INCLUSIVE
DEMOCRATIC
PARTICIPATION

Media and Electoral Spending in Lebanon
Insights from International Experiences

Funded by
the European Union

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FOR ELECTORAL SUPPORT

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This study was prepared by the Research Team of the Arab Center for the Development of the Rule of Law and Integrity (ACRLI), written by researcher Zeina Sami El-Hélou, under the supervision of Dr. Wassim Harb, Founder and General Director of ACRLI, and Dr. Issam Suleiman, Chief Technical Advisor to the Inclusive Democracy Participation Project.

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The **Arab Centre for the Development of the Rule of Law and Integrity- ACRLI** is a prominent Arab Regional Non-Governmental Organization founded in 2003 by a group of legal professionals from Lebanon and other Arab countries. ACRLI is committed to advancing the principles of rule of law, justice, and integrity across the Arab region. ACRLI's work contributes to foster a culture of rule of law and good governance, strengthen public and private institutions, and empower citizens to protect their rights. The center's initiatives have a direct impact on Arab governance and legal systems, promoting stability, justice, and sustainable development.

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Preface

Dr. Issam Suleiman

Former President of the Constitutional Council in Lebanon[1]

Elections are one of the most important basic means of achieving democracy. Through elections, the people express their will in choosing those who will represent them in the conduct of public affairs and the exercise of power. As stated in the Preamble to the Lebanese Constitution, the people are "the source of authority and sovereignty; they exercise these powers through the constitutional institutions." For elections to genuinely reflect the general will, or the will of the nation, they must be free, fair, and credible.

The validity of elections concerns not only the competing candidates; it goes beyond them to the public order of the State itself, as the legitimacy of the authority emerging from elections depends on the validity of those elections.

Therefore, the Constitutional Council affirmed in its Decision No. 4/2019, that the dispute between the petitioner and the candidate whose election is challenged is not a personal dispute, but rather a dispute over the validity of the parliamentary mandate granted to the candidate declared elected. That mandate differs in nature from the mandate stipulated in the civil laws, as the nation, through it, entrusts the representatives it selects with the exercise of authority on its behalf for a fixed term, and that delegation cannot be withdrawn before the end of that term. A personal agency, by contrast, remains subject to the will of the mandator, who retains the right to revoke it whenever he wishes. Hence, lies the importance of the validity of the elections, as it is on this basis that the parliamentary mandate of the nation is granted.

1- Founding member of the Arab Center for the development of the Rule of Law and Integrity

The validity and integrity of elections depend on the system adopted in the election law. They also depend on the procedures according to which elections are conducted, and on equal opportunity among candidates.

Competition among candidates must therefore take place within a framework that secures equal opportunity among them. Electoral campaigns, which influence voters' choices, must not take place in circumstances where equal opportunity is distorted to the point that one candidate, or several, dominate their rivals and effectively decide the outcome in their own favor.

Ensuring equality of opportunity among candidates requires setting a ceiling on electoral spending and regulating electoral media and advertising.

The setting of a ceiling on electoral spending, and the regulation of electoral media and advertising in a manner that guarantees equal opportunity among candidates, are of exceptional importance because the legitimacy of the authority emerging from elections is tied to the validity of the elections, which in turn depends on the equal opportunity among candidates.

The electoral spending ceiling must be fixed in light of what is required to conduct an electoral campaign, without allowing excessive spending aimed at influencing voters' choices by wealthy candidates, or by candidates supported by wealthy interests, and inducing voters to cast their ballots in their favor, while candidates of lesser means lack the financial capacity to compete with them in campaign spending. For that reason, the spending ceiling must not be set too high, since an inflated ceiling leads to an imbalance in equal opportunity among candidates.

The level at which campaign spending is capped has a direct impact on electoral media and advertising, which in turn influence voters' choices. The higher the ceiling, the broader the scope for media and advertising to shape voter behavior.

Before the parliamentary elections of 2009, Lebanese election laws did not set any ceiling on electoral spending.

In the 2009 elections, and again in the elections that followed in 2018 and 2022, the election law did set a ceiling on campaign spending. Yet the ceiling, as fixed, was extremely high, reaching in some constituencies more than one million U.S. dollars per candidate. No comparable threshold has been adopted anywhere else in the world. This opened the door to extensive spending that not only reached this high ceiling but, in many electoral constituencies, exceeded it, particularly in the absence of effective controls. Moreover, the authorities responsible for monitoring

electoral spending were unable to produce reports demonstrating breaches of the spending ceiling, due to the following reasons:

1. Banking secrecy, which was lifted only in respect of the account designated for the electoral campaign, while election-related spending continued to be made from other accounts still protected by banking secrecy.
2. Disguised bribery, effectively legalized by Election Law No. 25/2008 and Election Law No. 44/2017 through Article 62, which provides as follows:
   "In-kind and cash contributions and assistance to individuals and associations of all kinds shall not be deemed prohibited during the electoral campaign if they are provided by candidates, or by institutions owned or managed by candidates, or by parties that have been accustomed to providing them at the same level for at least three years prior to the beginning of the electoral campaign period. Such assistance shall not be considered subject to the electoral spending ceiling."
   This is bribery in every sense of the word, legalized by the election law, especially since it was impossible in practice to monitor the volume of in-kind and financial contributions and assistance provided during the campaign and to verify that they had not exceeded the level customarily provided each year before the election year.
3. The absence of oversight over parties' finances, including their funding sources and how their funds are spent, despite the fact that a large number of parties are financed by foreign entities, with such funding increasing during election campaigns, all without oversight or accountability.

These factors gave money a wide influence over election results in many electoral constituencies, and led electoral lists to seek out candidates capable of financing them, especially businessmen.

Money played a more decisive role under the majoritarian system that governed Lebanese election laws before 2017 than it has under the proportional representation system adopted since then. In multi-member constituencies, the majoritarian system often meant that the outcome in most seats was effectively decided by a wealthy candidate who financed the list in various ways and used that financial leverage to secure votes not only for himself, but also for his fellow candidates on the same list.

With the adoption of proportional representation after 2017, money became less decisive in elections, though it continued to play a significant

role. It is well known that under proportional representation, winning candidates are distributed across different electoral lists. Because of the preferential vote, competition arises among candidates on the same list for the seats won by that list, in addition to the competition among lists themselves for seats in the constituency. This reduces the extent to which money alone can determine election results. This was confirmed by the results of the 2018 and 2022 elections, as some wealthy candidates spent large sums on their electoral campaigns, yet on their lists only the wealthy candidate himself—and sometimes one additional candidate—won, while the remaining winners were distributed across other lists. Whereas, under the majoritarian system, the well-financed lists would win all, or the majority of, the seats in the constituency.

Money also plays a central role in electoral media and advertising. Since 2008, election laws have regulated electoral media and advertising, defined their role in explaining electoral programs and setting the campaign period, regulated paid electoral advertising and oversight of media outlets, specified the obligations of private media and official media, designated places for electoral advertisements, identified prohibited conduct, regulated opinion polls, and laid down penalties and fines for violations, among other matters. Yet the implementation of these provisions has remained below even the minimum acceptable standard. The body charged with overseeing the regulation of electoral media and advertising—the Supervisory Commission for Elections—was unable to carry out its functions properly for many reasons, foremost among them the lack of the specialized personnel that should have been at its disposal. Other reasons stemmed from the election law itself, which failed to draw a clear and express distinction between electoral media and electoral advertising. This allowed electoral advertising to be presented in the media as electoral media coverage, leading some media outlets to treat electoral advertising as though it were electoral media coverage.

Further undermining the regulation of electoral media was the fact that a number of audiovisual media outlets are owned by political parties or political actors, which actively promote them during elections without complying with the provisions of the election law governing media regulation.

In addition, electoral online media and advertising on social media platforms are extensively used in electoral campaigns in favor of certain candidates. However, regulating and controlling these practices remains particularly difficult, in order to ensure that they do not undermine equality of opportunity among candidates. Moreover, they sometimes deliberately disseminate false and misleading information, thereby

distorting voters' perceptions, confusing public opinion, and influencing electoral choices at the ballot box.

The issue of unequal opportunity among candidates resulting from the failure to control spending and electoral media and advertising was raised in many of the appeals submitted to the Constitutional Council concerning the validity of election results. Yet neither the facts presented by the appellants nor the reports submitted by the Supervisory Commission for Elections to the Constitutional Council enabled it to broaden its investigation in order to verify whether violations had occurred in relation to spending, media, and advertising, and to assess the impact of those violations on election results—except on one occasion, in the 2009 elections, when the appellant submitted, together with the appeal, an audio recording that clearly indicated that the candidate whose election is challenged had paid a large sum of money to a religious figure influential over voters of his sect. During the investigation, said religious figure admitted receiving the money, and the candidate whose election is challenged admitted paying it. The Constitutional Council therefore decided to deduct the votes cast by voters belonging to that cleric's sect from the total vote won by the candidate whose election is challenged. Nevertheless, even after this deduction, he remained the winning candidate by a margin of 538 votes.

Within this context, the issues that directly affect equal opportunity among candidates, and that undermine the legitimacy of the authority emerging from elections, were addressed by Mrs. Zeina El Helou in her study, highlighting challenges in the regulation of electoral media and electoral spending in Lebanon in light of comparative experience. She analyzed the subject from every angle, within a rigorous methodology and a comparative analysis aimed at identifying the underlying causes of unequal opportunity among candidates through spending, media, advertising, and the links between them.

Mrs. Zeina El Helou clearly set out the objectives of the study and the methodology adopted. She examined in depth the history of regulating spending and electoral media, both in countries with long-established democratic practice and in countries more recently introduced to democracy. She also addressed modern technologies, including the use of artificial intelligence in electoral campaigns, its impact on voters, and the considerable means used to mislead them.

With respect to Lebanon, the study examined the Lebanese experience in controlling electoral spending and regulating electoral media and advertising, identifying the challenges that prevented the achievement of the desired results, as well as the reasons why the Supervisory Commission

for Elections has been unable to overcome them. It further examined electoral spending and electoral media and advertising under the current election law, namely Law No. 44/2017, and highlighted the persistent gap between the legal provisions and their implementation in practice. In addition, it analyzed the relationship between these provisions and other legal texts that should contribute to the implementation and effectiveness of the election law, such as the Publications Law, the Television and Radio Broadcasting Law, and the Penal Code. The study also pointed to other legislation that still needs to be enacted, foremost among them a law on political parties and political financing governed by strict rules, a law regulating online media, and reforms to banking secrecy to ensure that it does not undermine the transparency of electoral spending. Finally, it addressed the issue of electoral silence and its role in preventing media influence over voters in the period immediately preceding polling day, allowing them to make their choices freely and in accordance with their convictions, as well as the challenges of ensuring compliance with these provisions.

The study further addressed the appeals submitted to the Constitutional Council regarding the validity of elections, and the inclusion in those appeals of violations relating to electoral spending and electoral media and advertising, together with the impact of such violations on the validity of the elections. It also examined the challenges encountered by the Constitutional Council in verifying the alleged violations contained in those appeals, owing to the lack of effective monitoring by election oversight bodies and the other factors already mentioned. The study ultimately reached conclusions on which it built a set of recommendations relating to electoral spending and electoral media and advertising.

It is to be hoped that this valuable study will serve as starting point for reforming the parliamentary election law so as to secure equal opportunity among candidates and put an end to the disorder that is most clearly visible in elections through campaign practices, particularly in relation to spending, media, and advertising. That is necessary for the further development of Lebanon's democratic experience, for opening the way to renewal and progress in political life, and for improving the standard of political practice and the performance of the constitutional institutions. These objectives, however, require radical reform of the election law, together with a firm commitment to holding elections on time in accordance with the constitutional principle of periodicity of elections. If exceptional circumstances prevent elections from being held on schedule and require their postponement, that postponement should be limited strictly to the period during which genuine exceptional circumstances actually persist.

Introduction and Objectives of the Paper

Media, advertising, and money play a central role in the electoral process, as they directly influence voters' preferences, affect the balance of opportunity among candidates, and shape public opinion. With the development of modern means of communication and the expanding scope of electoral campaigns, this role has acquired increasing importance, to the point that media and electoral spending have become among the foremost determinants of the integrity and transparency of the democratic process.

To understand this relationship, it is necessary to introduce a theoretical framework linking media and electoral spending, on the one hand, to the concepts of equal opportunity, electoral justice, and political influence, on the other. Money and media are not merely neutral tools; they are part of a structure of power that reproduces domination and the balance of power within society.

Historically, the regulation of electoral media and advertising emerged alongside the rise of mass media in the twentieth century, when some European states imposed restrictions on political advertising on television and radio in order to ensure equality among candidates. With the advent of digital media and social media platforms in the twenty-first century, challenges relating to transparency, media disinformation, and undisclosed spending have intensified, prompting many states to enact new legislation requiring the disclosure of funding sources and imposing controls on digital campaigns.

The regulation of electoral media, advertising, and spending constitutes one of the fundamental pillars of ensuring the integrity of the democratic process, especially as modern electoral campaigns increasingly rely on traditional and digital media to reach voters and influence their choices. In the absence of clear rules, media, advertising, and electoral money become unequal tools through which those with financial and political influence dominate the public sphere, while candidates who lack significant resources are excluded. This weakens democracy and concentrates representation in the hands of limited groups that impose their control over policymaking, both by reaching power and by monopolizing the media space used to market themselves. Financial power deepens this monopoly, leading to further marginalization, threatening the principle of equal opportunity, and weakening citizens' confidence in elections and political representation.

