely echoed analyses previously published by NGOs such as Expert Forum.<sup>14,15</sup> These materials cited campaigns – most notably *echilibru și verticalitate* ('balance and verticality') – as examples of coordinated manipulation.<sup>16</sup> Subsequent investigations

established that this campaign had in fact been financed by the National Liberal Party itself.<sup>17</sup>

At the same time, a different assessment was publicly advanced by the Special Telecommunications Service (STS). Its position was unambiguous: all attempted cyberattacks had been blocked; Romania's voting process is paper-based; and paper ballots constitute the sole legal basis for vote validation.<sup>18</sup>

From the outset, two irreconcilable positions coexisted. On the one hand, a technical assessment indicating that the integrity of the vote had not been compromised. On the other, a political decision to frame the election as a national security issue, thereby extending the remit of the intelligence apparatus into the electoral sphere.

When considering what the Romanian military and intelligence agencies can and cannot do, a specific division within this architecture requires particular attention: the National Cyberint Center (within the SRI). Its director, General Anton Rog, provided a rare and candid glimpse into its operational doctrine during a 2023 interview.<sup>19</sup>

Rog described capabilities extending far beyond technical defence into the realm of psychological influence, stating his unit could, through crafted interactions, make a target 'do an action that we want you to do against your will... to do it with pleasure and to desire to do that thing'. He boasted of tools with a '100 per cent success rate'.

More critically, he outlined the legal and operational pathway for direct intervention in the electoral sphere. Following a 2023 legal amendment classifying hybrid actions that 'change the constitutional order' as a national security threat, Rog explained his mandate: '[I]f that campaign ... influences elections... we use all the means and force we have in the intelligence service

to eliminate that threat.’ This could involve taking down online campaigns through partner institutions or, targeting individuals, obtaining a National Security warrant – a process he claimed could be executed ‘in less than an hour’.

These statements are not theoretical. They are a direct articulation of how Romania’s most powerful cyber-intelligence entity conceptualises its role: not as a passive defender, but as an active arbiter capable of identifying and neutralising perceived threats to the political order with extreme speed. The interview framed this, not as a last resort, but as a standard operational procedure for managing electoral discourse.

Romania’s president chairs the Supreme Council of National Defence (CSAT) and holds the power to declassify intelligence information. On 18 December 2024, President Klaus Iohannis (formerly PNL) acknowledged that attribution to Russia ‘is very complicated because it can only be done if you have concrete and indubitable proof’, adding that ‘we know who acts this way and here it was Russia’.<sup>20</sup>

Six months later, a source from within the Defence Council stated: ‘We are sure, by analogy, that it was Russia, but we have no proof.’<sup>21</sup>

## **2.2 Influence mechanisms**

### **Information environment: DSA application and media**

#### **DSA Election-Risk Framework**

The Digital Services Act (DSA) requires very large online platforms and search engines (VLOPs/VLOSEs) to identify, assess and mitigate ‘systemic risks’, explicitly including risks to electoral processes.<sup>22</sup> In anticipation of the 2024 European Parliament elections, the European Commission issued elections-specific guidance outlining expectations regarding platform

behaviour, cooperation with authorities, and the handling of disinformation and manipulation during sensitive periods.<sup>23</sup>

The framework places strong emphasis on speed, coordination and prevention, encouraging platforms to act proactively rather than reactively. In practice, this has resulted in a compliance environment in which platforms are incentivised to prioritise rapid intervention over careful adjudication, especially when signals originate from public authorities or actors integrated into EU-endorsed coordination frameworks.

Although formally limited to European elections, the DSA election-risk framework was applied in Romania in a context where European and local elections were controversially merged and where European-level concerns later extended into parliamentary and presidential elections.<sup>24</sup> This produced a structural ambiguity: mitigation measures justified by European electoral risk assessments were effectively extended to domestic political contests.

### **The Rapid Response System (RRS)**

The Rapid Response System (RRS) is among the least transparent instruments associated with the DSA and the Code of Practice on Disinformation. It operates through the Permanent Task Force chaired by the European Commission and is activated during elections or crises to enable expedited coordination between platforms, public authorities and selected non-state actors.<sup>25</sup>

There is no public announcement when the RRS is activated or deactivated, no official list of participants and no publicly accessible oversight mechanism. Its existence and scope are typically inferred indirectly through platform transparency reports or voluntary disclosures by participating organisations.

The DSA proceedings of the Romanian case are documented by the EU Commission (No. DSA.100142 and DSA.100141), yet the Commission refuses access to them and not even the exact number of documents held by the Commission is known. This non-disclosure is justified by the Commission on the ground that the DSA overrides the EU's Transparency Regulation (1049/2001).<sup>26</sup>

In Romania, the RRS was activated three times within a single year:

- Spring 2024 (European and local elections)<sup>27</sup>
- Autumn 2024 (presidential election)<sup>28</sup>
- Spring 2025 (presidential rerun; RRS activated from 7 April)<sup>29</sup>

Although initially presented as an instrument linked to European Parliament elections, the RRS was operational throughout a sequence of national electoral contests, effectively extending EU-level coordination mechanisms into the domestic political space.

Participation in the RRS appears flexible and expandable. Expert Forum participated as a signatory to the Code of Practice on Disinformation, a fact confirmed by the Romanian Digital Services Coordinator (ANCOM) through correspondence and by the OSCE Office for Democratic Institutions and Human Rights (ODIHR).<sup>30,31</sup> Funky Citizens also participated, despite not appearing on the public list of Code signatories, through its involvement in the Bulgarian–Romanian EDMO hub (BROD). This was disclosed by Funky Citizens itself, which reported flagging more than 1,000 pieces of content during the November–December 2024 electoral period.<sup>32</sup>

EDMO significantly broadens the pool of actors capable of triggering prioritised moderation. As of early 2026, Romania is covered by two EDMO hubs (BROD and FACT), comprising 19 organisations that could, in principle, be granted privileged access to content flagging during elections.

Platform transparency reports provide further insight. Meta reported sustained engagement with Romanian public authorities and selected non-governmental actors through direct escalation channels. According to Meta, these included the Permanent Electoral Authority (AEP), ANCOM, the Ministry of Digitalisation, the Ministry of Interior, the Cyber Security Directorate (DNSC) and the National Audiovisual Council (CNA). Seven non-platform entities were onboarded to these channels, enabling them to report content directly for expedited review.<sup>33</sup>

Google's transparency reporting confirms that the RRS is not limited to Romania. Google notes that temporary Rapid Response Systems were activated, at the request of the European Commission, for elections in several member states, including Romania, Germany, Poland and Portugal. Crucially, Google also indicates that discussions were underway regarding the establishment of a permanent elections-related Rapid Response System within the Task Force framework.<sup>34</sup>

This evolution – from temporary coordination during specific elections to the prospect of a standing mechanism – marks a qualitative shift. It suggests the normalisation of a system whose scope, participants and operating rules remain largely opaque to the public.

The secrecy surrounding the RRS appears deliberate. In the Czech Republic, a participant indicated that the Commission probably preferred not to publish participant lists in order to 'protect' those involved.<sup>35</sup> In Romania, asymmetry is evident: Funky Citizens published partial activity reports,<sup>36</sup> while Expert Forum – despite participating – published none.

The opacity of the RRS stands in tension with the DSA's formal transparency requirements, including the obligation for platforms to provide statements of reasons and to log moderation actions in a public database. In practice, numerous moderation actions linked to Romanian elections were

not reflected in the DSA Statement Database. Users frequently received vague explanations and appeals mechanisms proved ineffective.<sup>37,38</sup>

### **Trusted flaggers**

ANCOM designated two trusted flaggers active in 2025: the Elie Wiesel Institute for the Study of the Holocaust in Romania, acting under the authority of the Romanian government, with a mandate limited to Holocaust denial and antisemitism and the NGO Save the Children, focused on child exploitation and sexual-abuse material. Both organisations published activity reports indicating relatively limited volumes of flagged illegal content.<sup>39,40</sup>

On the basis of these reports, there is no evidence that trusted flaggers directly shaped the electoral process. Although not verifiable, these interventions appear confined to clearly illegal material within their respective mandates.

However, the trusted-flagger system raises structural concerns. Unlike the National Audiovisual Council, which publishes its decisions and deliberations, trusted flaggers operate with far less transparency. The content flagged, the contextual criteria applied and the reasoning behind notices are not publicly accessible. Moreover, the Wiesel Institute acknowledged, in direct correspondence dated August 2025, that out of more than 50 flagging actions performed at that time, only one appeared in the DSA Transparency Database.<sup>41</sup>

Beyond transparency, the trusted-flagger framework raises questions of role separation. In Romania, individuals or institutions exercising trusted-flagger status have also appeared in public-advocacy contexts adjacent to electoral and information-policy debates.

In particular, the fact that representatives associated with a trusted-flagger institution co-signed open letters initiated by Expert Forum

raises questions about the separation between regulatory notification functions and civil-society advocacy.<sup>42</sup>

Separately, public statements by the trusted flagger, including media interviews conflating criticism of specific foreign funding programmes (such as USAID or Soros-linked initiatives) with antisemitism, illustrate the sensitivity of interpretive authority exercised by actors operating within the trusted-flagger framework.<sup>43</sup> Such statements underscore the importance of clear institutional boundaries, accountability mechanisms and safeguards against mandate drift.

Last, but not least, a revealing passage in the Wiesel Institute's trusted-flagger report highlights concerns for a practical limitation: its inability to target content accessible outside Romania, including content consumed by the Romanian diaspora. The report implicitly gestures towards the desirability of cross-border content restriction within the EU – an idea that raises fundamental questions about jurisdiction, accountability and the future scope of political-speech regulation.

#### **Fact-checkers and EDMO actors**

Fact-checking during the Romanian electoral cycle was dominated by Funky Citizens, operating the fact-checker 'Factual' and by Agence France-Presse (AFP), operating AFP Fact Check's local subsidiary, AFP Verificat.

Both are core members of the Bulgarian–Romanian Observatory of Digital Media (BROD), the local EDMO hub. Other EDMO-registered organisations participated in the hub, including Freedom House Romania and Eurocomunicare, though their operational involvement appears largely limited to content-production projects and their funding, rather than platform-facing moderation activity.

Funky Citizens' contract with Meta participated in the financing of the fact-check activity. Although the contract is covered by an NDA, we know that a model of pay-per-check is applied. The contract continued throughout 2025, despite Meta's announcement on 7 January 2025 that the programme had undermined trust worldwide, targeted conservatives and would be phased out.<sup>44,45</sup>

Several problematic interventions were documented. Funky Citizens published fact-checks later shown to be inaccurate; in one case, a demonstrably false claim targeting the leading opposition party was reclassified as 'uncheckable' rather than corrected, after months being deliberately left online.<sup>46</sup> In reporting on the election annulment, Funky Citizens misrepresented the Constitutional Court's actions, asserting that the Court acted on specific requests, despite the Court's own clarification that such requests could not be examined.<sup>47</sup>

The organisation's leadership has described its work as 'narrative targeting' – a formulation reflecting a shift away from discrete factual verification towards broader interpretive intervention. In practice, this extended to satirical content, opinion pieces and rhetorical commentary.<sup>48,49,50</sup>

AFP interventions raise similar concerns regarding narrative reinforcement. In a context where Romania faces documented problems of electoral coercion, AFP dismissed concerns relating to ballot bleed-through, asserting that such ballots remain valid. This position overlooks the risk that identifiable ballots may facilitate coercion or monitoring in local contexts – a recurring concern in Romanian electoral history.<sup>51,52,53</sup>

Another structural issue concerns network effects. Fact-checking interventions do not affect only the original content. When a satirical post or opinion piece is flagged, visibility penalties may apply not only to the

author but to all users who share it. This creates algorithmic ‘bubble targeting’, whereby entire networks are de-amplified following a single intervention.<sup>54</sup>

In terms of governance concerns, role accumulation creates obvious conflicts of interest. Funky Citizens operates simultaneously as fact-checker, RRS participant, content producer and advocacy actor. The leading international news agency AFP combines news production with fact-checking, although through separated entities. Both Funky Citizens and AFP benefit from funding from platforms, EU institutions and foreign governmental sources.