With the advent of the digital age, the need to update legal frameworks has become particularly urgent. Online campaigns and social media, together with transactions in digital currencies, are expanding rapidly and placing electoral integrity under severe pressure, whether through sponsored advertisements or through algorithms that determine which messages reach specific groups of voters. Against this backdrop, regulating media and electoral spending is no longer merely a technical matter; it is a political and ethical necessity for protecting democracy and ensuring that the voice of citizens remains the primary determinant of electoral outcomes.

In light of the above, and given the importance of these issues and the need to clarify them, explain their interrelationship, and highlight their direct impact on the democratic character and integrity of elections, this paper seeks to provide a historical overview of the emergence of the regulation of media, advertising, and electoral spending, while examining the Lebanese process and the evolution of its regulatory framework in response to changing tools and challenges. The paper also aims to review international, Arab, and local experiences, draw out additional ideas for reform while preserving the core principles of democracy, and propose more modern and forward-looking approaches that are especially suited to the Lebanese context, in a manner that strengthens transparency, equal opportunity, and the protection of the electoral process from the influence of political money and media disinformation.

Methodology

This study adopts a comprehensive research methodology based on an analytical review of the Lebanese legislative framework related to elections, media, and electoral spending. The methodology includes a review of research papers, academic studies, and specialized legal references, as well as an analysis of relevant jurisprudence and judicial decisions in Lebanon and in a number of Arab and International countries.

The study also relies on a comparative approach to international experiences in regulating media and electoral spending, with a view to drawing lessons learned and identifying best practices that may be usefully applied. The legal and academic references have been classified according to objective and geographical criteria and annexed to the study as reference appendices, thereby enhancing its scientific and practical value.

The study further adopts a participatory approach through in-depth interviews and discussions with election experts, aimed at understanding the practical challenges associated with the implementation of legal provisions on the ground. In addition, two consultative meetings were organized, bringing together media professionals, electoral experts, legal experts, and practitioners working in the field. These sessions provided an opportunity to exchange expertise, discuss existing gaps, and explore more modern and innovative approaches that reflect ongoing developments and the specific Lebanese context. This participatory methodology enabled the integration of the legal dimension with practical and field-based experience, thereby enhancing the paper's ability to formulate realistic and applicable recommendations that consider the specificities of Lebanon while also drawing on international and Arab experiences.

Chapter One

The History of Regulating Electoral Spending and Electoral Media

The regulation of campaign finance and electoral media has evolved gradually across democratic states, as legislation shifted from a near-total absence of controls toward more stringent systems combining public funding with limits on private donations, alongside the establishment of independent oversight bodies.

In the United States, concern with electoral finance began in the early twentieth century with the enactment of the Tillman Act in 1907, which prohibited corporate contributions to federal campaigns, followed by the Federal Election Campaign Act of 1971, which established a comprehensive framework for financial reporting, spending limits, and political action committees. In 1974, the Federal Election Commission was established to oversee campaign finance. However, U.S. Supreme Court decisions such as *Buckley v. Valeo*[2] (1976), *Citizens United v. FEC* (2010)[3], and *McCutcheon v. FEC* (2014)[4] fundamentally reshaped the rules governing political finance. In *Buckley v. Valeo*, the Court drew a distinction between contributions to candidates, which may be restricted in order to curb corruption, and candidates' expenditure on their own campaigns, which it regarded as a form of protected speech that cannot be restricted. In *Citizens United*, the Court held that corporations and associations have the right to make unlimited independent expenditures on political advertising, which led to the rise of the well-known Super PACs. In *McCutcheon*, the Court struck down aggregate limits on the total amount an individual may contribute to multiple candidates or committees, holding that such limits unduly restrict freedom of expression.

2- FEC | Legal | Buckley v. Valeo
3- FEC | Legal | Citizens United v. FEC
4- FEC | Legal | McCutcheon, et al. v. FEC

The overall result of these judicial precedents in the United States, is the emergence of a distinctive model in which political spending is viewed as a form of constitutionally protected speech, thereby making it difficult to impose stringent limits on electoral expenditure. This has contributed to an inflated role of money in American politics and increased influence of wealthy individuals and corporations over the democratic process, compared with other states that impose stricter limits in order to ensure equal opportunity and reduce the impact of capital on elections.

In the United Kingdom, the regulation of political finance and electoral administration evolved gradually from the early twentieth century, when restrictions were imposed on candidates' individual spending in order to ensure equal opportunity. With the enactment of the Political Parties, Elections and Referendums Act 2000, the Electoral Commission was established as an independent national body responsible for regulating elections and overseeing political parties and their financing. The Commission imposes national spending ceilings on parties, requires them to disclose the sources of donations, and prohibits paid political advertising on television, relying instead on allocating free airtime to parties to present their programmes. The purpose of these measures is to enhance transparency and accountability and to curb the influence of big money on the democratic process[5].

In France, a strict regulatory system for electoral finance has been in place since the 1980s, based on the imposition of campaign spending ceilings and the prohibition of corporate donations since 1995, while allowing individuals to contribute within certain limits. In addition, partial public funding is provided to political parties through annual subsidies and reimbursement of part of campaign expenses, with a view to reducing reliance on private financing and ensuring equal opportunity among parties. Campaigns are overseen by the National Commission for Campaign Accounts and Political Financing (CNCCFP), an independent body that reviews expenditure and donation reports and enjoys broad powers, including the imposition of financial sanctions or even the annulment of election results in cases of exceeding legal ceilings or breaching transparency requirements in financial reporting. This system reflects a philosophy aimed at protecting integrity and limiting the influence of large-scale money on the democratic process, and it is regarded as one of the strictest models in Europe[6].

In Germany, the system is based primarily on public funding for political

5- *Toby S. James.* United Kingdom: Management of the elections in its transitional stage. Available at: https://aceproject.org/ace-ar/topics/em/electoral-management-case-studies/the-united-kingdom-electoral-modernization

6- Kamel, Samieh. The Legal Framework Governing Sources of Electoral Campaign Financing: A Comparative Study of Algerian and French Law, *African Journal of Legal and Political Studies*, vol. 8, no. 2, 2025. Available at: https://asjp.cerist.dz/en/article/263484

parties. The Political Parties Act of 1967 stipulates that financial support is granted to parties according to the number of votes they receive and the extent of their social rootedness. In addition, parties are required to disclose private donations exceeding EUR 10,000, while certain forms of indirect support are prohibited, in order to ensure transparency and limit the undue influence of capital in political life[7].

In Australia, campaign finance is based on a combination of public and private funding, with controls designed to enhance transparency and curb the undue influence of money in politics. The law imposes ceilings on electoral spending and advertising and requires candidates and parties to disclose the sources of donations, in addition to providing partial public funding according to the number of votes they receive, thereby ensuring fair competition and reducing parties' dependence on private money. The latest amendment, which enters into force in July 2026 pursuant to the Electoral Legislation Amendment (Electoral Reform) Act 2025, is the broadest in four decades. The disclosure threshold has been lowered to only five thousand dollars, caps have been introduced on donations and electoral spending, and rapid disclosure of donations during the election period—within as little as 24 hours—has been mandated. The scope of entities covered by the law has also been expanded, the reporting system has shifted from the financial year to the calendar year, the powers of the Australian Electoral Commission in oversight and enforcement have been strengthened, and the transparency register has been updated to ensure that information reaches the electorate more quickly and more clearly[8]. In this way, the Australian system seeks to address previous gaps in disclosure and oversight, reduce the undue influence of private money, strengthen citizens' confidence in the integrity of the electoral process, and keep pace with international standards of transparency and fairness.

In short, in Europe and Australia, electoral systems have sought to reduce the influence of private money through public funding and strict oversight, by imposing spending ceilings, introducing partial or full public funding, mandating the disclosure of donations, and prohibiting certain forms of unlawful support. Even so, challenges remain in the practical implementation of these controls. In Spain, for example, although public funding has been in place since 1987 and foreign donations are prohibited, parties relied heavily on bank loans, opening the door to opaque relationships with financial institutions. Some banks granted

7- Dutta, Ritwick. "Germany's Public Financing System for Political Parties Aims to Promote Election Transparency and Fairness." *Pathfinders for Peaceful, Just and Inclusive Societies*, 6 June 2023. Available at: https://www.sdg16.plus/policies/germanys-public-financing-system-for-political-parties-aims-to-promote-election-transparency-and-fairness/

8- Australian Electoral Commission. "Fact Sheet: Explaining the Changes to Political Funding and Disclosure." *Australian Electoral Commission*, updated 1 April 2026. Available at: https://www.aec.gov.au/FADReform/factsheets/changes-explained.htm

loans on favourable terms or in exchange for political privileges, and in some cases such loans were used to cover electoral spending that exceeded legal ceilings. This led to major corruption scandals in the 1990s and undermined trust in the political system, revealing that the mere existence of strict laws is not enough unless they are backed by strong and independent oversight mechanisms capable of uncovering circumvention and holding violators accountable[9].

In Arab states, the experience of regulating electoral spending has been uneven and reflects differences in political and legal contexts. In Egypt, for example, the Law on the Exercise of Political Rights sets spending ceilings for candidates and requires them to submit financial reports to the National Election Authority, but weak oversight and accountability mechanisms have limited compliance with those ceilings. In Jordan, amendments introduced to the Election Law in 2016 included spending ceilings linked to the number of voters in the district and required candidates to disclose funding sources, but practical implementation faced challenges because of the spread of political money and vote-buying. In Tunisia, after the revolution, the Independent High Authority for Elections adopted a stricter system, imposing maximum spending limits and introducing partial public funding for parties and candidates, alongside mandatory disclosure of donations and a ban on foreign funding. Even so, oversight reports showed that some parties resorted to circumvention through undeclared funding or informal support networks. In Morocco, the law established spending ceilings and required candidates to submit detailed financial statements, while granting the Ministry of the Interior broad oversight powers, but criticism focused on limited transparency and the weak independence of the oversight body. In general, most Arab states have adopted legal provisions setting spending ceilings and requiring disclosure of funding sources, yet the greatest challenge has remained practical implementation, as independent oversight mechanisms are weak and undeclared political money continues to affect the integrity of the electoral process[10].

With regard to electoral media and advertising, both constitute central instruments in shaping the political landscape and reshaping public opinion. Media is the principal gateway for influencing voters, even outside the narrow formal campaign period, since it is through media that the public perceptions of candidates and political parties are constructed and the discourse that generates supportive or hostile public opinion is produced, ultimately shaping the electoral behaviour of the electorate. Electoral advertising likewise plays a central role in intensifying this effect through direct promotional messages that target the public and reproduce the image of the candidate or political party. Consequently,

9- Ramírez, María. "New Corruption Scandal, Same Old Story? Why Spanish Politics Keeps Failing to Clean Up Its Act." *The Guardian*, 25 June 2025. Available at: https://www.theguardian.com/commentisfree/2025/jun/25/spain-corruption-scandals-pedro-sanchez

10- International IDEA. *Political Finance Database*. Available at: https://www.idea.int/data-tools/data/political-finance-database

access to media outlets—or deprivation of such access—effectively determines, in practical terms, who is able to convey their message, and thus who has a greater chance of dominating the political scene and reaching power.

Given that electoral media and advertising require substantial financial resources, it is impossible to separate them from electoral spending. Advertising is the clearest expression of expenditure: it translates money into political presence through the purchase of media space, the production of campaign materials, and the financing of digital campaigns, which today have become even more influential than traditional means. Conversely, the scale of spending determines the extent to which candidates and parties can reach the public and therefore shape and direct public opinion. This organic relationship means that any attempt to regulate electoral media remains incomplete unless accompanied by precise spending controls, and vice versa: controlling finance alone is insufficient if advertising is left without clear rules, just as regulating advertising without oversight of funding sources remains a purely formal measure.

In this sense, media, advertising, and spending are interrelated fields of influence that form an integrated system in which each element feeds the others and directly affects the integrity of the electoral process and equal opportunity among competitors. With the development of digital media and the rise of the internet, smartphones, and social media platforms, this relationship has become even more complex, as financing has increasingly enabled precise audience targeting while rendering oversight and regulation exceedingly difficult. This creates new challenges relating to transparency and disinformation and highlights the need for a comprehensive approach that combines the regulation of traditional media with oversight of digital campaigns.

In Western democracies, legislation recognized this interdependence from the mid-twentieth century onward, introducing rules that limit the volume of paid advertisements, provide equal free airtime, and connect those measures to overall spending ceilings. With the spread of television from the 1950s onward, media became an integral part of the democratic process, and laws sought to guarantee equal opportunity among candidates by regulating access to media. In France, since the 1990s, paid electoral advertising on television and radio has been prohibited, while parties have been granted equal free airtime on public channels in order to prevent wealthy parties from dominating the media landscape and to guarantee equal opportunity. However, with the expansion of social media, new challenges relating to transparency and disinformation have emerged, as digital campaigns have become a principal tool for influencing voters. The project **"Who Targets Me"** seeks to reveal the nature of political advertising on digital platforms, yet France remains a unique case among Western democracies because it still prohibits traditional advertising, which means that the debate today centres on

how to regulate modern digital campaigns and ensure their integrity[11]. In the United Kingdom, an independent body[12], **Ofcom**, was established to regulate media coverage and ensure impartiality, while in the United States the Federal Communications Commission **(FCC)** applies the "equal time" rule to guarantee equal opportunities for candidates. With the rise of digital media, oversight expanded to cover online campaigns and social media platforms, opening new debates around transparency and disinformation.