Expert Forum represents another extreme case of role convergence: it is an RRS participant, a DisinfoCode affiliate, a policy advisor, a content producer and an advocacy actor, with members working closely with Moldovan and Ukrainian executive authorities. Despite this, it has not published the activity reports required under the Code of Practice on Disinformation.<sup>55</sup> Following the 2025 election period examined in this report, a new EDMO hub – Fighting Against Conspiracy and Trolls (FACT) – was announced, involving Expert Forum and covering Moldova, Ukraine, the Baltic states and Romania.<sup>56</sup>

### **Media environment**

The Romanian media landscape is marked by two structural vulnerabilities. The first is the long-standing infiltration of newsrooms by intelligence services, publicly debated as early as 2013, with a member of parliament, Renate Weber, introducing an article in the EU MEDIA Charter inviting member states to pass laws preventing infiltration of newsroom by intelligence services.<sup>57,58</sup> The phenomenon was later openly acknowledged by the former head of the Romanian Intelligence Service, George Maior, sparking formal protests, including from the Romanian public television.

Estimates suggest that between 100 and 200 intelligence assets may still operate within Romanian and international newsrooms.<sup>59</sup>

The second vulnerability concerns financing. Media outlets rely heavily on government-linked funding, often channelled through political parties during electoral campaigns. This model undermines editorial independence and incentivises narrative alignment.

During the 2024–2025 cycle, these vulnerabilities contributed to striking uniformity of coverage, particularly in framing sovereigntist or anti-establishment candidates as security risks and amplifying allegations of foreign interference without critical scrutiny.

#### **Censorship and content-moderation cases (non-exhaustive)**

Multiple journalists and media figures experienced content removal, account suspensions or fact-checking interventions across platforms during the electoral period. These included Ion Cristoiu, Robert Turcescu, Marius Tucă, Andrei Murgescu, Victor Roncea, Active News, Liviu Alexa, radio station Gold FM, the Romanian edition of French newspaper *Le Monde diplomatique*, the author of these lines and others.

The affected content consistently questioned the election annulment, foreign interference narratives or institutional actions. Some interviewed Călin Georgescu at some point.

Enforcement relied on opaque procedures, cumulative strikes and even misclassification. Appeals processes were largely ineffective.<sup>60,61</sup>

Two content takedowns during the 2025 presidential campaign further illustrate the asymmetric application of moderation standards. Both cases involved videos published on TikTok by Robert Turcescu, a former leading television anchor who publicly acknowledged in 2013 that he had operated as an undercover asset of the Romanian intelligence services – a disclosure made live on a leading news network.

In the first video, Turcescu alleged the existence of an internal plan within Romania's security apparatus to engineer the election of Nicușor Dan. In the second, he speculated on whether the American delegation sent by the Trump administration would consider the Romanian electoral process fair and, therefore, the result legitimate. Neither video called for violence, electoral disruption or unlawful action; both consisted of political commentary and conjecture.

### **Coordinated civil-society mobilisation and agenda-setting**

Petitions, collective mobilisation around a cause, investigative reporting and public advocacy are all integral to a vibrant democratic society. Nevertheless, in Romania, a distinct pattern emerged. A small group of NGOs – largely disconnected from domestic constituencies and reliant on various forms of direct or indirect foreign public funding – repeatedly mobilised around the initiative of one core actor to influence the media and institutional environment.

The same organisations appeared consistently as initiators or first-circle signatories, most notably Expert Forum, with Funky Citizens co-signing in most cases alongside a stable group of partner NGOs. These interventions frequently referenced reports produced within the same closed circle.

The sequence is illustrative:

**23 November 2024** Expert Forum publishes its report on the rise of Călin Georgescu (one day before the first round).<sup>62</sup>

**24 November 2024** First round of the presidential election places Călin Georgescu and Elena Lasconi as finalists.

**26 November 2024** Open letter to the European Commission and ANCOM calling for action against 'illegal activities' on TikTok and other platforms.<sup>63</sup>

**28 November 2024** The National Defence Council secretly references elements of the Expert Forum report.<sup>64</sup>

**4 December 2024** Open letter to the president requesting declassification of security documents.<sup>65</sup>

**Same day** Declassification occurs.

**6 December 2024** The Constitutional Court annuls the election.<sup>66</sup>

**6 December 2024** The European Commission sends a request for information to TikTok asking the company to 'explain any change the provider of TikTok has implemented to its processes, controls and systems for the monitoring and detection of any systemic risks of negative effects on civic discourse and electoral processes in light of the claims made available by civil society organisations, Romanian authorities and the intelligence documents declassified by the Romanian President on 4 December 2024 'Footnote explains: such as Expert Forum, BROD, EDMO, Alliance4Europe and Democracy Reporting International.'<sup>67</sup>

**7 December 2024** TikTok answers mentioning it has partnered with Funky Citizens.

**17 December 2024** Funky Citizens publishes a report on social networks undermining democracy.<sup>68</sup>

**Same day** European Fact-Checking Standards Network (EFCSN) calls on TikTok to intensify efforts against disinformation.<sup>69</sup>

**Same day** The European Commission opens formal DSA proceedings against TikTok concerning election risks.<sup>70</sup>

**12 February 2025** Open letter titled 'DSA: We need radical transparency in data access. Romania's democracy is at risk' – `

calling for transparency for experts and institutions, without ever addressing transparency for users. Notably, the letter is also signed by the acting trusted flagger of the Elie Wiesel Institute, a body under direct government authority.<sup>71,72</sup>

In several instances, the same NGO materials were subsequently cited by regulators, electoral authorities or foreign reports, creating a self-reinforcing loop between NGO publications, media amplification and institutional positioning.

### **Foreign-funded ecosystems**

The non-governmental organisations most active in content moderation, fact-checking and electoral resilience in Romania are not membership-based organisations with broad domestic constituencies. Instead, they rely predominantly on external funding from EU institutions, foreign governments, technology platforms and private foundations.

Expert Forum's publicly listed funders include EU bodies, US government-linked organisations, European political foundations and multiple foreign embassies. Funky Citizens discloses partial funding from Meta, EU programmes, European governments, US-linked sources and private foundations.

Freedom House Romania occupies a distinct position within this ecosystem. It combines several functions: organising press initiatives such as PressHub; participating in the European Digital Media Observatory (EDMO) in 2025; and producing non-binding fact-checking. Through its role as a project coordinator and grant beneficiary, Freedom House Romania also acts as an access point for co-financing, extending its institutional reach to partner organisations involved in jointly funded projects.<sup>73</sup>

Taken together, these cases illustrate a structural problem. The most visible, vocal and institutionally empowered actors in Romania's content moderation and fact-checking ecosystem are not grassroots or constituency-based organisations. They are heavily reliant on external public and private funding, operate with limited financial transparency and occupy multiple overlapping roles – content producers, fact-checkers, flaggers, advocacy actors and policy advisors – within the same regulatory environment. They cannot reasonably be presumed to represent constituencies beyond their own staff, institutional partners and funders.

### **Interventions from other national governments**

Among external actors, France displayed the most visible and continuous involvement. The sequence below distinguishes between political signalling, narrative production and diplomatic positioning and shows how these layers intersected with Romania's domestic electoral and constitutional processes.

#### **Political signalling and transnational campaigning**

French political involvement became explicit on 6 December 2024, just hours before the Romanian Constitutional Court annulled the presidential election. On that day, President Emmanuel Macron held a video call with presidential candidate Elena Lasconi, whose party is affiliated with the Renew Europe group. During the exchange, Macron expressed political support while explicitly linking Romania's security posture to electoral alignment. He stated that French military deployment in Romania was 'not a blank cheque' and warned that the election of a candidate 'ambiguous with Russia' would 'totally change the security policy of Europe'.

The implication was unambiguous: French military support was framed not as an unconditional alliance commitment, but as contingent on the outcome of a domestic election in another EU member state.

This pattern re-emerged during the 2025 presidential rerun. On 7 May 2025, Renew Europe formally endorsed Nicușor Dan (following a 'betrayal' sequence in which USR retracted its support for Elena Lasconi). Shortly thereafter, Valérie Hayer – president of the Renew Europe group and a close political ally of President Macron – publicly declared her intention to 'do everything on the ground' to ensure the defeat of George Simion and the victory of Dan in the 18 May runoff. Speaking to France Info, Hayer announced an 'active campaign' aimed at mobilising Romanian voters, including the Romanian diaspora across France and other EU countries.<sup>74</sup>

On 16 May 2025, two days before the runoff, President Macron once again publicly expressed his support for his chosen candidate during a video call, closely mirroring the December 2024 sequence.

Taken together, these actions constitute direct transnational campaigning by political leaders and party structures from another EU member state, explicitly oriented towards shaping the outcome of a national election.

#### **The VIGINUM report and narrative consolidation**

On 5 February 2025, France's Service for Vigilance and Protection against Foreign Digital Interference (VIGINUM), operating under the Ministry for Europe and Foreign Affairs and the Secretariat-General for National Defence and Security (SGDSN), published a report addressing alleged information manipulation during the first round of Romania's 2024 presidential election.

Although frequently presented as evidence of Russian interference, the report explicitly acknowledges that the sponsor behind the pro-Georgescu campaign 'remains unknown' and that foreign state involvement is merely 'suggested by Romanian authorities', not established. No independent attribution is provided.

The report relies primarily on previously published Romanian sources: partially declassified intelligence documents (whose evidentiary foundations are insufficient), analyses produced by Expert Forum and investigations published by Romanian media outlets. VIGINUM's original contribution is limited to mapping technical links between a marketing agency, a Polish media group and a Ukrainian digital marketing company. These links lead to a Ukrainian entrepreneur who has publicly supported Ukraine against Russia – an element that weakens, rather than supports, any Russian attribution.

Most notably, VIGINUM omits reference to investigative findings demonstrating that the *echilibru și verticalitate* (balance and verticality) campaign – cited by Romanian authorities as evidence of manipulation – was financed domestically by Romania's National Liberal Party through a private marketing firm, Kensington SRL. This omission removes a key element, pointing towards internal political competition rather than foreign interference.

Despite these limitations, the document rapidly became a reference point in European political discourse. Romanian and foreign officials cited it as confirmation of Russian interference, often without acknowledging its stated lack of attribution. Media coverage repeatedly recycled the report while relying on Romanian institutional sources already cited within it, producing a closed loop of narrative reinforcement without new evidentiary input.

### **Diplomatic positioning and institutional proximity**

Alongside political signalling and narrative production, French diplomatic engagement remained unusually visible throughout the electoral and post-electoral period.

On 5 February 2025 – the same day the VIGINUM report was released – a bilateral meeting took place between the Romanian minister of foreign

affairs and France's minister delegate for European affairs. Romanian media coverage subsequently referenced the French report while citing Romanian sources already included in it, reinforcing the perception of external validation.

On 5 March 2025, the French ambassador to Romania visited the Romanian Constitutional Court. The meeting was officially presented as a gesture of support in preparation for a forthcoming congress of francophone constitutional courts. The timing is notable: the visit occurred four days before the Central Electoral Bureau rejected Călin Georgescu's candidacy for the presidential rerun and six days before the Constitutional Court validated that rejection. While no formal link has been established between diplomatic engagement and judicial decision-making, the sequence raises questions regarding the appropriate distance between foreign diplomatic actors and domestic constitutional institutions during an active electoral dispute.

On 18 May 2025, Telegram CEO Pavel Durov publicly alleged that the head of French intelligence had requested the banning of conservative voices in Romania ahead of the election. The allegation was swiftly denied by the French Ministry for Europe and Foreign Affairs and relayed as such by the French Embassy in Romania. Although unverified, the episode illustrates the degree to which Romania's electoral process had become embedded in a broader foreign policy and intelligence-related discourse.

French diplomatic positioning continued after the election. In July 2025, the French ambassador reiterated in a public interview with a French state-owned broadcaster that Russian interference in Romania had been demonstrated by the VIGINUM report and attributed by Romania's president to Russia. Two lies.<sup>75</sup>

### **Institutional pressure and conditionality**

Institutional pressure took both indirect and direct forms. Indirectly, political signalling framed certain electoral outcomes as incompatible with security commitments. Directly, platforms – particularly TikTok – were subjected to escalating regulatory scrutiny, formal proceedings and public accusations portraying them as vectors of manipulation.