In Arab states, electoral media has been closely tied to the broader political context and to the degree of independence of media institutions. In Egypt, state media and private media aligned with the authorities continued to play a central role in shaping public opinion, with only limited attempts to regulate electoral coverage. In Tunisia, after the 2011 revolution, the Independent High Authority for Elections laid down clear rules for electoral media, including a ban on campaigning during the period of electoral silence and guarantees of balanced coverage. In Morocco and Jordan, the law provides for the regulation of advertising and media during campaigns, but oversight remained linked to executive authorities, prompting criticism over the limits of media neutrality.

With the development of modern media, the advent of the internet and smartphones, and the spread of social media platforms, electoral advertising has become more complex and more influential. Digital spaces have created unprecedented opportunities to reach voters, but they have also opened the door to new challenges such as disinformation, foreign-funded campaigns, and the use of algorithms to target specific groups. This transformation has further blurred the relationship between spending and advertising and has highlighted the need for a comprehensive approach that combines control of traditional funding with oversight of digital campaigns so as to guarantee the integrity of the electoral process and equal opportunity among competitors.

Alongside the complexities of social media, a new and unprecedented challenge has emerged in the accelerating use of Generative AI in electoral campaigns. These technologies—particularly deepfakes—have made it possible to fabricate highly convincing video and audio content involving candidates, thereby facilitating smear campaigns and the rapid spread of disinformation, especially during the critical hours preceding polling day or during the electoral silence period[13]. This development weakens voters' ability to distinguish between

11- Hoeckel, Miles. "In Conversation with VoxPublic, France | Election Monitoring Talks." *Liberties EU*, 14 November 2024. Availabe at: https://www.liberties.eu/en/stories/wtm-voxpublic-interview/45215

12- Ofcom. Section six: Elections and referendums, February 2024. Available at: https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/section-six-elections-referendums

13- National Conference of State Legislatures. "Deepfakes in Elections and Campaigns." *NCSL*, updated 5 June 2026. Available at: https://www.ncsl.org/elections-and-campaigns/artificial-intelligence-ai-in-elections-and-campaigns

truth and manipulation and requires the Lebanese legislator and the Supervisory Commission to anticipate these risks by adopting provisions requiring digital platforms and candidates to ensure full transparency, including watermarking, with respect to any advertising content generated or altered through artificial intelligence, in addition to building technical partnerships with major technology companies to ensure rapid response and the removal of misleading content before it affects the convictions of the electorate.

Who Administers Elections, Controls Campaign Spending, and Regulates Electoral Media and Advertising?

Responsibility for regulating the electoral process is often entrusted to electoral management bodies, extending not only to direct procedural aspects but also to oversight of electoral spending, the setting of financial ceilings, the control of expenditures, and the monitoring of media and the regulation of campaigns. This expansion of responsibilities relating to the regulation and administration of elections reflects a growing awareness that electoral integrity is not measured solely on polling day; rather, it begins from the moment campaigns are launched, when money and media play a decisive role in electoral competition, in shaping the voter sentiment, and in influencing the electoral process more broadly.

Comparative experience shows that electoral management bodies take various forms, including permanent bodies, temporary commissions, ministries, or specialized judicial institutions. In South Korea, for example, a central commission is appointed for a six-year term under a balanced formula involving the President, Parliament, and the judiciary. In Bulgaria and Iceland, the model differs from systems that rely on a permanent central electoral body, as certain core tasks are assigned to official statistical authorities (for preparing voter rolls) or to the judiciary for deciding electoral disputes, particularly at the challenge and appeal stages. This model, which distributes responsibilities between statistical authorities and the judiciary, has the advantage of drawing on existing and well-established institutions. Accordingly, the integrity of elections in Bulgaria and Iceland depends to a large extent on the strength of the judiciary and the reliability of statistical authorities, more than on the existence of a permanent and independent electoral management body. Temporary bodies are generally less costly and more flexible, but they suffer from the loss of "electoral memory" and the inability to build cumulative expertise. Permanent bodies, by contrast, despite their higher cost, offer continuity, better training, and more professional management of the electoral process. There are also mixed models that combine partisan representation and independence, or that are directly linked to the judiciary, as in Brazil and Romania, or administered through ministries, as in Algeria and Belgium. Some bodies are partisan or mixed in composition, which may enhance representation and create

a sense of inclusiveness, but at the same time opens the door to obstruction in decision-making or the dominance of major parties over the course of proceedings. The challenge, therefore, does not lie only in the institutional form of the body, but also in its ability to exercise its functions independently and professionally and to build public trust so that it becomes a genuine reference point for safeguarding the integrity of the electoral process[14].

The French model of election administration is based on a clear separation between administration and oversight. The Ministry of the Interior is responsible for organizing the electoral process from an administrative and logistical standpoint, including preparing the electoral rolls, setting up polling stations, and overseeing the conduct of the process until the announcement of the preliminary results. By contrast, the National Commission for Campaign Accounts and Political Financing carries out a wholly independent function focused on monitoring electoral spending and ensuring the transparency of political financing, through reviewing the accounts of candidates and parties and imposing sanctions in cases of violations. This separation reflects France's commitment to strengthening integrity by distributing roles between a governmental administrative body and a specialized independent authority[15].

Similar models can be found in other countries such as Mexico, where the National Electoral Institute administers the electoral process, while the Federal Electoral Tribunal is responsible for deciding disputes and appeals. In Argentina, the Ministry of the Interior organizes the elections, while the National Electoral Court is responsible for setting general policy and adjudicating disputes. These dual models highlight the importance of combining a strong administrative body with an independent oversight or judicial institution, so that elections may be both well-administered and transparent.

In Canada and Brazil, however, a different model exists, one based on combining functions within a single institution. In Canada, Elections Canada combines administration with oversight of financing and media[16], while in Brazil the Superior Electoral Court both administers the process and adjudicates disputes[17]. This consolidation gives these bodies significant institutional strength, but it also places a heavier burden upon them. By comparison, the French and Mexican models offer

14- ACE Electoral Knowledge Network. "Scope of Powers." *ACE Project: Electoral Management.* Available at: https://aceproject.org/main/english/em/emc.htm

15- Elections - Ministère de l'Intérieur and the official website of the National Commission for Campaign Accounts and Political Financing https://cnccfp.fr/

16- Elections Canada. "The Role and Structure of Elections Canada." *Elections Canada*. Available at: https://www.elections.ca/content.aspx?dir=role&document=index&lang=e&section=abo

17- Superior Electoral Court. "Structure." *The Court of Democracy: Superior Electoral Court*. Available at: https://international.tse.jus.br/en/superior-electoral-court/structure

examples of a distribution of roles among multiple institutions, thereby enhancing balance and limiting the risks of politicization or weak oversight.

A common assumption is that independent bodies are necessarily preferable to ministries in managing electoral processes. However, such a conclusion cannot be stated categorically. The effectiveness of any body is not determined by its formal nature alone, but rather by the extent of the powers granted to it, the professionalism and competence of its staff, its independence from political decision-making, and its impartiality vis-à-vis competing parties. These elements may be present in an independent body or absent from it; likewise, they may be present in a ministry or absent from it. What remains essential to ensuring electoral integrity is the existence of a strong judiciary capable of resolving disputes, a well-established democratic culture among parties and within society, and robust oversight mechanisms governing campaign finance and media conduct.

Whatever their form, electoral management bodies are not merely neutral administrative organs; they are part of a broader system intersecting with oversight of campaign spending and political media. The existence of an independent and permanent body enables it to monitor campaigns, control financing, and oversee media coverage, thereby strengthening transparency and limiting manipulation. Accordingly, the debate over the nature of the body cannot be separated from its role in safeguarding the integrity of electoral campaigns and regulating their relationship with money and media. In this context, independence and professionalism remain central to the work of electoral management bodies. The true standard lies in the extent to which these bodies are able to appoint qualified personnel, secure an independent budget, and exercise clearly defined powers under the rule of law, alongside cooperation with a strong and independent judiciary within a state governed by law, thereby providing a safeguard against political interference and electoral manipulation. Yet however solid these guarantees may appear, they are not sufficient on their own, since such bodies may still be accused of bias or weakness if they do not enjoy public confidence.

In conclusion, the type of electoral management body cannot, by itself, be considered a sufficient measure of the integrity of the electoral process. Genuine integrity stems from an integrated combination: a professional and independent body, strict oversight of spending and media, a strong judiciary capable of deciding disputes, and a well-established democratic culture among both citizens and political parties. Only such a balance can ensure that elections are a genuine instrument of democratic expression, rather than merely a formal procedure.

Chapter Two

The Lebanese Experience in Attempts to Control Electoral Spending and Regulate Electoral Media and Advertising

Lebanon's experience in addressing the twin issues of electoral spending and electoral media and advertising came late compared with many countries that had introduced such controls decades earlier. The electoral laws enacted between 1992 and 2005 focused exclusively on constituency delimitation and the adoption of the majoritarian system, and contained no provisions regulating political finance or electoral media. This delay was compounded by the absence of a dedicated legal framework governing political parties and regulating their financing and spending both during and outside electoral periods. Although Lebanon had a law regulating audiovisual media (1994), a Publications Law (1962), and provisions in the Penal Code criminalizing vote-buying and electoral bribery, these texts remained fragmented and incoherent. This produced a fragile legal framework that allowed unregulated financial and media influence to persist and entrenched inequality among candidates in terms of their ability to reach voters.

The shift began with Law No. 25/2008, which represented the first attempt to introduce oversight mechanisms for electoral campaigns. It established a spending ceiling, required candidates to open a dedicated campaign bank account and submit detailed financial statements, and laid down rules governing electoral media and advertising, including equality in media appearances and the regulation of opinion polls. This step marked a transition from a phase of "legislative vacuum" to the initial construction of a framework for transparency and accountability. The law also established a body to supervise electoral campaigns, specifically tasked with monitoring these two areas.

Later, Law No. 44/2017 was enacted, introducing proportional representation for the first time in Lebanon, which was regarded as a qualitative shift in the country's electoral structure compared with previous laws based on the majoritarian system. Yet despite its importance, this law largely reproduced the provisions on spending and media found in Law No. 25/2008, with only limited expansion of the powers of the Supervisory Commission for Elections. That Commission remained financially and administratively tied to the Ministry of Interior, which curtailed its independence and its ability to exercise effective oversight, a weakness reflected in the poor practical enforcement of the oversight provisions.

In addition, the law was adopted at a time when the use of social media as a principal campaign tool was expanding at an unprecedented pace, yet it did not address these issues at all. It retained the same controls that could be applied to traditional media such as the print press, radio, and television, without creating any legal framework to regulate digital campaigning or sponsored advertising on online platforms. This legal vacuum allowed electoral discourse to spread widely through the digital sphere without controls and enabled political forces to use new tools to influence voters outside the reach of official oversight.

First: The Supervisory Commission for Elections

Since the establishment of the Supervisory Commission for Elections in Lebanon in 2008, it was clear that the declared objective was to introduce new standards of oversight over media and electoral spending in line with international standards. Yet practical experience quickly revealed that the Commission had been created more to satisfy formal requirements than to serve as an effective tool for safeguarding the integrity of the electoral process. The absence of legal and financial independence, together with its direct link to the Ministry of Interior, left it unable to exercise its powers effectively, while the legal provisions themselves remained vague and incapable of practical application.

Law No. 44/2017 attempted to give the Commission a more permanent character and added a representative from civil society, but it failed to address the core problem: the absence of political will to activate oversight. The Commission remained confined to monitoring media and spending, without executive tools or judicial powers. With every electoral cycle, the same pattern recurs: statements and decisions that merely remind actors of the law, referrals to the judiciary that do not translate into accountability, and a complete absence of deterrent measures against major violations such as vote-buying or campaigning inside polling centres.

The 2018 and 2022 elections exposed this incapacity starkly. The same Commission continued operating because no new one had been formed, amid

funding crises, staff shortages, and delays in appointments. Even when it referred hundreds of violations to the judiciary, no practical steps followed, making it little more than a "toothless body." The economic crisis and the widespread reliance on a cash economy only worsened matters, rendering the monitoring of electoral spending and the control of political finance almost impossible.

The Commission also suffered from chronic weakness in its human and financial capacities. The number of media monitors did not exceed thirty-three, and they were appointed only shortly before polling day with external support, while Commission members continued to receive salaries in rapidly depreciating Lebanese pounds. The absence of a permanent headquarters, electricity outages, and delays in equipping the monitoring centre all hampered its work. Moreover, the lack of legal personality and an independent budget deprived it of any executive or judicial authority, so its role was limited to documentation, warnings, and referrals to the competent authorities—which in turn did nothing.

Legal loopholes further deepened the Commission's inability to act. The continued secrecy of the bank accounts of parties and candidates obstructed oversight of spending, while the law imposed an unrealistic deadline for reviewing hundreds of financial statements within thirty days, something impossible given the lack of resources. The Commission's reports were also superficial in comparison with those issued by civil society organizations such as the Lebanese Association for Democratic Elections, as it limited itself to documenting certain violations without taking deterrent measures or transparently publishing the names of violators. The Commission also entered into a sterile and pointless dispute with Maharat Foundation, a case that revealed an important aspect of the Commission's relationship with civil society organizations. Under Article 20 of the election law, qualified organizations are entitled to monitor elections after obtaining formal accreditation from the Commission, in order to guarantee neutrality, independence, and transparency in funding. Yet such accreditation is necessary only for entering polling stations and official committees—that is, for observing the electoral process directly on polling day—and does not extend to any research centre, media outlet, or civil society organization that follows electoral affairs without needing to enter polling stations, as is the case with Maharat, which monitors election campaigns from a media perspective.