### **Narratives, attribution and trust**

When the head of Romania's leading fact-checking organisation states that 'we don't target specific accounts, but narratives during elections' (email, 17 September 2024) and reiterates that 'we don't target individual pages or organisations, but monitor narratives' (email, 23 September 2024), a threshold is crossed.

Content moderation ceases to be about legality or verifiability and becomes an exercise in political selection: determining which narratives may circulate and which must be neutralised.

This shift is not abstract. Subpoenaed TikTok materials released by the US House Committee on the Judiciary reveal that, on 3 December 2024 – before the annulment of the presidential election, before any judicial finding and before the declassification of any national security documents – a piece of content was flagged within the Rapid Response System with the explicit justification: 'Propaganda for Călin Georgescu.'<sup>76</sup>

If content moderation during an election is organised around the policing of 'narratives', rather than the enforcement of law, then which narratives were authorised to circulate – and which were suppressed or delegitimised – during Romania's electoral crisis?

## **The dogs that didn't bark: the four principal narratives of foreign interference**

Throughout the 2024–2025 electoral cycle, a set of highly damaging claims circulated widely in Romanian media: that leading sovereigntist candidates were 'pro-Russian', 'Russian assets', 'anti-EU', 'anti-NATO', 'antisemitic', secretly colluding with the PSD, or even defined by racially charged insinuations regarding Roma origins.<sup>77</sup> These narratives shaped public perception and the climate in which institutional decisions were later taken.

Yet unlike other forms of political speech, these claims were almost entirely left unchecked by Romania's leading fact-checking organisations. Several were demonstrably false or contradicted by publicly available information, including official acknowledgements by Romanian authorities. Their continued circulation was the result of narrative alignment. What threatened institutional authority was policed; what delegitimised specific candidates was tolerated. Silence, in this context, functioned as enforcement.

What follows is an examination of the principal narratives that were actively promoted, normalised or imposed as interpretive frameworks through which the Romanian public was encouraged – or compelled – to understand the electoral process and its rupture.

### **The Salvationist Frame: 'Saving Europe and Romania'**

The electoral cycle was framed from the outset not as a political contest, but as a civilisational rescue mission.

In March 2024, at the EPP Congress in Bucharest, European Commission President Ursula von der Leyen – candidate to her own succession – set the tone: 'Our peaceful and united Europe is being challenged like never

before by populists, nationalists and demagogues... they want to trample on our values and destroy our Europe'.<sup>78</sup>

This European-level 'battle cry' was seamlessly translated into a domestic Romanian narrative. The day before, von der Leyen had met President Iohannis and Prime Minister Ciolacu.<sup>79</sup> The day after, the government published an emergency ordinance merging local elections with the European Parliament elections – contrary to long-standing principles of electoral stability reiterated by the Venice Commission.<sup>80 81</sup>

The emergency calendar change was justified by 'a particular context, given the significant political challenges facing the Union and its member states... with a view to ensuring greater representativeness of Romania's members in the European Parliament and strengthening Romania's position within the European Union, by sending a clear signal of its commitment to a pro-EU orientation and to projects for the development of the Union down to the smallest administrative-territorial units'.

This European framing soon found a domestic echo in the narrative of 'saving Romania' – not coincidentally, the name of the political movement founded by the country's current president, Nicușor Dan (Union Save Romania), a member of the Renew Europe family. NGOs, aligned media outlets and political actors actively translated the European existential framing into a language of imminent national collapse. Romania was portrayed as standing on the brink of authoritarian takeover, geopolitical realignment or civilisational regression.

#### **The Decisive Interference Frame: 'The election was hijacked'**

The central operational narrative claimed that the electoral will of Romanian citizens had been decisively overridden by foreign – supposedly Russian – interference. This claim became the principal justification for the election's

annulment and for the activation of content-control mechanisms. It relied on a cycle of reinforcement: intelligence briefings referenced NGO reports, which were cited in foreign analyses like the French VIGINUM report, which were in turn presented by media and politicians as independent validation. Crucially, this narrative operated without meeting traditional thresholds of proof. No judicially testable evidence established foreign orchestration at a scale capable of invalidating an election. The most cited example of manipulation – the *echilibru și verticalitate* campaign – was later shown to have been financed domestically by the National Liberal Party.<sup>82</sup>

#### **The Vulnerable Voter Frame: 'The public cannot be trusted'**

Underpinning the other narratives was a fundamental reconceptualisation of the citizen. Voters were increasingly portrayed not as sovereign political agents, but as vulnerable to manipulation. This view was embedded in the official vocabulary of 'hybrid threats', 'narrative exposure' and 'micro-targeting'. In this framework, political persuasion was reclassified as a security vulnerability. Support for non-aligned candidates was thus diagnosed as a symptom of infection – of having been 'manipulated' – rather than engaged with as a legitimate expression of dissent.

The shift lives on in official discourse. In September 2025, the Romanian public prosecutor identified several broad categories of narratives – *nostalgic-identitarian, conspiratorial, religious and alternative-medicine related* – as having been used since 2022 to generate 'exploitable opinion currents' at key moments.<sup>83</sup> The classification does not describe illegal acts, but patterns of belief and expression.

Once voters are conceived primarily as objects of influence rather than the ultimate source of political legitimacy, exceptional or abusive measures can be rationalised against those deemed to have voted 'incorrectly'.

**The security-over-democracy frame: 'Extreme measures were necessary'**

A fourth narrative rationalised democratic rupture as a necessary sacrifice for national and alliance security. It framed institutional actions – the merging of elections, the annulment of a presidential vote, the barring of candidates – as difficult but essential stabilising interventions. This narrative was reinforced by explicit geopolitical conditionality from key allies, most notably Emmanuel Macron's statement that military support for Romania was 'not a blank cheque' and depended on electoral outcomes. Within this frame, the silence of EU institutions like the Parliament on the annulment was not a failure of oversight, but an implicit endorsement of the security rationale.

**The 'successful hybrid attack': failure by design?**

Beyond the four public narratives, a fifth, implicit logic resolved their contradictions: the concept of an institutional failure being fixed.

It bears some naivety. Romania entered the 2024–2025 electoral cycle with the most extensive and possibly best-funded intelligence and security architectures in the European Union. It possesses broad surveillance and cyber capabilities, privileged access to online platforms, an expanded legal toolkit for addressing hybrid threats and deep cooperation with allied intelligence services.

If foreign interference had genuinely justified the annulment of the election, the episode would necessarily represent a catastrophic breakdown across multiple institutions: intelligence, executive coordination, regulatory oversight and judicial control.

How could an intelligence apparatus this strong, heir to the former almighty Securitate, fail so comprehensively – fail to prevent the threat, fail to document it, fail to attribute it and fail to sanction those responsible for the failure?

Or was this not a failure at all? Seen from this angle, the episode does not resemble a failed defence against a hybrid attack. It resembles a successful hybrid governance response, in which ambiguity enabled action, institutional failure protected its architects and democratic suspension carried no cost.

### **Conclusion: 'Stat Securist'**

*The result is what we all saw. The "wrong" candidate won, because they miscalculated the flow of votes and they ended up doing something that will remain forever in Romania's history: the annulment of elections without arguments.*

Traian Basescu, former president of Romania (2004–2014),  
5 October 2025<sup>84</sup>

In a democratic Romania, the presidential election would have taken place as scheduled on 8 December 2024. Whoever emerged victorious would have governed alongside a parliament validated by voters. Any violations of the law would have been addressed through due process before independent courts. Institutional failures would have carried professional consequences. Presidential authority would have remained bound by the Constitution, with impeachment as the ultimate safeguard against abuse. In a democratic Europe, nothing short of free elections and due process would have been tolerated.

In actual, real-life Romania, a hybrid regime is now running the country. Within it, the National Liberal Party remains in power. Kensington SRL continues to organise political campaigns for the PNL even after sponsoring the rise of Călin Georgescu. The Ministry of Internal Affairs is still headed by Cătălin Predoiu, who boasted that the Romanian experience is 'studied by intelligence services around the world'.<sup>85</sup> The cyber division of the intelligence services remains under the leadership of Anton Rog. Elena Calistru

– the head of a fact-checking organisation that disseminated demonstrably false claims, targeted narratives, de-amplified entire online communities and flagged content supporting a presidential candidate – is now also president of the ECO section of the European Economic and Social Committee. Laura Ștefan, executive director of Expert Forum, has been appointed to Moldova's Prosecutorial Vetting Commission.<sup>86</sup> Meanwhile, the gigantic intelligence apparatus inherited from the Securitate has secured an even larger budget under President Nicusor Dan.<sup>87</sup>

The Council of the European Union remained silent, carefully avoiding the central question of whether Article 7 should be triggered until democratic order was restored. At the European level, complacency has evolved into complicity – and increasingly, into mimicry. The Commission itself now flirts openly with the idea of developing its own intelligence capacities, further blurring the line between democratic governance and security management.<sup>88</sup>

Romanians have a term for this configuration: *stat securist* – a state captured by the reflexes, interests, manoeuvres and clientelist logic of the intelligence services.

The European establishment's complicity with Romania's hybrid regime leaves one question open: who wants to be next – and who is ready to live under a *stat securist*?

As former EU Commissioner Thierry Breton famously said: 'It has been done in Romania. It can be done elsewhere.'

### **3 The Polish elections in 2023 and 2025: conditioning the electorate**

*by Artur Ciechanowicz*

*Today's revolutions, unlike those of earlier times,  
are waged against the majority, not against a minority.*

Vladimir Volkoff, *The Set-Up*

The European Union is formally an international organisation founded for economic cooperation among sovereign states, not as a super-state. In practice, however, it increasingly functions as a political superstructure organised around power accumulation, hierarchy and conditional compliance.

This evolution reflects a structural tension between the steady expansion of EU competences and resistance by certain member states to the erosion of their constitutional autonomy. EU institutions operate in a dual capacity: formally performing treaty-based tasks such as market regulation, competition policy or digital governance, while functionally extending supervisory authority and applying legal, financial and reputational pressure that indirectly shapes domestic political outcomes. This dynamic requires no conspiracy; it operates through expansive interpretation, selective enforcement and institutional signalling.

The European Commission stands at the centre of this system. Its members are appointed rather than directly elected, granting derivative legitimacy while concentrating extensive regulatory powers.<sup>89</sup> Insulated

from electoral recall, the Commission exercises significant influence without equivalent democratic accountability.

The European Parliament plays a complementary role. Though elected, its organisation into transnational party blocs dilutes the impact of national electoral shifts. It functions less as a representative forum than as a transmission mechanism, converting institutional priorities into political pressure through resolutions, hearings and public condemnations.

The Court of Justice of the European Union serves as ultimate arbiter. Through jurisprudence favouring Union competences, it transforms legal ambiguity into binding precedent, gradually expanding EU authority beyond the treaties and effectively reshaping primary law.

National elections remain formally intact, but their function has shifted. Rather than determining policy direction, they accelerate or slow an ongoing consolidation of power at the EU's institutional core. Influence is exercised continuously through financial conditionality, regulatory scrutiny, information pressure and reputational mechanisms; elections intensify these forces.

Poland's 2023 parliamentary and 2025 presidential elections illustrate this pattern. Although the EU holds no formal competence over national elections, the combined use of rule-of-law procedures, financial leverage and sustained signalling created a coherent ecosystem of influence. Financial pressure framed as legal enforcement, coupled with moral and civilisational framing of domestic politics, sent a clear message: support for Law and Justice (PiS) risked isolation and restricted access to EU funds.

PiS miscalculated by engaging Brussels on technical terms, seeking to demonstrate constructive cooperation within a system structurally oriented toward its marginalisation. In doing so, it underestimated the fundamentally political nature of the pressure applied.

### 3.1 Actor map

#### EU-level actors

##### The European Commission

The European Commission has no direct legal authority to intervene in national electoral processes within EU member states. This limitation is reaffirmed in secondary initiatives. Under the proposed European Democracy Shield, for example, the Commission explicitly lacks the power to invalidate national elections.<sup>90</sup>

Its formal role is restricted to countering external disinformation and foreign interference, particularly from actors such as Russia or China and excludes involvement in domestic political competition.

Despite lacking direct electoral authority, the Commission possesses a range of treaty-based instruments capable of exerting indirect influence over electoral environments at politically sensitive moments.