However, during the 2022 elections, the Commission considered that Maharat's activities in monitoring media performance and the distribution of media space among candidates, including women and independent candidates, fell within the scope of Article 20 and therefore required formal accreditation, even though these activities did not require entry into any official premises and could not be considered part of field observation. This interpretation amounted to a restriction on the freedom of organizations to issue analytical reports on the media, something that had not previously required accreditation.

The correspondence between Maharat and the Commission took on a public character and was circulated in the media, with each party holding firmly to its position. The Commission did not, however, enter into a direct legal dispute with the organization, while Maharat received support from the Electoral Reform Coalition, which endorsed its right to exercise independent media monitoring. Yet this episode highlighted the conceptual limits of the Commission's understanding of its role, and how its interpretations could be used to restrict the work of civil society rather than support it. This reflects the fragility of Lebanon's legal and oversight framework and confirms that independent media monitoring remains essential to safeguarding transparency in the electoral process.

At its core, the experience of the Supervisory Commission for Elections shows that the problem lies not only in the legal texts themselves, but also in the political structure that empties those texts of substance. The political authority that appoints the Commission's members and controls its resources is itself the principal beneficiary of the absence of effective oversight. The result is a largely formal body used to confer legitimacy on the electoral process in the eyes of the international community without changing realities on the ground.

In short, the Commission embodies a "halfway" practice: broad powers on paper, but limited effectiveness on the ground. This contradiction entrenches political money and clientelism as structural features of the electoral scene and leaves democracy in Lebanon trapped between unenforced legal texts and the authority that monopolizes the instruments of oversight and accountability. Any serious reform cannot be limited to amending the election law; it must include the construction of an integrated system of oversight and accountability that guarantees the Commission's independence, grants it executive and judicial powers, and puts an end to the impunity that has become the rule rather than the exception[18].

Second: Electoral Spending and Media in Election Law No. 44/2017[19]

Chapter Five of Law No. 44/2017 provides a guiding framework for the regulation of campaign finance and media in elections and reveals the spirit the legislator sought to establish in this field. Its provisions do not merely define spending ceilings or funding mechanisms; they also seek to entrench the

18- Georgia Daher, Sami Atallah, Wissam Maktabi, and Zeina El Helou. Tomorrow's Policies Initiative Report, A Roadmap Towards Fair and Competitive Elections in Lebanon, February 2023. Available at: https://api.thepolicyinitiative.org/content/uploads/files//TPI_Elections_Report_For_Publishing_V12_23_03_23.pdf

19- Elections of members of parliament law no. 44 issued on 17 June 2017. Available at: https://shorturl.at/u1AZf

principles of transparency, accountability, equality, and equal opportunity in the electoral process through an interconnected set of rules.

First, the law begins with a broad definition of campaign funding and electoral contributions (Articles 56 and 57), treating any gift, donation, loan, financial payment, or in-kind contribution as a contribution subject to oversight. This broadening of the definition reflects the legislator's desire to close loopholes that could be used to circumvent the law and confirms that every financial or in-kind resource entering a campaign must be disclosed and monitored.

Second, the law defines precisely what constitutes electoral expenditure (Article 58), listing in detail such items as offices, gatherings, rallies, campaign materials, advertisements, and opinion polls. This broad list reflects the supervisory spirit of the text, as the legislator sought to create a comprehensive framework preventing candidates from concealing expenditures under alternative labels and ensuring that everything spent for the benefit of the campaign falls within the prescribed ceiling.

Third, the law makes it mandatory to open a dedicated bank account for the campaign (Article 59) and lifts bank secrecy from that account, thereby entrenching the principle of financial transparency. It also requires the appointment of an independent auditor and obliges candidates and electoral lists to submit periodic monthly statements (Article 63), culminating in a comprehensive financial statement after the elections (Article 64). These mechanisms reflect the underlying logic of the text: transforming electoral campaigns into a financial process open to audit and review, much like companies or institutions.

Fourth, the law imposes clear spending ceilings (Article 61), combining a fixed component with a variable component linked to the number of voters, along with a separate ceiling for electoral lists. This reflects an attempt to strike a balance between electoral fairness and practical realities, so that the field is not left open to unlimited spending that would entrench inequality.

Fifth, the law explicitly criminalizes the provision of services or cash to voters during the campaign period (Article 62), treating such conduct as electoral bribery under Article 65. This strictness reflects the ethical spirit of the text, which aims to protect the electoral process from direct corruption and short-term clientelism. Yet the law itself opens a dangerous loophole when it exempts benefits and assistance that candidates or institutions affiliated with them have been providing on a regular basis for more than three years before the start of the campaign.

This exception, although ostensibly intended to avoid cutting off ongoing social assistance, in practice legalizes long-term clientelism and turns it into a lawful practice, as it allows candidates to use the service networks and resources they provide continuously as a tool to strengthen their political influence. In this way, the law becomes a tool for regulating clientelism rather than curbing it, and encourages the continued provision of services for political purposes under the guise of social or charitable work.

The legislative spirit here reveals a fundamental contradiction: on the one hand, the legislator seeks to prohibit direct electoral bribery and to protect the integrity of the process; on the other hand, it legitimizes influence built on ongoing services, thereby reproducing inequality among candidates and weakening the prospects for fair competition. This legal loophole helps explain why political money and clientelist services have remained structural features of Lebanese elections despite the existence of strict provisions on paper.

Finally, the law establishes a regime of financial and criminal sanctions (Articles 65–67), including daily fines for delays in submitting financial statements, fines amounting to twice the value of overspending, and the classification of some violations as criminal offenses. These sanctions are not merely deterrent tools; they are part of the law's philosophy, which seeks to make compliance with transparency and disciplined spending a basic condition for participation in the electoral process.

As for electoral media and advertising, Chapter Six of the law lays down a comprehensive legal framework governing this sector during election campaigns. It begins by defining key terms such as electoral media, which includes news and free programmes relating to elections; electoral propaganda, which is produced at the request of candidates and broadcast for payment; and electoral advertising, which appears within commercial media space. All of these fall under the provisions of the law from the date candidacies are submitted until the closing of the ballot boxes.

The law requires media outlets wishing to participate in electoral propaganda or advertising to submit in advance a declaration and a price list, and obliges them to be transparent in displaying paid advertisements and identifying the party that requested them. It also prohibits free or undeclared advertising and requires candidates to submit copies of campaign materials to the Commission before they are broadcast. The Commission determines the maximum permitted media space and its fair distribution and monitors media outlets' compliance with neutrality and fairness in offering opportunities to candidates. With regard to coverage of polling and counting, media outlets wishing to participate must obtain written authorization from the Commission and comply with the code of conduct laid down by it.

The law also guarantees candidates free access to official media in accordance with a programme organized by the Commission, with full neutrality required. Private media, meanwhile, are prohibited from declaring support for any candidate or list and are required to distinguish between facts and opinions, refrain from defamation, sectarian incitement, and the broadcast of misleading information, and devote three hours per week to election-related voter education programmes.

With regard to posters and advertisements, the law provides that local authorities shall designate specific locations for posting election images and materials, and it prohibits posting outside those spaces or assigning them to another party. It also prohibits the use of public facilities and places of worship for campaign purposes and bars public officials from promoting candidates or distributing election leaflets. On polling day, electoral silence is imposed, prohibiting the broadcast of any propaganda or advertising from the preceding day until the closing of the ballot boxes, while media coverage is limited to reporting on the course of the electoral process.

As for opinion polls, the Commission determines the rules and procedures necessary to ensure their credibility and neutrality and sets the conditions for the publication or broadcast of their results. When results are published, they must be accompanied by essential information such as the entity conducting and funding the poll, the date of the poll, the sample size, the methodology used, and the questions asked. The publication or broadcast of any poll is prohibited during the ten days preceding election day and until the closing of the ballot boxes.

The law also grants the Commission powers relating to sanctions and fines, including the power to issue warnings, require a media outlet to broadcast an apology, or grant a right of reply to the affected candidate. Violations may also be referred to the Publications Court, which may impose substantial financial penalties or suspend the media outlet partially or fully for a limited period. As for polling institutions, fines ranging from ten to twenty-five million Lebanese pounds may be imposed, and the penalty is doubled if the violation occurs during the period of electoral silence. Anyone harmed by a violation is entitled to seek damages, and media outlets are required to broadcast corrections and replies submitted by candidates or electoral lists within twenty-four hours of the relevant news item, while retaining the right to refuse a reply if it is unlawful.

Third: Lebanese Parliamentary Elections — the Chronic Gap Between Legal Texts and Implementation

The Lebanese parliamentary elections held on 15 May 2022 marked a pivotal moment in the country's political life, as they took place against the backdrop of an unprecedented economic and financial crisis, the collapse of the banking system, and a sharp decline in citizens' trust in public institutions. This erosion of trust did not arise overnight; rather, it had accumulated since the outbreak of a popular uprising in late 2019 in response to the rapid collapse of the Lebanese pound against the dollar, and the worsening succession of crises that followed: the Beirut Port explosion in August 2020, the medicine crisis, the fuel crisis, and other social and economic hardships that deepened the state of general collapse.

Although the mere holding of the elections on time was regarded as an achievement in itself under such conditions, monitoring reports issued by local and international organizations highlighted structural shortcomings in financing, media, and oversight. This revealed a deep and chronic gap between the legal texts—which the legislator had intended to serve as a framework for transparency and accountability—and practical implementation, which remained incapable of delivering electoral justice.

Since the enactment of Law No. 25/2008, and later Law No. 44/2017, which largely preserved the same substance with respect to controlling electoral spending and regulating electoral media and advertising, the legal framework appeared, at least on paper, to represent a qualitative advance by establishing clear rules for spending and electoral media. Yet the gap between legislation and practice remained chronic. The law established an integrated framework of transparency and accountability, including the mandatory opening of a dedicated campaign bank account exempt from bank secrecy, the appointment of an independent auditor, and the submission of periodic monthly statements culminating in a comprehensive financial statement after the elections. It also laid down precise spending ceilings and imposed financial and criminal penalties on violators, in addition to regulating electoral media and propaganda within a strict legal framework.

However, this framework remained to a large extent purely formal, as the Supervisory Commission for Elections lacked, from its inception, institutional independence and sufficient human and financial resources, leaving it unable to perform its oversight role effectively. Its powers remained limited and were, in most cases, confined to issuing general statements or warnings, without the ability to impose sanctions or pursue violators before the courts. This structural weakness made the legal provisions closer to a declaration of intent than to binding oversight tools, while political money, evident media bias, and cash expenditure

outside the banking system remained enduring features of the electoral scene in every electoral cycle.

The elections of 2018 and then 2022 showed that this gap is not incidental but structural. The same violations recurred: vote-buying, the direct provision of services to voters, exceeding spending ceilings without any real capacity to monitor such spending, the exploitation of private media in favour of traditional political forces, and chronic impunity reflected in the Commission's inability to impose any meaningful controls. At the same time, the Commission proved incapable of holding violators accountable or imposing the sanctions provided for by law, thereby emptying the legal provisions of their substance and leaving practice captive to clientelism and political money. It may therefore be said that the law entrenched a purely formal framework of transparency and accountability, while practical implementation remained incapable of achieving the equality and electoral justice that the legislator intended.

More specifically, the report of the Lebanese Association for Democratic Elections (LADE) noted that Law No. 44/2017 had established strict rules on campaign spending, including the opening of a dedicated campaign bank account and the lifting of bank secrecy from it. Yet most of these accounts remained empty, while campaign expenditure took place in cash outside the banking system, rendering oversight nearly impossible[20]. The Association also documented the continued prevalence of vote-buying and the direct provision of services to voters, thereby weakening the principle of equal opportunity. It further highlighted the legal loophole allowing assistance that had been provided for more than three years before the election to continue, considering that this effectively legalized long-term clientelism rather than curbing it.

The law also required media outlets to submit rate cards in advance, to abide by neutrality, and to refrain from free or undeclared advertising. Yet monitoring reports showed that private media did not comply with the principle of equal opportunity, and violations were recorded in propaganda and advertising, in addition to widespread breaches of the electoral silence period. Maharat's study, for its part, showed that traditional parties captured 95% of news coverage, while emerging political forces received only 5%. Talk shows were also marked by a "single-guest" format, which reduced opportunities for debate and pluralism. Women and female candidates received only marginal visibility, not exceeding 5%. The study further noted that official voter-education programmes accounted

20- LADE. Report on the Parliament elections of 2022 https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/558554fe-7eb4-4ffb-a008-ab3977cad1af/%D8%AA%D9%82%D8%B1%D9%8A%D8%B1-%D9%85%D8%B1%D8%A7%D9%82%D8%A8%D8%A9-%D8%A7%D9%84%D8%A7%D9%86%D-8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D9%86%D9%8A%D8%A7%D8%A8%D9%8A%D8%A9-%D9%84%D8%B9%D8%A7%D9%85-2022.aspx

for no more than 0.13% of media coverage, and that no content was produced specifically for persons with disabilities[21].