Under the rule-of-law conditionality mechanism (Regulation 2020/2092), as well as funding instruments such as NextGenerationEU and cohesion funds, the Commission may suspend or delay payments in cases of alleged rule-of-law deficiencies, formally to protect the EU budget under Article 322 TFEU. When such measures coincide with electoral cycles, their effects extend beyond fiscal oversight. Funding freezes can destabilise incumbent governments and reinforce opposition narratives, as seen in Hungary and Poland between 2021 and 2023.

Through the Rule of Law Mechanism, the Commission publishes annual country reports assessing judicial independence, media pluralism and democratic standards. Though presented as oversight tools, selective emphasis and repeated framing of certain states as ‘problematic’ can inflict reputational damage and shape the political climate ahead of elections.

Enforcement of the Digital Services Act (DSA) and Digital Markets Act (DMA) introduces further indirect leverage. While formally aimed at countering foreign manipulation, uneven enforcement risks distorting domestic political debate. A February 2026 report by the US House Judiciary Committee cited Poland as a testing ground for the EU's approach to restricting public debate under the banner of combating disinformation.

Beyond these instruments, the Commission has expanded its de facto role into areas reserved for member states, relying on broad treaty provisions such as Article 122 TFEU during crises. Enforcement powers have been reinterpreted to bundle isolated infringements into claims of systemic failure, pursue expansive proceedings, selectively enforce EU law and operate so-called 'pre-Article 7' frameworks not foreseen in the treaties.

In Poland, the Commission applied a 'pre-Article 7' mechanism – an administratively created 'rule of law dialogue' lacking explicit treaty basis – to address alleged systemic threats before triggering Article 7 TEU. Conducted in parallel with infringement proceedings and focused inter alia on the Constitutional Tribunal and public media, this approach bundled discrete disputes into a narrative of systemic pathology. Poland became one of the first member states subjected to this model of multi-stage constitutional supervision.

Though framed as structured dialogue, the mechanism facilitated political pressure, selective interpretation of standards and the externalisation of domestic constitutional disputes to Brussels. In effect, it established a parallel oversight system that weakens member state sovereignty and enables intervention without formal sanctions.<sup>91</sup>

This evolution reflects a deliberate shift in self-understanding. Upon taking office as president of the European Commission in 2014, Jean-Claude

Juncker declared his intention to lead a ‘political Commission’, rejecting technocratic neutrality.<sup>92</sup>

In practice, this aligned the Commission with a stable parliamentary centre dominated by major EU party blocs, largely insulated from national electoral change.

### **The European Parliament and European political parties’ ecosystem**

The European Parliament (EP) holds no treaty-based competence to intervene in national electoral processes within EU member states. Under the treaties, its formal electoral authority is confined almost exclusively to elections to the European Parliament itself (Art. 223 TFEU). While this provision allows the EP to propose general principles – such as proportional representation – it leaves national electoral law firmly within member-state competence. This limitation is clear. It does not, however, preclude political influence.

Although the EP cannot administer, supervise or annul national elections, it wields a range of soft-power instruments capable of shaping domestic political environments, particularly in polarised states.

Chief among these are non-binding resolutions on democracy, the rule of law or country-specific developments. Formally advisory, such texts can nonetheless contribute to the public delegitimation of national authorities, especially when adopted repeatedly. Between 2015 and 2023, the EP passed around 18 resolutions critical of the Polish government. While legally non-binding, these were cited by the Commission in infringement proceedings, the 2017 Article 7(1) TEU proposal and decisions on budgetary conditionality and recovery funds – illustrating how parliamentary signalling feeds into binding executive action. In Poland, as will be shown,

the unfreezing of EU funds, rule-of-law proceedings and Donald Tusk's political return became intertwined.

Through committees such as LIBE (Committee on Civil Liberties, Justice and Home Affairs), the EP also organises hearings and adopts reports on democratic standards. Though framed as monitoring tools, these processes often rely on a narrow pool of witnesses and NGOs aligned with one side of domestic disputes. In Poland, opposition-linked figures and judicial associations critical of the government were repeatedly invited between 2016 and 2023, reinforcing a persistent narrative of democratic 'backsliding' circulating through EU institutions and international media.

The EP further co-decides the EU budget (Art. 314 TFEU), including funding for civil society and democracy programmes such as CERV. Although such funds cannot legally support political parties, their allocation may indirectly amplify specific narratives. Recent initiatives, including the Commission's 2025 Civil Society Strategy, have intensified concerns that access to funding and platforms is increasingly conditioned on adherence to a narrow interpretation of 'EU values', marginalising conservative, religious or migration-critical organisations.<sup>93,94</sup>

Beyond these instruments, the EP oversees the Commission and may initiate or support Article 7 TEU procedures. Its April 2025 resolution on democracy and human rights worldwide signals a broader shift: while warning against authoritarianism, it calls for extending qualified-majority voting to democracy-related matters and proposes an EU 'toolbox' for 'disputed' elections – measures that could weaken national safeguards and politicise electoral outcomes.

Finally, transnational European political families – largely funded from the EU budget – reinforce these dynamics. In the Polish case, Donald Tusk, former president of the European People's Party, became a central node

linking EU-level party structures with domestic politics. Although formally barred from financing national campaigns, European party families increasingly function as mechanisms of discipline and centralisation, filtering acceptable positions and marginalising dissent.

### **The Council of the EU**

The Council of the European Union holds no formal competence over national elections. Nevertheless, it possesses instruments whose political deployment can exert significant indirect influence on domestic political dynamics.

The most prominent is Article 7 TEU, which allows the Council to suspend a member state's voting rights in cases of serious breaches of EU values. The legal threshold is intentionally high and framed as a safeguard for democracy. In practice, however, the political optics often outweigh the procedure itself. Initiating or maintaining Article 7 proceedings functions as a powerful act of delegitimisation. The signal is symbolic rather than juridical: this government is isolated, suspect and under supervision. Such signalling can reinforce opposition narratives and shape electoral perceptions without direct interference in voting.

Poland illustrates this dynamic clearly. The Article 7 procedure was launched in December 2017 following a reasoned proposal by the European Commission and remained open until May 2024, when it was withdrawn after the 2023 change of government – despite the absence of substantial legislative reversals. As former Commission Vice-President Frans Timmermans acknowledged in 2019, the principal value of triggering Article 7 lay not in completing the procedure but in sustaining political pressure, focusing attention and mobilising additional EU instruments, including infringement proceedings before the Court of Justice.<sup>95</sup>

The Council also shapes the EU's financial architecture. Under Article 312 TFEU, it co-decides the Multiannual Financial Framework and key instruments such as NextGenerationEU. While formally designed to promote recovery and cohesion, delaying or withholding payments – especially on rule-of-law grounds – can weaken governments during electorally sensitive periods. Markets react, media amplify the signal and incumbents bear the cost.

During Poland's 2023 parliamentary campaign, frozen Recovery and Resilience Facility funds became a central political issue. Donald Tusk publicly stated that the funds would be 'unblocked' immediately after an electoral victory – implicitly confirming that EU financial instruments were operating as leverage within the domestic political contest.

### **EU agencies and JRC**

Reports produced by EU agencies – such as the European Union Agency for Fundamental Rights (FRA), the European Union Agency for Asylum (EUAA), Frontex or the European Institute for Gender Equality (EIGE) – carry no formal binding force. They are not regulations, impose no direct obligations and compel no immediate compliance. Yet in the Union's day-to-day functioning, their impact is substantial.

Their role is evidentiary and political. They provide the raw material from which reputations are shaped, procedures initiated and sanctions justified. Through data collection, surveys, monitoring and legal analysis, EU agencies produce reports widely treated – by EU institutions, courts, media, NGOs and international organisations – as authoritative descriptions of reality. When agencies speak, neutrality is presumed. On this basis, compliance with Article 2 TEU values – democracy, rule of law, human rights, equality – is assessed.

In Poland's case, agency reports documented alleged deficiencies in judicial independence, border practices on the Polish–Belarusian frontier, discrimination against homosexuals and regression in gender equality. Yet these diagnoses were often simplified and decontextualised, at times crossing into misrepresentation.

Judicial reform illustrates the pattern. Poland's justice system had long been criticised for inefficiency by EU bodies and the Council of Europe. From the government's perspective, reforms aimed at restoring governability. Under the treaties, judicial organisation remains a national competence and no clear legal breach was established. Nevertheless, agency reporting framed the issue primarily as democratic erosion.

Similarly, reports on border 'pushbacks' largely omitted the context of a hybrid attack orchestrated by Belarus, which used migrants as political leverage against Poland.<sup>96</sup>

The most striking case concerned alleged discrimination against homosexuals. The narrative of 'LGBT-free zones', later invoked in Commission infringement proceedings, did not originate in Polish law but in activist campaigns. LGBT activist Bart Staszewski placed fabricated 'LGBT+ free zone' signs beneath official municipal nameplates, photographed them and circulated the images online.<sup>97</sup> The targeted municipalities had adopted resolutions on family policy and education, none referring to sexual orientation. Yet a politically charged label was transformed into institutional fact.

This raises a broader question: do such reports describe reality as it is, or as it is institutionally convenient? Agencies increasingly function as suppliers of legitimising documentation – producing 'independent' analyses that validate decisions taken elsewhere. Dissenting views are marginalised, contested paradigms excluded and 'expert consensus' declared after the fact.<sup>98</sup>

The Joint Research Centre (JRC) provides a clear example of policy-driven knowledge production, offering ‘scientific’ justification for Commission policies that were politically settled before the data emerged.

Beyond specific findings, agencies shape categories, terminology and moral framing: what counts as ‘systemic’, what qualifies as ‘discrimination’ or ‘equality’, which practices are labelled ‘illiberal’ or ‘non-compliant’ and how policy questions are morally coded. Once embedded, this language travels – from reports to resolutions, from resolutions to funding decisions and from funding decisions into domestic political debate.

In an electoral context, the effect is subtle but significant. EU agencies do not campaign or endorse parties. But they contribute to labelling political actors as rule-of-law compliant or suspect, humane or inhumane, democratic or problematic – why abortion is not murder, but a ‘reproductive right’, and how to link higher birth rates to higher ‘emissions’.<sup>99</sup>

These reports do not remain in Brussels. They are cited by international media, the UN, the Council of Europe, the OSCE and a dense NGO ecosystem, generating sustained reputational pressure. Between 2017 and 2023, they became central reference points in global narratives about Poland and served as evidentiary bases in infringement proceedings, Rule of Law Reports, Article 7 procedures and the financial conditionality mechanism.

### **The EU Court**

In practice, the Court of Justice of the European Union (CJEU) has become one of the EU’s most powerful actors, advancing integration not through treaties or elections but through jurisprudence. Since its 1964 ruling establishing the supremacy of EU law, the Court has driven what Joseph Weiler described as a ‘quiet revolution’ of judicial integration. For decades, this expansion rested on a permissive consensus: national governments

and courts largely accepted the Court's growing authority, even as political integration stalled.

That consensus is eroding. As noted in a 2021 Chatham House analysis, member states increasingly question an EU that functions like a de facto federation in which unelected judges may override national democratic systems.<sup>100</sup>

Challenges to EU legal primacy are no longer confined to Poland; voices in France and elsewhere openly call for restoring legal sovereignty. The failed attempt to constitutionalise EU supremacy – rejected in French and Dutch referendums – demonstrates that primacy has never been uncontested.

A key moment in this erosion was the German Federal Constitutional Court's ultra vires judgment of 5 May 2020 on the ECB's quantitative easing programme. The German court held that the CJEU, in its Weiss ruling, had acted ultra vires by approving the ECB's bond-buying scheme without adequate review – effectively declaring the CJEU's decision political rather than judicial.

Yet the CJEU has continued to expand its authority. On 18 December 2025, it ruled against Poland for asserting, through its Constitutional Tribunal, that the Court had exceeded its competences in matters of judicial organisation. In effect, the CJEU denied member states any authority to assess whether EU institutions have acted ultra vires, granting itself exclusive power to define the limits of its jurisdiction. No EU mechanism reviews such claims. This creates structural asymmetry: the Court reviews others while remaining beyond review. By extending supremacy into areas not transferred to the Union, the ruling weakens the principle of conferral (Arts. 4–5 TEU) and shifts from constrained sovereignty toward judicial subordination.