The general spirit of the legal text, as reflected in Chapters Five and Six of Election Law No. 44/2017, is built on the principles of transparency, equality, and accountability by transforming electoral campaigns into an organized financial process subject to scrutiny and review. Yet this spirit remained limited in practice due to the weak independence of the oversight body and the economic crises that made cash expenditure outside the banking system the norm, particularly in the 2022 elections. The crisis of controlling electoral spending thereby worsened in an unprecedented manner, as the elections took place amid the collapse of the exchange rate and a severe monetary and economic crisis, with banks ceasing to repay deposits and trust in the financial sector sharply declining. This reality pushed electoral campaigns toward almost complete reliance on cash liquidity rather than bank accounts, making any attempt to monitor spending little more than an illusion, especially given the Commission's inability to impose real oversight or obtain accurate information from candidates and electoral lists. Reports indicated that the financial crisis increased clientelism and dependence on political money to secure essential services such as health care, education, and fuel, thereby reinforcing the influence of traditional political forces at the expense of independent candidates[22]. The weak funding allocated to the Commission and the delay in approving the election budget also limited its ability to carry out its oversight functions[23].

In a report published by Tomorrow's Policies Center on the 2022 elections, an entire chapter was devoted to evaluating the Commission's performance. It concluded that the Commission had failed to ensure compliance with the election law during the elections, as it lacked independence and sufficient resources and was therefore unable to exercise its oversight role effectively. Although the law granted it powers to monitor electoral spending and media, those powers remained purely formal. The Commission had no authority to impose sanctions directly; its role was limited to referring violations to the judiciary, which rarely acted. The law requires candidates to open a special bank account for their campaign, subject to Commission oversight, but that oversight is extremely limited. Candidates' personal accounts and political parties' accounts remain protected by the bank secrecy law, preventing the Commission from examining them or monitoring what occurs in them. More importantly, the Commission cannot monitor funds spent outside the banking system—and those funds constituted

21- Maharat. The Electoral Media Performance During the Parliamentary Elections 2022. Available at: https://maharatfoundation.org/TVcoverage_ParliamentaryElections2022

22- LADE. Report on the Parliament elections of 2022

23- UNDP. 2022 Lebanese Parliamentary Elections, Milestones and Lessons Learned. Available at: https://www.undp.org/sites/g/files/zskgke326/files/2022-12/Lessons%20Learned_WEB_EN.pdf

the principal source of campaign finance in the context of the banking sector's collapse. This reality enabled candidates to spend unlimited sums and engage in clientelist conduct without any real accountability, while the Commission's role remained purely formal and limited to monitoring empty or unused bank accounts. The result was that electoral spending took place largely outside any oversight framework, thereby undermining the principle of transparency and equality among candidates.

The report also emphasized that the Commission is temporary in nature and tied only to electoral cycles, preventing it from building institutional memory or developing long-term capacities. Its composition and the mechanism for appointing its members left it vulnerable to political influence, which undermined its independence. In the field of media, it was tasked with ensuring equal opportunity among candidates, but it failed to impose balance, as media outlets continued to serve traditional political forces, while independent candidates and emerging groups remained almost entirely absent from coverage.

As for financial transparency, candidates were required to submit financial reports to the Commission, but compliance was weak, and the Commission lacked the technical and human capacity to review or audit these reports, leaving campaign spending effectively outside any serious oversight.

In short, the report considered that the Supervisory Commission for Elections had become a formal apparatus incapable of enforcing the law or protecting the integrity of the electoral process, and that its structural failures contributed to the entrenchment of political money, the absence of media equality, and weak financial transparency, leaving elections vulnerable to repeated violations without accountability[24].

Fourth: The Legal Infrastructure Complementing the Election Law

Alongside the election law itself (Law No. 25/2008 and then Law No. 44/2017), there is a broader body of complementary legislation that affects the electoral process directly or indirectly and reveals structural gaps in the wider legal framework. These gaps relate in particular to the regulation of media and advertising, curbing the influence of political money on the shaping of public opinion, and the regulation of political parties, their financing, and the framing of their activities within the law, in a manner that preserves freedom of political action while ensuring integrity, transparency, and equal opportunity.

Although the election law includes provisions aimed at imposing oversight over

24- Georgia Daher, Sami Atallah, Wissam Maktabi, and Zeina El Helou. Tomorrow's Policies Initiative Report, A Roadmap Towards Fair and Competitive Elections in Lebanon, February 2023. https://api.thepolicyinitiative.org/content/uploads/files//TPI_Elections_Report_For_Publishing_V12_23_03_23.pdf

media and electoral spending and regulating the political activity of parties and activists during the electoral period, the weakness of the surrounding legal infrastructure makes these provisions difficult—if not impossible—to implement.

Any election law that seeks to enshrine the integrity, transparency, democratic character, and equal opportunity of elections requires a complementary and integrated legal infrastructure, including, for example:

1. **The Publications Law**[25], issued in 1962, which regulates the print press but does not impose clear restrictions on the ownership of media institutions or on political financing linked to them. This has allowed newspapers owned by parties or political figures to continue dominating the media landscape and has weakened the principle of neutrality in coverage.

2. **The Television and Radio Broadcasting Law**[26], issued in 1994, which regulates television and radio broadcasting and requires licenses from the Ministry of Information. In practice, however, these licenses are often granted on sectarian and political grounds, entrenching media monopolies directly linked to political and sectarian forces and weakening the independence of media institutions. Although the election law requires neutrality in coverage during election campaigns, the audiovisual law does not impose strict controls on political content outside the electoral period, which weakens the effectiveness of oversight and allows indirect campaigning to continue throughout the year, reinforcing the role of media as an instrument of political influence rather than an independent public space.

3. **The absent law regulating online media**, since there is still no comprehensive legal framework regulating online media and social media platforms in Lebanon. This legislative vacuum allows digital campaigns—including sponsored advertisements and targeted messaging—to operate in an unregulated manner, without any oversight or transparency. This reality allows political money in the digital sphere to freely influence the shaping of public opinion, in the absence of legal or technical tools capable of controlling it. The Supervisory Commission for Elections also lacks the powers and means necessary to monitor this field, despite its growing influence on voters and on the course of the electoral process. This is compounded by the control exercised by the companies operating the platforms themselves, which may be politically or commercially biased, whether through distribution algorithms or through sponsored-ad policies, thereby deepening inequalities in equal opportunity

25-The Publication Law of 14/09/1962 Available at: http://77.42.251.205/Law.aspx?lawId=257669

26- The Television and Radio Broadcasting Law no. 382 of 04/11/1994. Available at: http://77.42.251.205/Law.aspx?lawId=194151

and making digital campaigns vulnerable to manipulation. According to a 2023 study on the growing role of social media in electoral campaigns[27], these platforms now play a central role in campaigns and have become the principal tool of political propaganda as traditional media has declined. They enable candidates and parties to reach voters directly without mediation by the press and use micro-targeting techniques through algorithms to deliver messages tailored to each segment. They also rely heavily on mobilizing emotions such as fear, anger, or pride to ensure the rapid circulation of content. Yet this transformation carries serious risks, most notably the spread of misleading news and conspiracy theories and the deepening of polarization within societies. In the Lebanese and Arab context, where trust in traditional media is weak and oversight over digital campaigns is limited, social media becomes a principal arena for shaping public opinion—but also a channel for entrenching divisions and misleading voters.

4. **The Penal Code**, which criminalizes bribery and electoral corruption but at times conflicts with exceptions entrenched in the election law itself. Articles 329 to 334 of the Lebanese Penal Code summarize the provisions relating to offenses linked to civil rights and elections: they begin by punishing any attempt to prevent citizens from exercising their rights and duties, with aggravated penalties where the offence is committed by more than three armed persons or within a comprehensive plan (Articles 329 and 330); then move to criminalizing influence over voters' choices through intimidation or inducement by benefits, and punishing anyone who offers or receives such benefits (Article 331)[28]; they deprive a public employee who abuses authority in this context of civil rights (Article 332)[29]; and they intensify penalties for anyone attempting to alter election results, especially if he or she is a member of the polling staff (Article 333)[30]. Thus, the Lebanese Penal Code clearly contains provisions aimed at protecting the integrity of the electoral process by criminalizing the prevention of citizens from exercising their rights and by imposing harsher penalties for intimidation, vote-buying, or manipulation of results, with heavier penalties if the perpetrator is a public official or a member of the polling staff. Nevertheless, election-monitoring reports show that these violations continue to recur in practice, revealing a gap between the legal text

27- Ralph, Baydoun. "Social Media as a Primary Tool in Electoral Propaganda," *Al Rawiya*, 22 March 2023. Available at: https://al-rawiya.com/social-media-as-a-primary-tool-in-electoral-propaganda/

28- The Lebanese Penal Code and its amendments, enacted by Legislative Decree No. 340/1943. Available at: http://77.42.251.205/LawArticles.aspx?LawArticleID=1012928&lawId=244611

29- The Lebanese Penal Code and its amendments, enacted by Legislative Decree No. 340/1943, Article 332. Available at: http://77.42.251.205/LawArticles.aspx?LawArticleID=984399&lawId=244611

30- The Lebanese Penal Code and its amendments, enacted by Legislative Decree No. 340/1943, Article 333 Available at: http://77.42.251.205/LawArticles.aspx?LawArticleID=984400&lawId=244611

and actual compliance and posing an ongoing challenge to ensuring fair and transparent elections.

5. **The Political Parties Law — entirely absent**, which constitutes a major legislative vacuum, since parties are still treated under the Ottoman Associations Law of 1909 as though they were ordinary associations. This deficiency weakens oversight over funding sources, leaves the field open to unregulated political money, and reinforces the continued dominance of traditional and sectarian forces over political life. Without a modern legal framework imposing transparency and accountability and ensuring internal democratic practices, parties remain unable to renew themselves or open the door to broader participation by youth and women, thereby entrenching political stagnation and obstructing any real reform[31].

6. **The Code of Money and Credit**[32], issued in 1963, which intersects indirectly with the election law by providing, through Banque du Liban (Central Bank), oversight tools for tracking accounts and financial transactions, while the election law sets the rules and ceilings relating to spending. Law No. 13513/1963 established Banque du Liban (Central Bank) and granted it broad powers to regulate the banking system and control the movement of funds, and these powers constitute the basis for any effective oversight of electoral spending. Law No. 44/2017 requires candidates to open a bank account dedicated to the campaign and sets spending ceilings, making implementation of this provision practically dependent on the ability of banks, under the supervision of Banque du Liban (Central Bank), to monitor accounts and ensure that spending takes place through official channels. Yet the financial crisis after 2019 and the weak enforcement of controls over cash flows meant that most electoral spending took place in cash outside the banking system, weakening the effectiveness of the election law and depriving the Supervisory Commission for Elections of the ability to use Banque du Liban's (Central Bank) tools to uncover violations.

7. **The Bank Secrecy Law**, issued in 1956, which was one of the main pillars of the Lebanese financial system, as it protected the confidentiality of

31-"Good Governance in Political Parties: Current and Required Legislation," Konrad Adenauer Stiftung, Rule of Law Programme Middle East and North Africa, in cooperation with the Observatory of Civil Service and Good Governance at Saint Joseph University, December 2023. Available at: https://www.kas.de/documents/265308/22468908/USJ+Policy+Paper+English.pdf/9cbad417-1b7c-f6e9-da1b-34278951263e?version=1.0&t=1705439575117

32- The Code of Money and Credit, enacted by Decree No. 13513 of 01/08/1963. Available at: https://www.bdl.gov.lb/CB%20Com/Laws%20And%20Regulations/Laws/Law_13513_AR%C2%A74_1.pdf

bank accounts and limited access to them to specific cases. Yet despite its role in bolstering confidence in the banking sector, it later came to be regarded as an obstacle to transparency and accountability, especially with regard to political and electoral financing. The law underwent two major amendments in recent years: the first in November 2022, when Parliament adopted amendments allowing secrecy to be lifted in tax investigations, financial crimes, and anti-corruption cases, in response to IMF conditions; and the second in April 2025, when the powers of oversight and judicial bodies to access banking information were expanded in the context of the financial crisis and the search for greater transparency in the management of public and private funds. These amendments, adopted after the 2022[33] parliamentary elections, represented a shift in how the relationship between bank secrecy and the requirements of transparency and accountability in Lebanon is approached.

It was expected that oversight of financial spending in future elections would be applied on the basis of the latest amendments to the Bank Secrecy Law. However, at the time this study is being prepared, Parliament has announced its intention to extend its own term by two additional years[34], meaning that there will be no near opportunity to test how these amendments would affect oversight of electoral spending. In addition, sources close to the Commission[35] confirm that the issue has not yet been seriously examined, that the formation of the Commission came late, and that the necessary technical and knowledge-based readiness for applying the law in the next electoral event is still lacking. It may therefore be said that although these amendments theoretically opened the door to greater transparency and accountability for candidates and parties by lifting secrecy from their accounts and the accounts of party leaders and persons close to them, practical implementation will remain limited, and most electoral spending is likely to continue taking place in cash outside the banking system, making oversight more formal than real.

This review of the laws directly or indirectly linked to the election law—particularly in their two aspects relating to spending and media and advertising—shows that the legal infrastructure of elections in Lebanon suffers from clear contradictions and gaps.

With regard to media, the nature of media laws and the reality of media ownership in Lebanon fundamentally conflict with the possibility of applying the

33- Municipal and "mukhtar" elections were held after the adoption of these amendments; however, these elections are not subject to any oversight of electoral spending or electoral media.