The electoral implications become clearer in a subsequent ruling. On 4 September 2025, the CJEU held that Polish ordinary courts may disregard

decisions of the Supreme Court's Extraordinary Control and Public Affairs Chamber if necessary to uphold EU law. Though formally limited to civil cases, the reasoning encourages lower courts to question the authority – and even composition – of the Supreme Court, including the body responsible for validating elections. Elections may remain formally valid, but the judicial framework safeguarding them becomes fragile.

It is therefore reasonable to assume that questioning the status of this Chamber was viewed as a potential pathway to contest election validation in both 2023 and 2025. In 2023, former EU Justice Commissioner Didier Reynders publicly challenged the independence of the chamber responsible for validating election results, citing European Court of Human Rights case law. In that instance, the electoral outcome rendered further action unnecessary.

In 2025, the European Commission received warnings from US congressmen aligned with Donald Trump urging non-interference in the Polish presidential election.<sup>101</sup> The decisive CJEU ruling followed only after Karol Nawrocki had been sworn in. While too late to affect the result, it establishes a legal infrastructure for potential future intervention.

## **The Polish actors**

### **Tusk's role**

Crucial to understanding the Polish case is Donald Tusk's unique position within two central pillars of the EU power structure: first as president of the European Council and later as leader of the European People's Party (EPP). This dual role placed him at the core of both the Union's institutional machinery and its dominant political family – an unprecedented configuration in recent Polish politics with far-reaching consequences.

Tusk resigned as Polish prime minister in September 2014 amid declining popularity. Despite earlier assurances that he would not leave domestic politics, he accepted the presidency of the European Council, replacing Herman Van Rompuy. Although formally supported by 28 member states, his appointment was decisively backed by German Chancellor Angela Merkel.

He left behind a Civic Platform (PO, an EPP member) in fragile condition. Within the party, his departure was widely perceived as political abandonment at a moment of crisis. He took only a handful of collaborators to Brussels, reflecting both his leadership style and his limited standing within the Brussels establishment. Commission President Jean-Claude Juncker publicly mocked him on several occasions, underscoring his marginal status within the EU's inner circles.

As European Council president, Tusk had no formal authority to initiate Article 7 proceedings against Poland. Nonetheless, from the outset of the PiS government, he became one of its most vocal critics in Europe, reinforcing narratives that framed Poland as a systemic problem. By portraying PiS as a threat to European values and declaring that Poland had 'set itself against the entire European Union', he contributed significantly to the atmosphere of ostracism.

After his Council term ended, Tusk became EPP leader in December 2019 – again with Merkel's support. Though distinct from the EPP's parliamentary leadership, the role strengthened his position within EU party structures. Many observers viewed it as a transitional post before retirement, reinforcing the impression that he would not return to Polish politics. As EPP leader, he acted as an informal intermediary between the Commission and the Polish opposition, consistently framing the PiS government as a rule-of-law threat.

Tusk returned to Polish politics in July 2021, reclaiming Civic Platform leadership amid opposition fragmentation and internal paralysis. Although

no formal EPP decision ‘sent’ him back, the circumstances suggest he functioned as a political reserve asset. He resigned early from the EPP leadership and upon his return received immediate backing from European media and senior EPP figures.<sup>102</sup>

The synchronisation of narratives between the EPP, the Commission and Civic Platform was widely interpreted as tacit coordination.

During the 2023 campaign, Tusk repeatedly promised that an electoral victory would quickly unblock EU Recovery and Resilience Facility funds, presenting himself as an ‘EU insider’. After the election, the Commission’s tone shifted rapidly and funds were released without legislative changes comparable to those previously demanded of the PiS government.

#### **NGO landscape and ideological capture**

A 2017 Ordo Iuris analysis of the distribution of EEA (‘Norwegian’) funds in Poland revealed a striking concentration of influence within the civil-society sector.<sup>103</sup>

Between 2013 and 2017, the Stefan Batory Foundation – linked to the Soros network – acted as the sole national operator of the ‘Citizens for Democracy’ programme, distributing approximately PLN 130.8million to Polish NGOs.

Two features stand out. First, territorial imbalance: organisations based in Warsaw and Kraków received nearly half of all funding, despite representing a small share of the population. Second, ideological selectivity: funding priorities overwhelmingly favoured projects aligned with liberal and left-leaning worldviews. Significant resources were directed toward initiatives framed as combating discrimination and exclusion, particularly those focused on LGBTQ advocacy, gender equality, multiculturalism, migration and refugee support.<sup>104</sup>

The definitions of ‘discrimination’ and ‘exclusion’ reflected a narrow interpretation consistent with contemporary left-liberal discourse. While certain groups were prioritised, others – traditional families, practising Christians or critics of liberal gender ideology – were effectively excluded. Conservative organisations received roughly one per cent of total funding, mostly for non-ideological welfare activities.

Although Norwegian funds represent only part of NGO financing, the Batory Foundation’s influence extends further. It also operates EU-funded programmes, including Citizens, Equality, Rights and Values (CERV). This dual role – distributing both EEA and EU funds – has contributed to a distinctly left-leaning NGO ecosystem that functions less as a reflection of Polish social diversity and more as a transmission belt for externally defined agendas.

This dynamic became visible before the 2023 parliamentary elections, when the Batory Foundation coordinated a letter signed by 13 NGOs to the OSCE’s ODIHR, calling for a full-scale election observation mission.<sup>105</sup> Such missions are typically reserved for countries facing systemic crises. The letter alleged media capture, manipulation of electoral law and questioned the legitimacy of the Supreme Court chamber validating election results – echoing long-standing EU institutional arguments.

The signatories formed a tightly interconnected network, many directly funded by the Batory Foundation and openly aligned with opposition politics. International oversight was thus framed less as neutral monitoring than as reinforcement of domestic advocacy campaigns.

At EU level, this pattern is reinforced. In November 2025, the European Commission adopted a Civil Society Strategy presented as promoting openness and dialogue.<sup>106</sup>

In practice, access to funding, platforms and recognition is increasingly conditioned on adherence to a politicised interpretation of ‘EU values’. Concepts such as inclusiveness and equality are extended to contested issues like abortion and gender ideology, while organisations critical of migration policy, identity politics or speech-regulation risk exclusion.

The funding logic is explicit: no alignment, no money. Programmes such as CERV channel resources predominantly to progressive NGOs, while transparency requirements for foreign-funded organisations are resisted. Rather than fostering pluralism, the Strategy risks transforming civil society into an instrument of ideological filtering – encouraging participation only when it conforms to prevailing institutional preferences.<sup>107</sup>

### **3.2 Influence mechanisms**

In the preceding part, we described the environment in which the 2023 parliamentary elections and the 2025 presidential election in Poland took place. We will not dwell on the technical features of the Polish electoral or party system, so as not to burden the reader with ethnographic detail of little explanatory value. Instead, we focus on the mechanisms and patterns of influence that were deployed – mechanisms that can be and potentially will be, replicated in other member states.

#### **The creation of a multilevel pattern of interference in Poland’s 2023 election**

Even actors sympathetic to external intervention now implicitly admit its political impact. In a text published by the European Democracy Hub, Paweł Marczewski – writing as chief research officer of the Stefan Batory Foundation – argues that Poland’s ‘democratic turnaround’ in 2023 would not have been possible without sustained pressure from the European Union

combined with coordinated civic mobilisation.<sup>108</sup> Though framed as a success story of democratic defence, the article amounts to an acknowledgment that EU institutions actively shaped Poland's internal political process between 2015 and 2023, with decisive electoral consequences.

Crucially, this pressure is not described as neutral monitoring or abstract value promotion. Marczewski openly credits the EU with deploying sanctions, infringement procedures, funding conditionality and political signalling to weaken the PiS government and empower its opponents in civil society. NGOs are portrayed as lobbying EU institutions to trigger legal action and financial pressure precisely because such leverage could not be generated domestically. Sanctions related to judicial reform, threats to withhold funds from local governments and pressure over issues such as logging in Białowieża forest or LGBT-related resolutions are cited as examples of effective external intervention forcing political reversals.

The most consequential element, however, was pre-election mobilisation. Marczewski highlights large-scale 'get-out-the-vote' campaigns organised by civic initiatives rather than political parties – many of them beneficiaries of years of EU support. According to Batory Foundation research, these campaigns influenced last-minute voter decisions and increased turnout by around seven percentage points, enough to determine the election outcome. While framed as civic engagement, this amounts to organised political influence operating outside the party system, in an environment structurally shaped and protected by EU institutions.

The timing of EU actions further underlines their political character. Before the election, Brussels maintained maximum pressure on the PiS government. After the opposition victory, sanctions were rapidly lifted and frozen funds released, despite the fact that core judicial reforms had not yet been implemented. Marczewski himself questions whether this shift was

premature – implicitly confirming that sanctions functioned not merely as legal instruments, but as tools of political leverage.

Media influence constituted another layer of intervention. In 2023, German outlets openly welcomed the acquisition of a major stake in Gremi Media, publisher of *Rzeczpospolita*, by Pluralis – a fund financed in practice by Germany’s GLS Bank.<sup>109</sup> Pluralis representatives described Poland as their primary operational focus, reinforcing concerns that media ownership was being used for long-term political influence. Earlier controversies, such as Germany’s calls for EU scrutiny when PKN Orlen acquired Polska Press in 2021, revealed a double standard: foreign ownership of Polish media was unproblematic until control shifted to a Polish state-owned company.

Editorial culture reinforced these dynamics. Internal communications at Ringier Axel Springer framed Donald Tusk’s reappointment as president of the European Council as a political victory over Jarosław Kaczyński, encouraging journalists to interpret events through the prism of defending ‘European values’. German politicians, including Ursula von der Leyen, spoke openly about supporting ‘democratic resistance’ in Poland – statements perceived in Warsaw as crossing from diplomacy into political engagement.

Direct political signalling from abroad intensified during the campaign. In August 2023, Manfred Weber, leader of the European People’s Party, declared on German television the need to ‘combat PiS’, grouping it with parties portrayed as enemies of democratic Europe. EU Justice Commissioner Didier Reynders later questioned the legitimacy of the Polish Supreme Court chambers responsible for validating election results, raising doubts that could have undermined confidence in the electoral process itself. Polish authorities warned that such interventions created a framework for contesting results should the opposition lose.

A further level of influence operated under the banner of ‘civic education’. Poland’s 2023 election has been cited in broader debates – raised publicly by figures such as Donald Trump and Elon Musk – about the use of USAID funding to influence elections abroad. In Poland, initiatives targeting young and undecided voters played a central role. Projects such as *Latarnik Wyborczy* and *Młodzi Głosują*, run by the Centre for Citizenship Education and financed through foreign funding channels including USAID and the German Marshall Fund, were aggressively promoted by opposition-aligned media.

*Latarnik Wyborczy*, in particular, functioned as a quasi-political recommendation tool. Its carefully constructed questionnaire overwhelmingly guided users toward Civic Platform or the Left, while being presented as neutral civic engagement. The promotional ecosystem – media articles, social-media posts by opposition politicians, direct links and party advertising – blurred the line between education and campaigning. After the election, the project’s head was appointed to a senior role shaping the new civic-education curriculum, reinforcing perceptions of political alignment.

Taken together, these elements reveal a consistent, multi-level pattern. EU institutions, foreign political actors, media-ownership structures and NGO-driven mobilisation did not merely observe Poland’s political crisis. They interacted, reinforced one another and ultimately shaped the electoral environment. The 2023 election was formally free – but it unfolded within an ecosystem of sustained external pressure, calibrated intervention and asymmetric influence that decisively altered the balance of political competition.

A February 2026 report of the US House Judiciary Committee identified Poland as one of the key ‘testing grounds’ for the European Union’s policy

of censoring public debate under the banner of combating disinformation.<sup>110</sup> According to the findings of US lawmakers, even before the Digital Services Act (DSA) formally entered into force, the European Commission exerted tangible pressure on global technology platforms, forcing them to alter their content-moderation rules.

In Poland's case, particular importance was attached to the period preceding the 2023 parliamentary elections. The report reveals internal TikTok documents showing that the platform – under pressure from EU regulators – introduced special, temporary moderation guidelines applying exclusively to the Polish electoral debate. Certain legally permissible political claims were pre-emptively classified as ‘conspiracy theories’ and subjected to reach-limiting or removal.