34- Monday: extending Parliament's term by two years
The extension takes precedence over the amendment to the law that MPs will table during Monday's legislative session. 7 march 2026. Available at: https://shorturl.at/3LHYa

35- A source who requested to remain anonymous during direct communication with the author.

equal opportunity standards set out in the election law. It is not possible, for example, to give candidates from different parties the same airtime on channels directly linked to political actors, such as Al-Manar in relation to Hezbollah, MTV in relation to the Lebanese Forces, or OTV in relation to the Free Patriotic Movement, to name only a few, while those are licensed television channels operating under the applicable laws and regulations. The law implicitly recognizes the right of a media outlet to speak on behalf of a political side, while the election law asks it to become a neutral platform during the electoral period—something that cannot be achieved in practice. The matter is further complicated by a long history of impunity, where the judiciary often proves unable to enforce judgments or prosecute influential violators. The head of the Supervisory Commission for Elections, Nadim Abdelmalak, expressed this dilemma clearly in 2018 when he said that the Commission could not monitor political candidates[36].

Likewise, while the Penal Code criminalizes electoral bribery whether in cash or in kind and prohibits any unlawful inducement of voters, Article 62 of the election law allows the provision of services if they have been provided continuously for more than three years before the election, an exception that legalizes long-term clientelism instead of curbing it. This contradiction between legal texts places clientelist practices under legal protection and undermines the effectiveness of the criminalization contained in the Penal Code, to the point that controlling clientelist conduct during election campaigns becomes almost impossible.

The absence of a regulatory framework governing political parties in Lebanon, especially with regard to financing and spending, is one of the most serious structural gaps in the Lebanese legal system, as it makes any oversight of political spending during and outside the electoral period impossible. The absence of official public funding for parties, together with the continued receipt by most of them—especially the active ones—of foreign funding and its open deployment in campaigns or daily activities without accountability or transparency, strips any attempt to monitor spending through campaign accounts of practical usefulness. This legal vacuum entrenches the dominance of traditional forces, weakens the prospects for fair competition, and renders any attempt by the Supervisory Commission to control campaign spending ineffective, since the greater part of funding remains outside the law.

As for financial and banking laws, especially the law lifting bank secrecy, which was recently enacted to strengthen transparency and combat corruption, their effective application could enhance oversight of political financing and spending. In their absence, the election law alone cannot be relied upon. Disclosure should cover the private accounts of candidates, party leaders, their spouses,

36- Hussein, Walid. "This Is How the Supervisory Commission for Elections Was Marginalized." *Al-Modon*, 23 April 2018. Available at: https://shorturl.at/FHpfw

persons close to them, as well as their ascendants and descendants, so that such information falls outside the sphere of private financial privacy, given that they are public figures in direct contact with public money. It should be noted that, under international standards, these people are classified as politically exposed persons—that is, individuals who hold or have held prominent public office, as well as their relatives and close associates, and who are considered at greater risk of corruption or money laundering—thus requiring enhanced due diligence in accordance with the best practices of the Financial Action Task Force[37].

Overall, the overlap between enacted laws and legislative absences in Lebanon shows that the election law alone is incapable of regulating political activity unless a comprehensive legal groundwork is prepared for monitoring political actors both during and outside the electoral period. Influencing societies and shaping public opinion is not confined to election campaigns, even if it intensifies during them, but continues at all times. While the election law seeks to enshrine the principles of transparency and neutrality, media laws contradict it, a Political Parties Law is absent, financial oversight laws have not been implemented in practice, and provisions criminalizing electoral bribery remain effectively inoperative due to years of non-enforcement. These gaps make oversight of political and media spending nearly impossible and entrench political money and clientelism as structural features of Lebanon's electoral landscape.

Electoral Silence as a Case Study

Electoral silence is a legal practice that emerged in Europe at the beginning of the twentieth century. Its primary purpose is to protect voters from intensive campaigning in the final moments before polling day and to give them a calm opportunity to reflect and make their decision away from media and political pressure. Countries such as France and Italy adopted such laws early on, and they later spread to other states, with differences in the duration of the silence period—twenty-four hours, forty-eight hours, or only polling day itself. Supporters view it as a safeguard for democracy, while opponents regard it as a restriction on freedom of expression, especially in the age of digital media.

In Lebanon, electoral silence was introduced for the first time under Law No. 25/2008, which governed the 2009 elections, prior to the widespread expansion of social media. One of the most significant issues related to its application arose when Lebanese radio stations broadcast a statement by Patriarch Sfeir on 6 June 2009, less than twenty-four hours before the opening of the ballot boxes and therefore within the legally defined period of electoral silence. In this statement, he warned of existential threats facing the Lebanese entity and its Arab identity,

37- FATF Guidance: Politically Exposed Persons - Recommendations 12 and 22. FATF/OECD, June 2013.

expressing clear criticism of Hezbollah and its weapons deemed illegal.[38]. This sparked widespread controversy and was seen as having a direct impact on the Christian mood on the eve of polling. It also raised several questions about the limits of electoral silence: on the one hand, it was unrealistic to expect media outlets not to report news of such magnitude; on the other, its influence on voters' sentiments on both sides—and on their voting choices—could not be denied. At the time, the Supervisory Commission took no meaningful action against the media outlets that broadcast the Patriarch's statement, and international monitoring reports likewise failed to mention it.[39].

In the 2018 elections, electoral silence took a new dimension with candidates' intensive use of social media, making it more difficult to enforce because digital campaigns are so hard to control. In the 2022 elections, matters took an unprecedented turn with the imposition of four rounds of electoral silence, sparking extensive debate over its effect on the right to campaign, with some viewing it as an excessive restriction on freedom of expression and political action. Significantly, the same Supervisory Commission that monitored the 2018 and 2022 electoral cycles applied the same legal provision in different ways, reflecting the extent to which this article is open to interpretation and highlighting the difficulty of applying it in a context of widespread digital media. In an interview conducted by the author of this study with former Commission head Judge Nadim Abdelmalak in the context of another research[40] project, he stated that electoral silence should extend to all candidates, political parties, political figures, and even citizens, in order to protect voters from any negative influence that might distort their views and influence how they vote.

This raises a fundamental issue in this context: an excessive approach to applying electoral silence may transform it from a tool for protecting voters' independence into a means of restricting freedoms. When silence is imposed too strictly, not only are candidates affected by being deprived of the right to communicate with the public, but voters too are affected by being deprived of access to the information they need to make an informed decision. More dangerously, such strictness may be used as a pretext for blocking social media or the internet during the silence period, which would amount to a direct infringement on freedom of opinion and expression and on the right of access to information and digital communication. At that point, electoral silence becomes a tool for "silencing voices" rather than a safeguard for independent electoral choice free from pressure. It turns from protection into restriction and raises serious questions about the balance between the integrity of the electoral process and fundamental freedoms.

38- Sfeir implicitly criticizes Hezbollah and warns of risks threatening Lebanon's Arab identity, Al Arabiya, 6 June 2009. Available at: https://www.alarabiya.net/articles/2009%2F06%2F06%2F75053

39- Information International. The End of Taif, *Monthly Bulletin*, Issue 88, November 2009, p.12. Available at: https://monthlymagazine.com/cms/upload/magazine/Issue%2088%20-%20November%202009.pdf

40- Tomorrow's Policy Initiative, 2023, ibid.

In short, electoral silence in Lebanon reflects the tension between protecting voters and safeguarding the integrity of the electoral process, on the one hand, and candidates' right to express themselves and reach their audience, on the other. With the development of digital media, debate is increasing over the usefulness of this practice and how it can be adjusted to strike a balance between the calm deemed necessary before polling and freedom of expression in the public sphere.

Table 1 — Comparison of International Models for Regulating Electoral Spending

Country	Spending Ceilings	Public Funding	Political Advertising	Oversight Body	Transparency
United States	No ceilings	Limited	Fully permitted	FEC (Federal Election Commission) The Federal Election Commission – an independent body in the United States that oversees federal campaign financing and enforces related laws.	Medium
France	Strict ceilings	Extensive	Banned on television	CNCCFP (National Commission for Campaign Accounts and Political Financing) The National Commission for Campaign Accounts and Political Financing – a French body responsible for monitoring campaign accounts and ensuring transparency in political financing.	High

Country	Spending Ceilings	Public Funding	Political Advertising	Oversight Body	Transparency
United Kingdom	National ceilings	Limited	Banned on television	Electoral Commission - The Electoral Commission – an independent body in the United Kingdom that oversees elections, registers political parties, and ensures the integrity of the electoral process.	High
Germany	No ceilings	Extensive	Permitted	Bundestag oversight - Parliamentary Oversight in the Bundestag – refers to the oversight mechanisms exercised by the German parliament (the Bundestag) over the government and elections, including special committees tasked with monitoring transparency.	High
Australia	New ceilings from 2026	Extensive	Permitted	AEC - The Australian Electoral Commission – an independent body that administers federal elections in Australia and oversees voter and party registration.	High
Lebanon	Theoretical ceilings	None	Permitted	Supervisory Commission for Elections	Low

Source: Gathered by the author [41]

41- Based on an interview with elections expert Saiid Sanadiqi

Chapter Three

International lessons on Transparency and Oversight in Electoral Campaigns

Oversight of Electoral Spending: An Integrated and Interactive Approach

Oversight of electoral spending in Lebanon needs to be fundamentally rethought, so that it moves beyond mere formal accounting review and becomes a genuine oversight process based on a single integrated and interactive approach. This approach combines a comprehensive view of all elements of expenditure with the ability to track activities in real time and detect violations immediately, thereby strengthening integrity and restoring the principle of equal opportunity among candidates.

The core elements of such oversight include:

Setting and Controlling the Electoral Expenditure Ceiling

The electoral expenditure ceiling is, fundamentally, a political matter, and it should be determined on the basis of objective indicators linked to economic and social realities, such as the minimum wage or average national income. The aim is to ensure fairness and equal opportunity for all candidates and lists, so that they can reach voters through all lawful means. In Lebanon, the current ceiling is unreasonably high when compared to the minimum wage, especially in the

aftermath of the recent economic crisis. This has allowed financially powerful politicians to exploit the imbalance in order to reinforce their influence, while weakening the prospects of independent candidates, women, and young people.

How Are Electoral Expenditure Ceilings Determined?

Setting a ceiling on electoral expenditure is not merely a technical measure or an administrative detail; it is a fundamental tool for safeguarding the integrity of the democratic process and preventing political money from dominating elections. For this reason, the ceiling should be based on objective criteria and precise calculations that take into account economic and social realities, the size of electoral districts, and fluctuations in the market and currency value.

An effective electoral expenditure ceiling must therefore be reasonable, tied to citizens' actual purchasing power, proportionate to the size of the district and the number of voters, and grounded in real prices for the electoral services most commonly used. In this way, the ceiling becomes a practical tool for controlling political money rather than a merely formal figure that can be manipulated or circumvented, and it becomes a means of strengthening electoral integrity and restoring the principle of equal opportunity among all candidates.

1. Economic and social indicators

- **Minimum wage and average national income**: the ceiling should be directly linked to the standard of living, so that it reflects citizens' actual purchasing power. If the ceiling is far higher than average income, political money becomes the decisive factor in electoral competition.
- Inflation and exchange-rate fluctuations: a ceiling set in national currency may quickly lose its real value. In Lebanon during the most recent elections, for example, the dollar rose from LBP 20,000 to LBP 28,000 per dollar between the start of the campaign and the eve of the elections. This made a ceiling set in Lebanese pounds unrealistic and allowed candidates with dollar-denominated resources to benefit from the gap, while the capacity of candidates relying on the pound declined.
- GDP per capita: this may be used as an international benchmark for setting ceilings proportionate to the country's wealth and level of public expenditure.

2. District size and number of voters

- A sum proportionate to the number of registered voters in the district should be added to the basic ceiling, because campaigns in larger districts require greater resources to reach a broader audience.
- The specific geographic characteristics of each district should also be taken into account.

3. Costs of electoral activities

- Preparation of a Reference Price List, covering the cost of the services most commonly used in campaigns, such as television advertising, including digital advertising on platforms such as Meta and Google, given the growing reliance on digital campaigning, as well as billboards, printing, transport, the organization of rallies, and similar activities.
- This list should be used to calculate the estimated cost of the electoral campaign, and so forth.

Practical Calculations to be Undertaken by the Supervisory Commission

1. **Basic ceiling**: calculated as a percentage of the minimum wage multiplied by the duration of the election campaign.
2. **Variable ceiling**: a specified amount is added for each registered voter in the district.
3. **Periodic adjustment**: the ceiling is reviewed in light of inflation and exchange-rate indicators in order to preserve its real value.
4. **Price comparison**: declared expenditures are compared with market reference prices for advertising, printing, transport, and similar items, taking into account price increases resulting from heightened demand during elections.
5. **Field and media audit**: media analysis and field observation are integrated with financial accounting in order to build an accurate picture of actual spending.

Source: Ceilings on Elections Expenditure https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02d/default

Compliance with the Prescribed Electoral Expenditure Ceiling

Setting a ceiling on electoral expenditure cannot achieve its intended purpose unless it is supported by effective mechanisms that ensure compliance. The law alone is not enough unless oversight bodies and the competent courts have the practical capacity to monitor expenditure, assess it accurately, and verify that candidates and electoral lists are spending within the permitted limits.

Compliance with the ceiling lies at the heart of the oversight process, because it transforms the ceiling from a merely theoretical figure into an effective tool for controlling political money. Without such compliance, the ceiling becomes a purely formal device that can be circumvented, thereby weakening fairness and undermining the principle of equal opportunity among candidates. Oversight must therefore be continuous, grounded in economic and social realities, and capable of detecting actual campaign expenditure, so that the prescribed ceiling reflects what is truly being spent on the ground rather than what is merely recorded in reports.