The report stresses that these were not isolated incidents, but part of a broader strategy to test and implement content-control mechanisms in Central and Eastern Europe, a region considered more susceptible to regulatory pressure. Poland became one of the primary examples of the use of supposedly ‘voluntary’ anti-disinformation codes, which in practice – given the threat of fines of up to six per cent of global corporate turnover – were coercive in nature.

The US report also highlighted the role of fact-checking organisations and so-called ‘trusted flaggers’, often linked to public institutions, who were granted privileged access to request the removal of content. According to the authors, this mechanism was used to suppress narratives critical of the EU establishment, including in Poland and may have had a real impact on the electoral process.

The report's conclusions are unequivocal: Poland was used as a test case for censorship tools that were later to be institutionalised across

the entire EU through the DSA, with consequences extending far beyond the Union's borders.

### **Layers of interference: the many pressures on Poland's 2025 presidential election**

Concerns about foreign interference in Poland's 2025 presidential election did not arise from a single incident or dramatic revelation. They accumulated gradually, across several overlapping layers.

The first formal warning came from Poland's constitutional media regulator, the National Broadcasting Council (KRRiT). In March 2025, its chairman, Maciej Świrski (appointed during the PiS government), publicly accused the European Commission of exceeding its mandate by signalling an intention to use the DSA to shape the Polish electoral debate. According to KRRiT, Brussels was effectively claiming the authority to define what content guarantees 'fair elections' in Poland – an area that, under the EU treaties, lies exclusively within national competence. Świrski warned that applying the DSA during an election campaign risked introducing preventive political censorship, constitutionally prohibited in Poland, under the guise of combating disinformation.

These concerns deepened when the EU's Digital Commissioner announced plans to convene a pre-election 'round table' on Poland, formally to assess platform compliance with the DSA. While Commission representatives described the initiative as routine and advisory, KRRiT rejected it outright, arguing that such a forum would legitimise external oversight of Poland's electoral process and exert indirect pressure on digital platforms to curate political content during an active campaign.

At the political level, opposition politicians from PiS accused the Commission of selective vigilance. In the European Parliament, PiS MEPs

pointed out that Brussels had remained largely silent about documented foreign interference in Poland's 2023 parliamentary elections – including Russian intelligence activity and NGO campaigns funded from abroad – while now signalling heightened readiness to intervene ahead of the 2025 presidential vote. They also questioned the neutrality of key EU officials involved, citing past public expressions of support for presidential candidate Rafał Trzaskowski, a leading member of Civic Platform and Civic Coalition.

Parallel to these institutional disputes, evidence emerged of indirect campaign influence through digital mobilisation. In April and May 2025, Polish social-media influencers received coordinated offers to publish election-related content for pay, framed as non-partisan 'civic engagement'. Although the materials avoided explicit endorsements, they targeted undecided young voters – a demographic widely recognised as capable of determining electoral outcomes. The operation was linked to a Polish foundation with foreign funding streams, international contacts and opaque organisational structures, prompting referrals to Poland's internal security services.

At the same time, NGO-driven political advertising intensified on major platforms. Campaigns run by groups such as Akcja Demokracja were formally verified and disclosed under EU transparency rules. Yet Polish opposition politicians and several US lawmakers questioned whether these mechanisms were sufficient to prevent asymmetric influence, particularly when advertisements consistently favoured one candidate (Trzaskowski) while discrediting others. The controversy escalated when Poland's cyber-security agency, NASK, admitted it could not identify the funding sources behind certain pro-Trzaskowski Facebook campaigns, referring the matter to intelligence services.

The informational dimension extended well beyond Poland's borders. German media increasingly framed the Polish election as a geopolitical fault line for Europe, NATO and EU stability. As Karol Nawrocki's prospects improved, coverage shifted from treating him as a marginal figure to portraying him as a 'Trump admirer', a threat to European unity and a danger to German strategic interests. Several outlets openly expressed preference for Trzaskowski, presenting his victory as essential for Berlin, Brussels and the continuation of Donald Tusk's political agenda.

This narrative escalation was accompanied by repeated references to a potential 'Romanian scenario' – the annulment of elections due to alleged foreign interference. German public broadcaster Arte aired a report suggesting that the scale of disinformation in Poland might justify similar measures, while largely omitting controversies surrounding foreign-funded campaigning favouring the governing camp. Analysts from Poland's National Security Institute warned that such messaging conditions Western public opinion to accept extraordinary measures should an unfavourable electoral outcome occur.

The issue eventually crossed the Atlantic. US congressmen, including Keith Self and Brian Mast, formally raised concerns with the European Commission, accusing it of double standards: aggressively policing conservative and pro-sovereignty actors while tolerating, or overlooking, foreign-funded campaigns aligned with liberal candidates. They also highlighted the prolonged withholding of public campaign subsidies from PiS despite a Supreme Court ruling in its favour, arguing that financial asymmetry constituted yet another form of indirect interference.

A particularly controversial role was played by NASK itself. The scandal began when the agency suggested that anonymous online adverts

encouraging turnout – while attacking Nawrocki and Sławomir Mentzen – were provocations disguised as support for Trzaskowski, despite a lack of evidence. When journalists later uncovered links pointing in the opposite direction, NASK did not correct its narrative. Compounding concerns, both NASK and the Ministry of Digital Affairs refused to disclose an internal report on the campaigns, citing an internal classification label not clearly grounded in statutory secrecy rules. At the same time, NASK leaked claims about a supposed ‘mirror campaign’ supporting Nawrocki; independent analysis using Meta’s tools showed this effort to be negligible compared to the scale of the Trzaskowski-linked ads.

Last, but not least: once again, Donald Tusk emerged as the central hinge of European Commission’s influence in Poland. As French daily *Le Monde* reported, there had been a discrete agreement between Ursula von der Leyen and Donald Tusk that Brussels would remain silent when Tusk publicly rejected implementing the binding EU Migration Pact and would postpone controversial announcements until after the election concerning climate and trade decisions.<sup>111</sup>

Taken together, these developments reveal not a single act of interference, but a multi-layered pattern of influence. Regulatory pressure via the DSA, narrative framing in foreign media, NGO-driven digital campaigning, opaque platform governance, financial constraints and the normalisation of election annulment discourse intersected throughout Poland’s 2025 campaign. Whether each element, taken in isolation, meets the formal threshold of ‘interference’ is debatable. Their combined effect, however, raises a more troubling question: not whether the election was free in form, but whether it remained sovereign in substance.

## **Conclusion: from the manipulation of perceptions to an attempted coup**

Interference in democratic processes does not require overt coercion or electoral fraud. More often, it takes the form of a structured influence operation that reshapes the informational environment in which voters, institutions and international observers operate. Viewed from this perspective, the recent Polish cases constitute not merely a political crisis, but a textbook example of a modern disinformation operation conducted from within the institutional framework of the European Union.

As the theorist of propaganda Vladimir Volkoff argued, every disinformation operation begins with a client: an actor that stands to gain politically or institutionally from the manipulation of perceptions. In Poland's case, the client was not an individual but a configuration of power. As Jacek Saryusz-Wolski has described it, this consisted of an informal triumvirate – the European Commission, the Court of Justice of the EU and the European Parliament – embedded in a broader network of EU institutional leadership, dominant parliamentary factions, selected core-state governments and aligned media and expert elites. In one word: *nomenklatura*.

No such operation functions without agents. In contemporary Europe, these are not clandestine services, but a dense network of intermediaries – party officials, regulatory bodies, prosecutors, activist NGOs, legal experts and sympathetic journalists – many of whom sincerely believe they are defending democracy. Their task is not fabrication, but translation: turning power decisions into moral narratives and exceptional measures into necessities.

Before execution, the operation required an understanding of local sensitivities. In Poland, this meant exploiting post-communist trauma,

a strong desire for international recognition, vulnerability to accusations of democratic backsliding and broadly pro-EU public sentiment. Once mapped, the narrative was anchored to real but symbolically charged events: infringement procedures, frozen EU funds, rule-of-law reports and high-profile interventions by EU officials. Their power lay not in falsehood, but in association: Poland only gets its share of the EU budget money if it votes in the correct way.

Dissemination occurred through a closed circuit of transmitters: domestic and international media, reinforced by EU institutional signalling. The message was deliberately simple and endlessly repeated – Poland was being rescued from democratic decay. Legal complexity was displaced by slogans such as ‘rule of law’ and ‘European values’ while dissent was framed as moral deviance.

Amplification relied on resonance boxes: commentators, academics, NGOs and, eventually, ordinary citizens who unconsciously reproduced the narrative. Social media accelerated the process, creating an atmosphere in which opposition appeared marginal or suspect. The target audience was dual: PiS voters were to be demobilised and delegitimised; anti-PiS voters morally mobilised and reassured of their superiority.

The forcible takeover of public media in December 2023 marked the culmination of the operation’s first phase. The presence of the EU commissioner for values and transparency in Warsaw at that moment – without criticism of the methods used – signalled to the new government that it faced no external constraints. The objective, however, extended further: securing victory in the 2025 presidential election.

When Karol Nawrocki prevailed despite unequal conditions, the operation entered its most dangerous phase: attempts to undermine

the legitimacy of the result itself by questioning electoral integrity and the legal status of the Supreme Court chambers responsible for validation. Proposals to delay the inauguration were not technicalities, but the logical continuation of the narrative. As the speaker of the Sejm later acknowledged, it amounted to an attempted coup – one that ultimately failed.

## **4 Czech Republic: building the infrastructure of electoral supervision**

*by Vlastimil Veselý, Nikola Zbořilová, 20 February 2026*

### **4.1 The robustness of the Czech electoral system**

Parliamentary elections to the Chamber of Deputies of the Parliament of the Czech Republic took place on 3–4 October 2025, with the aim of electing all 200 members of the lower chamber. They were held in the usual four-year cycle and, for the first time, citizens living abroad were able to vote by mail. A total of 8,978 voters took advantage of postal voting from abroad, representing less than a third of all votes cast from abroad (29,888) – less than one per cent of all votes cast.<sup>112</sup>

Voters could cast their ballots at polling stations in 14,819 districts. Each candidate party has the option of delegating one person to each electoral district as a member of the district electoral commission. The task of the commissions is to check, count the votes and fill in the records by hand. The Czech Statistical Office collects the records from the district election commissions, checks for logical errors, aggregates the results and publishes the data on the [volby.cz](http://volby.cz) portal as the technical processor.

Polling stations are always open on Friday from 2:00pm to 10:00pm and on Saturday from 8:00am to 2:00pm. The election commission has a list of all voters who are eligible to vote in a given district. Each voter must prove their identity with an ID card or passport. The system is therefore very robust and based on the principles of plurality, transparency, and top-down and bottom-up control.

The election proceeded without any major technical problems. The total number of voters on the electoral roll was 8,253,316, with a total of 5,621,717 valid votes (98.88 per cent). Voter turnout reached approximately 69 per cent, which is one of the highest figures in modern history. The Supreme Administrative Court received 53 complaints, of which it ruled on 19. None of them led to the invalidation of any candidate's election. There were no legal disputes over the validity of the results.

ANO won the election and, together with SPD and Motoristé sobě, formed a coalition government with Andrej Babiš as the prime minister (his second term).

### **Election intervention**

Although the election itself proceeded without any serious technical problems or documented electoral fraud, concerns and discussions arose during the campaign about the possible influence of disinformation and foreign narratives.

Some articles in the 'liberal' media stated that up to 42 per cent of citizens expected Russian intervention or influence in the elections through disinformation – not through direct vote-rigging, but through the spread of false narratives designed to undermine confidence in the democratic process.<sup>113</sup> It refers to a study conducted by the CEDMO factchecker (see below).

On the other hand, some politicians, journalists and organisations feared that the Romanian scenario would repeat here. Stéphane Luçon, a French journalist working in Romania, devoted considerable attention to this topic. Daniel Sterzik (Stačilo!) and Miroslav Ševčík (Trikolora), among others, expressed their concerns.<sup>114,115</sup> Also, Cecílie Jílková pointed out that the Romanian minister for home affairs met with his Czech counterpart and that some elements of a Romania scenario already could be observed.<sup>116</sup>

A study on the role of election disinformation pointed out that manipulative content was spread primarily through online platforms with the aim of influencing voters' opinions.<sup>117</sup> However, ultimately no evidence was found that such activities had a significant impact on the official results or directly disrupted the technical aspects of the electoral system.

## **4.2 Digital Services Act in the Czech Republic**

In the Czech Republic, the Digital Services Coordinator (DSC) is the Czech Telecommunications Office (CTU), but its power is limited because the national DSA implementation in the form of the Digital Economy Act has not been approved. For this reason, the CTU cannot certify trusted flaggers or approve entities for out-of-court dispute resolution (ODR) yet.

The previous government tried to pass the legislation in spring 2025 so that it could be used in the autumn elections, but the opposition (ANO, SPD) successfully blocked it to such an extent that it was not passed in time. Two non-governmental organisations, funded largely from abroad, lobbied most strongly for the bill's passage. They also used paid advertising on social media for this purpose.

### **Lobbying for the national DSA implementation**

The Association for International Affairs (AMO) is an influential political NGO focusing primarily on foreign policy, 'civil society development' and gender inclusion.<sup>118</sup> Its 2023 annual report lists a budget of about €950,000 and more than 30 sponsors, including NATO, the European Commission, the US National Endowment for Democracy, several foreign embassies, Czech ministries and the City of Prague.

The advertisement also mentions another political NGO - the Center for Informed Society (CIS), which was founded in mid-2023 by the Evropské

hodnoty (European Values, see the factcheckers below) NGO.<sup>119</sup> ‘The Kremlin Watch program, which monitors disinformation from Russia, has separated from European Values and is transforming into an independent CIS.’ The co-founder, Jakub Janda, admits that ‘many donors feel that the Russian threat is no longer so great’. The article goes on to say that ‘the security centre has reached its financial limits’ and has terminated the activities of ‘teams that monitored the situation in Hungary and Slovakia’. Nevertheless, the association wants to ‘continue to have a political impact’.<sup>120</sup> The whole thing seems like a forced departure under a new brand, because the original one has already been discredited and sponsors no longer want to fund it in connection with the hunt for disinformation.

Director and co-founder Andrea Michalcová, who focuses on ‘analysing the decline of democracy in Central Europe, the rise of populism and the hybrid activities of the Russian Federation in the Czech Republic and Slovakia’, previously served as deputy director of the European Values Security Center, where she worked since 2013. Her deputy is an AMO employee. One of the main activities of the CIS is to be the annual Security Academy educational program for gifted students and graduates, which prepares them for careers in security agencies.<sup>121</sup> The CIS makes no secret of its political agenda, which supports progressive ideology and promises to ‘strengthen society’s resilience to authoritarian populists’.

### **Activities before 2025 elections**

CTU operates a special communication channel for reporting election-related content that refers directly to the DSA (‘systemic risks’, ‘threats to electoral integrity’), even though the national legal framework has not been fully finalised.<sup>122</sup>

CTU confirmed that it is not part of the Rapid Response System, which was activated in our country before the elections by the European Commission at the request of one of the signatories of the Code of Practice on Disinformation. In Czechia, these are only the Seznam platform (a leading web portal including a search engine, email, news and maps, one of few players worldwide competing against Google in its home market, with 240million monthly visits) and two NGOs - the Demagog fact-checker (see below) and the influential Slovak GLOBSEC.

It is especially GLOBSEC raising the biggest question: why should a foreign entity financed mainly from abroad (EU, NATO, Google) decide on censorship measures in the Czech Republic before the elections? Let us recall that due to GLOBSEC's pressure to censor platforms under the pretext of combating disinformation, the Slovak government stopped state subsidies. The organisation then moved its security conference on topics such as Ukraine and hybrid threats from Bratislava to Prague, where it received the patronage of President Pavel.<sup>123</sup>

CTU is one of the state authorities that purchased the Slovak software Gerulata, which was used before the last Slovak elections to discredit opposition politicians at the time. Based on its outputs, lists of individuals and alternative media outlets were created, whose channels were then blocked in some cases.<sup>124</sup> According to CTU, it uses Gerulata only to analyse connections on the TikTok network, which it cannot technically access directly due to restrictions in state administration.

### **Main factcheckers**

These entities act as arbiters of truth, evaluating statements by politicians, media and journalists and labelling information as false, misleading or disinformation. Although they present themselves as neutral and professional

initiatives, their actual role, funding and links to progressivist (woke) political and media spheres are increasingly criticised.

Fact-checkers focus predominantly on statements from opposing political camps, while controversial claims from their own milieu or dominant geopolitical narratives are often overlooked. Another weakness is the mixing of facts and opinions: value-based political positions or future predictions are frequently labelled as ‘misinformation’. In several cases, information initially marked as ‘false’ was later confirmed or became subject to legitimate expert debate, for example regarding Covid-19, climate or migration policy.

Questions about political neutrality are reinforced by the financing of factcheckers, who are often dependent on state institutions or transnational structures. They operate within the same ecosystem as public media, digital platforms and government departments, which then adopt their verdicts, granting them institutional authority and legitimacy.

More concerningly, such verdicts are used to justify censorship, demonetisation or the discrediting of individuals. Fact-checking thus shifts from neutral verification to a mechanism for regulating public debate. Since the migration crisis, especially following the outbreak of the war in Ukraine, fact-check outputs have indirectly legitimised restrictions on free speech in Czechia, including website blocking, platform bans and the public ostracisation of individuals without judicial process.

The most prominent fact-checkers listed below are all associated with the liberal-progressive scene.

### **Demagog**

Demagog has long collaborated with Czech Television and other mainstream media outlets. It has repeatedly drawn funding from EU programs, grants from the Czech Ministry of Foreign Affairs and transnational foundations,

including structures linked to international political agendas. Sister NGOs are in Slovakia and Poland (where it was founded), all engaging in similar activities and all members of the EDMO project. See below.<sup>125</sup>

### **Manipulátoři / Faktické info**

The most discredited fact-checker – with many statements refuted, an inability to defend its approach in public debates and lawsuits.

In 2021, a new NGO was formed, consisting of the same group of people – Faktické info z.s. Both projects are backed by the founder, Jan Cemper.<sup>126</sup>

### **Semantic Visions**

A Czech company that used its software platform to monitor online media and search for disinformation narratives. In 2020-21, it signed a contract with the Ministry of Health to identify disinformation related to Covid-19 and prepare recommendations for the state's communication with the public. Since its acquisition in 2025, it no longer operates in the fact-checking business.<sup>127</sup> Its founder was František Vrabel, one of the main drivers of anti-disinformation hysteria in the Czech Republic.

### **AFP**

An international agency with its Czech editorial office. It fact-checks in Czech language as a part of a broader European network – for example, in cooperation with projects coordinated by Charles University.<sup>128</sup>

For the Czech market, it has a contract with Meta, which pays AFP for fact-checking posts on its Facebook and Instagram platforms as part of the Third-Party Fact-Checking program.

**Ověřovna Českého rozhlasu**

A factchecking project of the public media Český rozhlas (Czech Radio).<sup>129</sup> It is not financed in the form of grants but as a part of state-funded media. It operates on a rather unusual participatory model, where senior citizens collaborate with journalists, learn how to verify misinformation and sometimes even help to write articles.

**Evropské hodnoty**

A think tank (European Values) cooperating with political and security institutions like the European Parliament and NATO that funded some of their projects and conferences. Through the Kremlin Watch project,<sup>130</sup> the NGO published lists and analyses of individuals, media outlets and organisations that it identified as spreading pro-Russian influence, thereby directly interfering in public and political debate. Even academics described their analyses as ‘politically motivated assessments’ rather than quality research or criticised the ideological bias and unprofessional methodology.<sup>131</sup> Kremlin Watch has been suspended since 2023.<sup>132</sup> Part of the team then founded a new organisation, the Center for an Informed Society – see DSA above.

**Čeští elfové (Czech Elves)**

Czech Elves, an anonymous activist group monitoring social networks played a significant role in the first years after its inception in 2018. They gained attention for their regular reports blacklisting alleged disinformers. Two spokespeople with known identities – Bohumil Kartous (active in many anti-disinformation projects, such as Nelež – see below) and Vít Kučík.<sup>133</sup>

## EDMO/CEDMO

CEDMO (Central European Digital Media Observatory) functions as a hub for an influential network connecting academia, state-supported media, fact-checking organisations and public administration in the field of information-space regulation. The project is part of the pan-European EDMO network, currently funded by the EU budget to the tune of €40-50million.<sup>134</sup> Its activities are subject to EU political priorities, which are reflected in the selection of topics and the interpretation of outputs.

The project consortium includes Charles University (coordinator), Czech Press Agency, Demagog.cz, the Czech Technical University in Prague and Masaryk University. The principal investigator (PI) is a prominent figure on Czech Television (ČT) – long-time political debate host Václav Moravec, with a significant conflict of interest.<sup>135</sup> Meanwhile, ČT presents itself as an impartial public-service broadcaster. CEDMO produces analyses and frameworks that ČT often uses as an expert source in its news coverage and debates. CEDMO was funded with €1.77million,<sup>136</sup> and the follow-up project CEDMO 2.0 NPO with approximately €7.21million for the period 2024–26,<sup>137</sup> making CEDMO one of the best-funded actors in the ‘combating disinformation’ field in the country.

CEDMO therefore has large budgets, access to the media and political decision-making structures, while organisations and initiatives defending free speech have no comparable support. The result is soft regulation of discourse where certain opinions are systematically delegitimised.

### Examples of false or misleading verdicts

- **AFP:** assessed the claim that the Pirates party want to restrict or abolish cash as false, on the grounds that the party ‘has no such plans’. Instead of analysing policy documents, previous statements and the European

context, it relied on assurances from political actors about their current intentions. Fact-checker issued a verdict on a claim that is predictive in nature, not a verifiable fact.<sup>138</sup>

- **Semantic Visions:** labelled the claim that vaccine passports will lead to restrictions on the rights of the unvaccinated as misinformation. The assessment was based on the status of ‘this is not happening yet’, not on whether the claim corresponds to declared plans and trends. The fact-checker confused the ‘current state’ with ‘no risk’ and thus denied a legitimate prediction based on public sources.<sup>139</sup>
- **Manipulátoři:** labelled concerns about the expansion of hate-speech penalties through legislation as ‘misinformation’. It assessed as false. The fact-checker confused political debate and a legitimate legal interpretation of the law with misinformation.<sup>140</sup>
- **CEDMO:** They assessed as untrue that ‘Czech authorities could, on the basis of social benefit reforms, check the bank accounts of people applying for social assistance, including their family members and cohabitants’. The report was confirmed later by the Supreme Court and the Czech National Bank.<sup>141</sup>

### 4.3 Other interventions into media posing an election risk

Furthermore, we highlight events that are not directly related to the election campaign but may pose a risk to any future elections in the form of interference in the media space under the pretext of combating disinformation or hybrid threats. They have been carried out outside of standard judicial processes, without a clearly defined legal framework and with limited possibilities for defence on the part of the affected entities.

**A parliamentary party and its chairman accused of racism**

Seventy-one days before the 2025 parliamentary elections, the police proposed to indict the SPD chairman and MP, Tomio Okamura and his movement for billboards used in the 2024 regional election campaign.<sup>142</sup> He was accused of racist or xenophobic undertones and inciting hatred, for which he faces up to three years in prison. This was the first attempt to criminalise the opposition and prevent a parliamentary party and its chairman from participating in the elections. The case is still ongoing, but the courts refused to ban the billboards and the Constitutional Court did not intervene either.

**The Penal Code ‘unauthorised activity for a foreign power’ paragraph**

One of the most serious legislative threats to free speech adopted into Czech law has been Penal Code paragraph § 318a on ‘unauthorised activity for a foreign power’, proposed by the previous government just before Christmas 2024. It is very vague and does not define at all what constitutes unauthorised activity or a foreign power. ‘A person who, with the intention of endangering or damaging the constitutional order, sovereignty, territorial integrity, defence or security of the Czech Republic, or the defence or security of an international organisation whose interests the Czech Republic has committed to protect, carries out activities for a foreign power on the territory of the Czech Republic may be punished by imprisonment for one to five years.’