Funding Sources and Safeguarding the Independence of Campaigns

The independence of electoral campaigns and control over their funding sources are among the fundamental pillars of safeguarding the integrity of the democratic process and protecting national sovereignty. Oversight should not be limited to tracking the volume of spending; it must also encompass the nature of funding sources, the prevention of conflicts of interest, and resistance to any foreign support that may be used as a tool to influence national political decision-making. International experience has shown that undeclared foreign funding can shape election outcomes and undermine citizens' confidence in the electoral process.

This highlights the importance of adopting transparent mechanisms for the real-time tracking of donations through public digital platforms, enabling oversight bodies and the competent courts to verify the legality of funding directly. Permissible funding sources must also be clearly defined, whether they consist of the candidate's personal funds or donations from individuals, with a cap on the share that may be donated by a single person so that it does not exceed a certain percentage of total permitted spending, thereby preventing a single donor from dominating the campaign.

In some cases, diversity of funding sources may be viewed positively as reflecting a candidate's reliance on broad popular support rather than on political money. If a candidate is supported by numerous small contributions from citizens, that candidate could be granted an advantage through a higher electoral spending margin, in keeping with the spirit of the law, which aims to strengthen public participation and ensure equal opportunity. In this way, oversight of funding sources becomes a dual tool: on the one hand, it prevents foreign interference and illegitimate political money; on the other hand, it encourages popular financing that reflects the will of voters and strengthens the legitimacy of the electoral process.

International models offer practical tools from which Lebanon can draw. The United States imposes a strict ceiling on individual contributions (USD 3,300 per candidate in federal elections), while the European Union has established stringent rules to prevent foreign funding of political parties, with the aim of protecting sovereignty and limiting foreign interference.

The U.S. Model

- **Responsible body**: Federal Election Commission (FEC).
- **Individual contribution limits**:
  - USD 3,300 per candidate in the primary election.
  - USD 3,300 per candidate in the general election.
  - The total amount an individual may contribute to a single candidate in one electoral cycle is USD 6,600.
- **Purpose**: to prevent a single donor from dominating a campaign and to ensure that support is distributed across a broader base of citizens.
- **Effect**: it encourages candidates to rely on numerous small contributions, reflecting genuine popular support.

The European Model

- **Responsible bodies**: the European Parliament and the Council of the European Union.
- **Core rules**:
  - Prohibition of foreign funding for European political parties or related organizations.
  - Requirement that parties submit a formal declaration confirming that any participating entity from outside the European Union adheres to EU values, including democracy, the rule of law, and human rights.
  - Enhancement of transparency through the publication of periodic reports on funding sources.
- **Purpose**: to protect European institutions from foreign interference and to ensure that funding reflects only the will of European citizens.

The Nature of Spending and the Distinction Between Lawful and Unlawful Expenditure

A distinction must be drawn between lawful expenditure—such as advertising, logistical services, and field activities—and unlawful expenditure, such as vote-buying, gifts, and personal services. Each type of expenditure requires different verification tools, including media-content analysis to monitor the volume and value of advertisements, field observation to monitor activities on the ground, and digital-ad tracking to monitor campaigns on social media.

Proposed Tools for Integrated and Interactive Oversight

These elements are not monitored in isolation, but within a single integrated approach that captures the full picture of electoral spending and is, at the same time, interactive because it operates in real time through tools such as:

Real-Time Disclosure

Real-time disclosure is one of the most important pillars of modern oversight of electoral spending because it allows the movement of funds to be tracked instantly and transparently. The idea is to create public digital platforms showing the volume and sources of donations, as well as expenditure on political advertisements, in real time. This model, adopted in countries such as Canada and the United Kingdom, strengthens public accountability and gives voters and the media the ability to monitor the flow of money directly, instead of relying solely on financial reports submitted after campaigns have ended.

Real-time disclosure serves several core objectives:

- **Transparency:** it makes financial information directly available to the public, reducing the possibility of concealing funding sources or manipulating figures.
- **Accountability:** it enables oversight bodies, the media, and civil society to intervene immediately when violations or suspicions are detected.
- **Deterrence:** the mere fact that candidates know their financial data is being displayed publicly in real time creates pressure that discourages them from exceeding the ceiling or accepting unlawful funding.
- **Building trust:** it helps build citizens' confidence in the electoral process, as voters feel that political money is no longer hidden or beyond oversight.

In this way, real-time disclosure becomes a core instrument for transforming oversight from a merely formal exercise into an actual practice, ensuring that the electoral ceiling, funding sources, and the nature of spending are monitored in an integrated and transparent manner, and restoring the principle of equal opportunity among candidates.

The Price List Mechanism[42]

The reference **Price List** is one of the most practical and effective tools for controlling electoral spending and exposing the gap between what candidates

42- Lolita Cigane, *Political Finance in the Digital Age: A Case Study of Latvia*, International IDEA, June 2022. Available at: https://www.idea.int/sites/default/files/political-finance-in-the-digital-age-case-study-latvia.pdf

declare and what they actually spend. The idea is to prepare a reference table of market prices for the goods and services most commonly used in election campaigns, such as television advertising, billboards, human resources for campaign management, crowd mobilization, volunteers, printing, transport, the organization of rallies, and other campaign-related activities, and so forth.

This list is used as a benchmark to compare official financial declarations submitted by candidates with the real market cost, enabling oversight bodies and civil society to detect any manipulation or undeclared support. If, for example, a candidate declares that only a small amount was spent on an advertising campaign, while the reference prices show that the real cost was much higher, this is a clear indication of undeclared additional funding or support from an allied media outlet.

In the United Kingdom, official media advertising rate cards are published and used as a benchmark for estimating electoral spending, which limits candidates' ability to manipulate figures or conceal indirect support. This model strengthens transparency and provides oversight bodies with a practical tool for estimating expenditure objectively, beyond purely formal declarations.

Field Monitoring and Media Analysis

Field monitoring and media analysis are among the fundamental pillars of any system for overseeing electoral spending. They involve monitoring campaigns on the ground, counting billboards, tracking the volume of media advertising, and estimating its financial value. The importance of this mechanism lies in the strong interconnection between media, advertising, and electoral spending, since media outlets aligned with certain candidates may provide undeclared support through reduced rates or free media space, thereby creating an imbalance in equal opportunity.

In this context, a new trend has emerged and gained increasing importance with the spread of social media: **citizen participation in oversight**[43]. This idea is based on opening channels through which individuals can report manifestations of undeclared spending, such as the distribution of gifts, the provision of services, or the organization of unregistered campaign activities. Such a mechanism must preserve the privacy of whistleblowers and ensure them legal protection, in line with laws protecting corruption whistleblowers, so that they are not exposed to pressure or threats.

Citizen participation strengthens public oversight and adds a new dimension to transparency, increasing pressure on candidates to comply with the rules

43- ACE Electoral Knowledge Network. "Crowdsourcing to Monitor Elections." *ACE Project: Youth and Elections*. Available at: https://aceproject.org/ace-en/topics/yt/yt50/youth-as-observers/crowdsourcing-to-monitor-elections

and making society a direct partner in safeguarding the integrity of the electoral process. In this way, oversight is transformed from a purely institutional effort into a collective practice that contributes to strengthening public trust and ensuring the soundness of elections.

In conclusion, every method of monitoring electoral expenditure has its strengths and weaknesses: it may be effective in one aspect but limited in others. Field monitoring, for example, reveals the scale of activities on the ground, but alone it is insufficient to detect digital advertising; media-content analysis may show the scale of spending on propaganda, but it does not capture undeclared spending in popular gatherings. The greatest effectiveness therefore, lies not in relying on a single method, but in combining multiple approaches in an integrated oversight system.

This integrated approach makes it possible to capture the full picture of electoral expenditure, as the various oversight tools reinforce one another and address the gaps that arise when each method is used in isolation. When the reference Price List is combined with field monitoring, it becomes possible to verify the real cost of campaign activities on the ground and compare it with official financial declarations. When media analysis is complemented by digital advertising tracking, the value of both traditional and modern advertising expenditure become clearer. Citizen participation and independent auditing, meanwhile, strengthen trust and give oversight both a public and an institutional dimension.

In this way, oversight becomes a comprehensive and effective process, capable of detecting violations immediately, reducing impunity, and safeguarding the integrity of the electoral process in a manner that restores the principle of equal opportunity among all candidates.

The Problem of Digital Financing

Digital financing has now become one of the most prominent features of modern election campaigns. Electoral spending is no longer confined to traditional advertisements or field activities; it now extends to social media platforms, sponsored content, influencers, targeted advertising, and cross-border digital operations. This transformation has made digital space a central arena for influencing the electorate, especially given its capacity for precise targeting and its relatively low cost compared with traditional advertising.

In Lebanon, digital campaign expenditures assumes even greater importance

in light of the absence of a dedicated legal framework regulating this sphere, and because digital campaigns became the most active and influential sphere dimensions of the 2018 and 2022[44] elections. The Meta Ad Library—a public database created by Meta (Facebook and Instagram) to display all political and social advertisements published on its platforms, in order to enhance transparency, allowing anyone to review details such as the identity of the funder, the amount spent, the target audience, and the period during which the advertisement was displayed—showed that digital spending was extensive. It included anonymous pages disseminating directly political content, influencer campaigns without disclosure of funding, and spending through external platforms such as X (formerly Twitter) and Snapchat that is difficult to trace. There were also foreign-funded campaigns targeting expatriates or specific political groups, raising serious challenges to the integrity of the electoral process.

Digital campaign financing poses greater oversight risks than traditional campaign financing for several reasons. First, it is often difficult to trace, as digital advertisements do not always reveal the identity of the funder or advertiser. Second, it allows precise audience targeting, enabling different messages to be directed to different groups without the knowledge of the wider public. Third, its relatively low cost means that a few hundred dollars can reach hundreds of thousands of users. Fourth, its cross-border nature allows outside actors to influence Lebanese voters without oversight. Finally, there is a lack of transparency, since no official body currently requires disclosure of digital expenditure or its sources.

According to reports by Transparency International[45] and the International Institute for Democracy and Electoral Assistance[46], the absence of regulation of digital financing threatens the principle of equal opportunity and undermines citizens' confidence in the electoral process, because undeclared political money and media disinformation find in digital space an ideal environment in which to spread. Incorporating digital financing into Lebanese electoral legislation has therefore ceased to be a secondary option; it is now a necessity for safeguarding the integrity of elections in the age of networked media.

Comparative practice clearly shows that digital campaign financing has become an inseparable part of electoral campaigns and that regulating it is now a basic condition for protecting the integrity of the democratic process.

44- Shaya, Rayan. "The Transparency of Facebook Disclaimers in the 2022 Lebanon Elections." *The Influence Industry Explorer*, 21 June 2023. Available at: https://influenceindustry.org/en/explorer/case-studies/lebanon-disclaimers-meta/

45- Transparency International. Publications of the Clean Money in Elections Project. Available at: Publications & resources - Clean Money in Elections - Transparency.org

46- Money in Politics, Policy Brief by the International Institute for Democracy and Electoral Assistance. Available at: https://www.idea.int/publications/catalogue/money-politics?lang=ar

In the European Union, the European Regulation on Political Advertising (**EU Regulation 2024/900**)[47] was issued in 2024. It requires platforms to disclose the identity of the funder, the amount spent, and the target audience, and it restricts the use of personal data in political targeting. This legal framework aims to prevent disinformation and ensure equal opportunity among candidates.

In the United States, laws regulating campaign spending include the **Bipartisan Campaign Reform Act**[48], along with more recent updates such as the **Campaign Finance Transparency Act 2025**[49]. These laws aim to regulate spending and political advertising, especially in digital space, but they suffer from weak enforcement because of the limited powers of the Federal Election Commission, which does not possess sufficient tools to monitor digital campaigns comprehensively.

As a result, transparency depends heavily on initiatives by the platforms themselves, such as the Meta Ad Library and Google Transparency Reports[50], which disclose digital spending, the identity of the funder, and the target audience. Yet these initiatives do not always guarantee comprehensiveness or accuracy, as anonymous campaigns or spending through other, less regulated platforms may still escape scrutiny.

Regulating Media in the Digital Age: Challenges and Best Practices

In light of rapid digital transformations, regulating media during electoral periods aims to safeguard the integrity of the democratic process, ensure equal opportunity among candidates, and protect voters from disinformation or unbalanced influence. Media, as a principal intermediary between candidates and the public, is expected to uphold neutrality and transparency, and to provide fair and balanced space to all competing parties. This regulation is not limited to electoral silence, which emerged in the mid-twentieth century, as a mechanism for halting media campaigns before polling day. It now encompasses equal and balanced coverage in talk shows and debates; the regulation of sponsored political advertisements; the monitoring of online campaign content; and the obligation to disclose the identity of funders, advertisers, and target audiences on digital platforms. As the media landscape has evolved and shifted from newspapers, radio, and television to digital space, it has become necessary to update legislation so as to cover digital offences and define the responsibility

47- Regulation (EU) 2024/900 of the European Parliament and of the Council of 13 March 2024 on the transparency and targeting of political advertising (Document 32024R0900). Available at: https//:eur-lex.europa.eu/eli/reg/2024/900/oj/eng

48- https://www.congress.gov/bill/107th-congress/house-bill/2356

49- Campaign Transparency Act, H.R.5237 — 119th Congress 2025-2026. Available at: https://www.congress.gov/bill/119th-congress/house-bill/5237/text

50- Transparency Report. Availabe at: https://transparencyreport.google.com/

of platforms for monitoring political content during sensitive periods, alongside strengthening the ethical commitment of media institutions and journalists to continuous verification and transparency. Electoral media regulation thus becomes a comprehensive system aimed not at restricting freedom of expression, but at managing the flow of information intelligently, ensuring transparency, and combating digital disinformation in a manner that keeps pace with technological transformation while preserving the essence of democracy.