Twenty-four senators filed a constitutional complaint last year, but the Constitutional Court rejected it in February 2026. It was also recently used for the first time against a Chinese journalist who, however, if he was spying, could have been prosecuted under a different section on espionage.

The parties of the new government coalition already committed last year to repealing the section. Otherwise, there is a considerable risk that it could be misused against any inconvenient person, such as a journalist who reports critically on domestic conditions to foreign media or, for example, questions the democratic legitimacy of the EU in cooperation with an American partner.

### **Blocking almost 30 websites/domains**

In February 2022, the Czech government had nearly 30 smaller websites blocked under the pretext of concerns about the spread of disinformation related to the war in Ukraine. This was done without any legal basis by the national domain administrator and commercial ISPs. The list of websites was provided by the National Cyber Operations Center and the Center Against Hybrid Threats (CHH, see below) without specifying the reasons why a given website was included in the list or which web pages contained false or otherwise objectionable information.

The websites thus became unavailable to the public for several months, which led to a loss of advertising revenue and undermined the credibility of these media. The Constitutional Court later ruled that the government had not issued an order, but merely a recommendation, which ISPs and domain administrators were not obliged to follow. The operator of one of the websites recently won a lawsuit against T-Mobile for compensation for lost profits.

### **Blacklisting websites for the state advertisement**

The Ministry of Regional Development, led by Minister Ivan Bartoš (Pirates), prepared and approved (2023–24) a methodology prohibiting

state advertising on websites that are blacklisted by the National Fund for Independent Journalism (NFNŽ) or the Nelež NGO (the Czech partner of the Global Disinformation Index, a British NGO and a key part of the industrial censorship complex).<sup>143</sup> Both NGOs are supported by the media competing with the blacklisted websites on the online advertising market. The methodology was prepared by the Ministry of Regional Development and intended for public institutions, state-owned enterprises and public-procurement contractors to assist them in placing advertisements.

The methodology has been strongly criticised, mainly because:

- the state indirectly delegates decisions on ‘media acceptability’ to private entities,
- it creates pressure on free speech or unfair competition,
- there is no clear legal framework and no possibility for the media concerned to defend themselves.

#### **Media discrimination in the Seznam advertising system**

An equivalent to the discriminatory blacklist of websites in the private sector is the list of alleged disinformation websites made by Slovak civic association and used by the Seznam portal, which has a dominant position on the Czech internet (alongside Google). Based on this list (or in cooperation with, for example, NFNŽ), some media projects are excluded from the Seznam advertising system, which reduces their visibility in search engines and news reports.<sup>144</sup> The decision-making process is non-transparent, with no clear criteria or a chance of appeal.

#### **Political intervention of the Center Against Hybrid Threats (CHH)**

CHH, a part of the Ministry of the Interior, played a significant role in spreading disinformation hysteria and calling for a legislative or informal restrictions. Individuals, projects and organisations were framed as

disinformation sources / means, conspirators or a security risk, although no criminal or administrative proceedings had been brought against them. Everybody can get a picture from their articles, titled as *Central European identity as part of the anti-Western narrative* or *Peace as the Pro Kremlin narrative* showing a clear ideological bias.

Its outputs and labelling are used by the ‘liberal’ media mainstream and woke NGOs as a basis for subsequent discreditation. Among those whose reputations were damaged were, for example, Parlamentní listy or our Free Speech Society.<sup>145,146</sup> Unless the Ministry returns to its legally defined role as a politically neutral institution and refrains from ideological activism, CHH will pose a risk for influencing the next elections.

#### **4.4 Conclusion: the playbook in its preparatory phase**

A robust electoral system with rapid vote-counting, low interest among voters abroad in postal voting and no significant censorship during the election campaign can be considered the main reasons why the results of the 2025 parliamentary elections can once again be considered credible. Nevertheless, over the past four years, there has been an increase in the number of cases that pose a risk of undemocratic influence on future election campaigns.

Blocking of alternative websites on the recommendation of Czech authorities in February 2022 ended in shame and it is unlikely that ISPs will comply with vague requests from state authorities next time. On the other hand, the DSA regulation – which allows for the shadow bans and reach-suppression of inconvenient parties and politicians through an extensive network of alleged fact-checkers on digital platforms or targeted

lawsuits designed to directly exclude a party or politician from elections – may bring a real danger.

In addition to the DSA, another censorship threat affecting election campaigns could be the European Democracy Shield. An informal group of the same name, consisting of three influential activists linked to other political NGOs, has been active in the Czech Republic for several months, focusing so far on supporting the presidential campaign of the current president, Petr Pavel.

Another area of concern in the coming months will also be whether the shameful Penal Code paragraph on ‘unauthorized activity for a foreign power’ can be removed. If not, there is a danger of it being abused against any inconvenient person, such as a journalist who reports critically on domestic events to foreign media.

Looking ahead, let us hope that the upcoming elections on 9 and 10 October 2026, for one-third of the Senate (and municipal and city council representatives) will also proceed without any excesses or serious foreign interference, which should be prevented by new legislation similar to the US Foreign Agents Registration Act (FARA). However, the main test will be the presidential elections in January 2028.

## **5 The calibrated Union: people's sovereignty under structured pressure**

*by Richard J Schenk*

The introduction to this report argued that the EU does not require formal electoral competence to shape national elections. While the treaties reserve electoral law and administration to the member states (Art. 5(1)–(2) TEU; Art. 4(2) TEU), supranational instruments – financial, regulatory, judicial, digital and reputational – can nonetheless reshape the political environments in which voters decide. The three country studies confirm this structural thesis, albeit to varying degrees.

Romania, Poland and Czechia do not describe identical outcomes. They demonstrate three degrees of electoral calibration within the same integrated order.

### **5.1 Case study comparison**

#### **Romania: escalation and institutional rupture**

As detailed in the Romania chapter, digital governance mechanisms under the Digital Services Act, Rapid Response coordination, trusted-flagger systems, intelligence framing and foreign political signalling converged during a live presidential race. The annulment of the 2024 presidential election marked an unprecedented rupture in an EU member state.

Romania illustrates how mitigation frameworks can shift into open intervention once electoral processes are securitised. The decisive-

interference narrative – built exponentially through feedback loops among NGOs, intelligence briefings, foreign reports and media amplification – justified exceptional measures, despite the absence of judicially established proof of decisive foreign manipulation.

Here, the calibration model openly crossed the threshold into an election override.

### **Poland: structural conditioning**

The Poland chapter presents a different dynamic. No election was annulled. No immediate rupture occurred. Instead, over years, Article 7 procedures, rule-of-law conditionality (Reg. 2020/2092; Art. 322 TFEU), repeated European Parliament resolutions, CJEU jurisprudence and the freezing of EU funds gradually shaped the political landscape in favour of a certain candidate.

By the time of the 2023 parliamentary and 2025 presidential elections, the electoral field had already been structured by sustained reputational and financial pressure. Voters made choices within a framework that associated certain political outcomes with material, diplomatic and reputational consequences.

Poland demonstrates that influence need not be dramatic to be effective. Through cumulative calibration, the EU can achieve decisive effects in a tight race.

### **Czechia: friction without rupture**

The Czech case study confirms that the 2025 parliamentary elections were technically robust, procedurally transparent and legally uncontested. Vote counting was rapid, oversight mechanisms functioned and no court invalidated results or intervened in the selection or discreditation of

candidates. There was no evidence of decisive foreign interference altering outcomes.

Yet the absence of rupture should not be mistaken for the absence of structural pressure. Indeed, the Czech case reveals how a pre-electoral regulatory ecosystem is continuing to expand. Indeed, there were attempts to accelerate national DSA implementation before the vote. In its absence, DSA-related reporting channels were activated despite incomplete domestic legislation. Also, NGOs such as Demagog and GLOBSEC were active in EU-level anti-disinformation frameworks. Czech fact-checkers (including CEDMO-linked actors) are also already embedded in EU-funded structures. Crucially, the adoption of Penal Code §318a ('unauthorised activity for a foreign power') after the election by the outgoing political majority creates potential chilling effects for political speech. Unlike Romania, an open escalation did not occur. Unlike Poland, financial conditionality did not dominate the campaign environment. But the Czech chapter documents the gradual consolidation of tools at an early stage that could, under different political conditions, enable more intrusive calibration. Czechia, therefore, represents not immunity but restraint.

## **5.2 The common architecture**

Across all three cases, four recurring layers of influence are visible, consistent with the framework established in the Introduction.

### **Digital governance layer**

The DSA introduces elections as a 'systemic risk' category. Rapid Response mechanisms, trusted flaggers, fact-checking networks and moderation partnerships create real-time leverage over political visibility. In Romania,

this system escalated. In Czechia, it remained preparatory. In Poland, it formed part of a broader ecosystem.

### **Financial conditionality layer**

Budgetary instruments (Art. 312, 322 TFEU) and rule-of-law conditionality exert structural pressure. Poland illustrates how funding freezes and delayed disbursements reshape incentives before votes are cast.

### **Normative-reputational layer**

European Parliament resolutions, institutional labelling ('backsliding') and transnational-party signalling influence domestic narratives. Political disagreement with EU policies becomes moral deviation.

### **Security framing layer**

Hybrid-threat language reframes persuasion as a national-security issue. In Romania, this justified extraordinary, even unlawful, measures. In Czechia, it fuels the expansion of preventive legislation and monitoring. These layers do not require central coordination. Their cumulative interaction calibrates the national political arena from Brussels and/or abroad.

## **5.3 From democratic fragility to sovereign citizenship**

The Czech elections of 2025 demonstrate that robust national electoral systems can withstand external pressure when institutional safeguards function and escalation thresholds are not crossed. Ironically, the strength of its domestic institutions was tested by an EU that is claiming to protect the rule of law and 'EU values'.

Since this study documents a steady expansion of regulatory, digital and criminal-law instruments capable of shaping future campaigns, it paints

an alarming development for the state of democracy in the EU itself and not only European countries.

If the mechanisms observed across the three cases become standardised and widespread across the continent, the calibrated ballot will cease to be exceptional but the norm for national elections in the EU.

The question posed in the introduction was: will the European Union remain a framework that respects democratic diversity within national democracies, or continue evolving into an order in which electoral sovereignty is formally preserved but substantively calibrated?

The answer is: if the observed development continues, the EU will strive towards a technocrat-managed democracy. Yet the reality of continuation will not be determined in Brussels alone. It will be determined by the nature of the next crisis, when restraint is no longer politically convenient, as happened in Romania.

But more crucially, the continued deployment of the playbooks for election interference will lead to a fundamental subversion of the very fabric of democracy itself in Europe. In Romania, citizens woke up overnight in a hybrid regime and not in a democracy that allows for gradual change of government policies through the electoral process. Instead, Europeans are deprived of their sense of self-efficacy within their respective polity. This leads to even more political polarisation and, in some cases, radicalisation, since democratic processes do not change policies.

Ironically, this development can be even more easily exploited by foreign actors if they indeed want to weaken European states. But for this, they no longer must intervene in domestic elections. Romania, once again, seems to illustrate the future of this continued interference. The government that emerged after the intervention appears even weaker than the previous one and legacy parties are facing disaster. If this model becomes widespread,

foreign powers can just sit on the sidelines and watch European democracies spiral into political stagnation, unrest and decay.

To stop this development, remarkably little needs to be done by the EU: it requires only an end to the deployment of such interference play-books. But to heal the wounds already caused and to manage a turnaround for European democracy, Brussels requires a fundamental shift in mindset. National institutions must be respected and not 'augmented' by the EU.

Most crucially, the technocrat-managed democracy must abandon its mistrust of the European citizen, who is seen as a victim of foreign interference, misinformation, polarisation and hate speech. Instead, the EU must accept the view of the European citizen who is self-determinant and able to make his electoral choices even under the harshest of conditions without technocratic protection.

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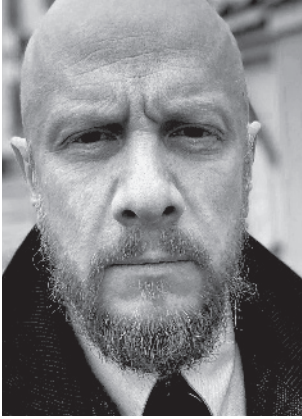
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