Challenges of Regulating Media in the Digital Age

Regulating electoral media in the contemporary digital environment has become a complex issue that goes beyond traditional laws, as electoral silence alone is no longer sufficient to ensure the integrity of the democratic process. Social media has become an open space that transcends geographic and legal borders, making it almost impossible to control electoral campaigns during the period of silence, since political content can be published from anywhere in the world and reach a local audience without national authorities being able to monitor or prevent it. The issue is further complicated by the overlap between personal and political use of individual accounts, as private posts may become informal propaganda tools, weakening the capacity of oversight bodies to distinguish between freedom of expression and electoral propaganda[51].

In addition, viral content presents a major challenge. Posts that appear spontaneous or unintended can spread with tremendous speed and influence trends in public opinion, acquiring greater credibility than official advertisements. This complicates accountability and allows such content to be used as an indirect propaganda tool contrary to the neutrality expected during the period of electoral silence. Continued online coverage or promotion also results in inequality among candidates, as some possess broader networks or greater resources that enable them to maintain a strong digital presence even during the silence period, while others remain less able to compete. This weakens the principle of equal opportunity and creates an unbalanced media environment that threatens the integrity of the electoral process[52].

In the Lebanese context, as noted in Chapter One, these challenges are aggravated by unlawful practices in the media sphere, the bias of media outlets toward political forces due to ownership patterns, the inability to enforce legal provisions relating to equal coverage, the existence of multiple breaches of

51- Lessons for Regulating Campaigning on Social Media, Election Case Law Analysis Series CASE LAW SERIES | PART 2 | December 2021. Available at: https://www.ifes.org/sites/default/files/migrate/final_case_analysis_series_part_ii_-_social_media.pdf

52- Gong. Presidential Elections on Social Media: Defamation, Bots, and Questionable Research - Gong 2025 Available at: https://gong.hr/en/2025/01/23/presidential-elections-on-social-media-defamation-bots-and-questionable-research/

electoral silence, and ambiguity in the interpretation of certain provisions and in the identification of the parties to whom they apply. Addressing these problems requires more flexible and effective regulatory approaches that are capable of achieving the intended objective while making the law clearer and easier to enforce in practice. Such reform is essential to strengthening public confidence in the electoral process. Trust is not merely an added value; it is a fundamental requirement for the formation of legitimate authority grounded in broad public acceptance and solid democratic rules.

Reconsidering Electoral Silence

Many Western countries have abolished or relaxed electoral silence laws, considering that the protection of freedom of expression and the practical impossibility of controlling digital space are more important than imposing a short media blackout before polling. The United States, the United Kingdom, the Netherlands, Sweden, and Germany are all leading examples of this shift.

In the United States, there is no official electoral silence period, because restricting media campaigning is considered incompatible with the First Amendment to the Constitution, which protects freedom of expression. The same is true in the United Kingdom, where no comprehensive ban is imposed; there are only limited restrictions on publishing opinion polls on polling day, in line with a long tradition of open political debate[53].

In the Netherlands[54] and Sweden, electoral silence laws have been completely abolished, **mainly** because they are difficult to enforce in the digital age, when any individual can publish influential content via social media even on polling day itself. In Germany as well, there is no official electoral silence, only restrictions on opinion polls before voting, with greater emphasis on disclosure and transparency rather than prohibition.

By contrast, **some European countries such as France, Italy, and Poland** still apply electoral silence for periods ranging from twenty-four to forty-eight hours before polling, viewing it as a "cooling-off period" that gives voters an opportunity to reflect away from media pressure. Even there, however, debate is growing over the usefulness of these laws in the context of digital space.

For states that continue to maintain electoral silence, comparative debate points to a number of measures that could make this mechanism more realistic and more compatible with freedom of expression. Foremost among these is shortening the silence period so that it is better aligned with the nature of media flows in the digital age, ensuring that voters do not feel cut off from public debate

53- Library of Congress. Freedom of Speech: An Overview | Congress.gov Available at: https://www.congress.gov/crs-product/R47986

54- The Netherlands Early Parliamentary Elections, ODIHR Election Expert Team Final Report, 29 October 2025. Available at: NL_Early Parliamentary_2025_EET_final report_11.03.2026_0.pdf

for too long, but are instead given a limited space to reflect away from direct pressure. Another practical step is to focus on banning propaganda near polling stations, since the primary aim is to protect voters at the critical moment from any direct influence or pressure on the ground, rather than trying to police the wider media sphere.

In addition, some states continue to prohibit the publication of opinion polls before elections, on the basis that such polls may influence voters' choices in an unbalanced way or create misleading impressions about expected results. Finally, strengthening media and digital oversight mechanisms while providing clear channels for complaints is among the most important possible reforms, because it allows media violations to be addressed directly and transparently and gives citizens and oversight bodies practical tools for intervention when needed. In this way, electoral silence becomes less rigid and more consistent with digital realities while preserving its core purpose, namely protecting the integrity of the electoral process[55].

When some countries abolished or relaxed electoral silence laws, this reflects more than a technical legislative choice. It reveals a different legal and political philosophy governing the electoral process. In the United States, for example, any restriction on media campaigning is regarded as contrary to the First Amendment to the Constitution, which protects freedom of expression; electoral silence is therefore seen as incompatible with one of the foundations of American democracy. The same logic extends to the United Kingdom, where open political debate is viewed as part of democratic culture, making the imposition of a comprehensive blackout before polling seem unwarranted.

The second reason relates to the digital sphere. With the spread of social media, it has become almost impossible to control the flow of information or prevent voters from accessing new content, even on polling day itself. Any attempt to enforce silence laws appears unrealistic, because millions of users are capable of producing and disseminating influential content beyond the reach of official oversight. This is what led countries such as the Netherlands and Sweden to abandon

The relaxation of electoral silence in all its forms does not extend to any abuses or violations that may be committed by the media. Such acts remain subject to the general laws prohibiting defamation, harm to reputation, or incitement to violence. These practices are punishable by law regardless of when they occur, whether during the electoral period or outside it, because protecting individuals and society from harm remains a constant priority at all times.

55- European Parliament. Length of the election campaign and the electoral silence period in European Parliament elections. Available at: https://www.wahlbeobachtung.org/wp-content/uploads/2023/11/length-of-the-election-campaign-and-the-electoral-silence-period-in-ep-elections.pdf?utm_source=copilot.com

these laws, on the basis that regulation had become unworkable in the age of networked media.

The third reason concerns the shift toward transparency and disclosure. Instead of blocking information for a short period, some countries moved toward strengthening disclosure regarding the sources of campaign finance and electoral propaganda, so that voters remain continuously informed about the background and sources of campaigns. This approach is regarded as more consistent with the values of modern democracy, because it places the citizen in the midst of a continuous flow of information while ensuring clarity as to its source, rather than attempting to isolate the voter from public debate at a decisive moment.

Taken together, these reasons explain why such countries changed their approach to electoral silence. The general trend in comparative practice, however, suggests that freedom and transparency, more than blackout and restriction, are what strengthen citizens' confidence in the electoral process[56].

Table 2 — Comparison of Models of Electoral Media Regulation

Country	Free Airtime for parties	Advertising Ban	Digital Oversight	Media Ownership	Independence of the commission
France	Yes	Yes	Under development	Diverse	High
United Kingdom	Yes	Yes	Advanced	Relatively independent	High
United States	No	No	Weak	Entirely private	Medium
Tunisia	Yes	Partial	Moderate	Mixed	High
Lebanon	Yes	No	Almost absent	Partisan / sectarian	Weak

Source: Gathered by the author[57]

In addition to these legislative frameworks, the American model is notable for relieving media outlets of any duty of electoral neutrality and even allowing it to openly disclose their political leanings. This is viewed as a form of transparency subject to public accountability, since citizens are able to identify the nature of

56- Armangau, Romane. "Quiet (or Not?) Before the Storm: How European Countries' Election Silence Contrast." Euronews, 4 June 2024. Available at: https://www.euronews.com/my-europe/2024/06/04/quiet-or-not-before-the-storm-how-european-countries-election-silence-contrast

57- Based on interviews with electoral experts and a review of local monitoring reports and relevant references.

the messages they receive and assess them critically. This principle is rooted in the protection of freedom of expression under the First Amendment to the United States Constitution.

In the United States, there are no laws requiring media outlets to provide equal coverage to all political actors, apart from certain limited rules, such as the "equal time rule," which applies to television and radio broadcasting. Even this rule, however, remains constrained by the strong constitutional protection afforded to freedom of expression.

The U.S. Supreme Court has affirmed that compelling a media outlet to broadcast content it has not chosen is inconsistent with the First Amendment. Accordingly, media outlets have the right to declare its political bias openly[58]. Such open declaration transforms the practice from a mere claim of neutrality into a clear form of transparency, as voters become aware that a given outlet supports a particular side and is thus more conscious of the nature of the messages being received. This model may also help reduce public frustration with political media, because it places the practice within the law rather than outside it. If a media outlet refuses to broadcast advertisements for a rival political side, it is not held accountable on the basis of breaching neutrality, because it is no longer required to maintain such neutrality in the first place. In this way, the law becomes better insulated from constant violations, and public confidence is strengthened by the fact that bias is declared openly and explicitly rather than concealed behind a façade of neutrality.

According to election experts, it may appear at first glance that the American model, which legitimizes openly declared media bias, could easily be applied in other countries, whereby all media outlets would openly declare their political orientations. However, the issue is more complex, especially in contexts where elections are considered a profitable advertising season for television stations. Such stations, even when politically biased in favour of a particular side, often keep part of their advertising space available to various actors in order to benefit from advertising revenue. If these stations openly declare their bias, they risk losing a wide segment of their advertising clients who belong to other political camps, which makes them reluctant to adopt such a model. If, on the other hand, they do not declare their bias, they remain subject to stricter legal accountability in matters of equal coverage, since they can be called to account for breaching the principle of media neutrality. This hesitation reflects the tension between market logic, which pushes media institutions to preserve the broadest possible base of advertisers, and legal logic, which seeks to ensure fairness in electoral coverage.

58- AllSides. *Media Bias Chart*. Available at: https://www.allsides.com/media-bias/media-bias-chart/

Mechanisms for Regulating Modern Media

Modern media regulation rests on three interrelated pillars: disclosure and transparency, which reveal biases and funding sources; social accountability, which gives the public a role in assessing credibility; and cooperation with digital platforms to manage the immense flow of information in real time. These practices do not eliminate freedom of expression; rather, they reinforce it by placing it within a clear legal and ethical framework, thereby making the media more responsible and more trustworthy in serving the democratic process[59].

Disclosure and Transparency

One of the most prominent modern practices is for media institutions to declare openly their political or ideological orientations, so that the public knows in advance the nature of any biases that may affect coverage. Such disclosure is considered a form of transparency and makes it easier to hold the outlet accountable before public opinion. In addition, digital ad libraries have become among the most important tools used today, as they enable the public to know the sources of funding and the beneficiaries of media and political campaigns. Platforms such as Facebook and Google have already begun creating public libraries for political advertisements, making it possible to track spending and the messages directed at the public[60].

Social Accountability

Instead of imposing mandatory media neutrality—which is difficult to enforce—modern oversight shifts toward accountability grounded in disclosure. In other words, the media outlet is held accountable for the orientations and funding sources it declares, rather than for claiming an unrealistic neutrality. This opens space for the public to engage in open criticism and to assess the credibility of media outlets, thereby strengthening public trust and reducing the frustration produced by hidden biases. UNESCO, in its guidance on the governance of digital platforms, has stressed that accountability should be multi-stakeholder in nature, involving governments, platforms, and civil society in order to protect freedom of expression while addressing disinformation and harmful manipulation.

Cooperation with Digital Platforms

Modern regulation is not confined to traditional media institutions; it also includes cooperation with digital platforms, which have become the primary source of information. Among the key practices here:

59- MacCarthy, Mark. *Transparency Recommendations for Regulatory Regimes of Digital Platforms*. Centre for International Governance Innovation, 8 March 2022. Available at: https://www.cigionline.org/publications/transparency-recommendations-for-regulatory-regimes-of-digital-platforms/

60- Mehta, Somya, and Kristofer Erickson. "Can Online Political Targeting Be Rendered Transparent? Prospects for Campaign Oversight Using the Facebook Ad Library." Available at: https://eprints.whiterose.ac.uk/186894/

- the systematic activation of verification tools to confront false news;
- the monitoring of political advertisements in real time to ensure transparency in digital campaigns;
- the development of rapid response mechanisms to address disinformation or violations, such as removing harmful content or placing clear warnings for the public.

UNESCO and the World Economic Forum have indicated that these practices are necessary to build an "internet of trust," in which disinformation and hate speech are addressed through integrated technical and legal tools[61].

The combination of media transparency, digital oversight, and rapid-response mechanisms creates an integrated system for protecting elections. This system does not depend on silence or blackout, but rather on balancing freedom of expression with the integrity of the electoral process.

In this way, the media becomes a partner in strengthening public trust rather than merely a regulated actor, and its role is redefined from passive neutrality to active accountability, placing the electorate at the heart of the democratic process.

61- World Economic Forum. "Here Are UNESCO's 5 Principles to Govern Digital Platforms." *World Economic Forum*, 22 November 2023. Available at: https://www.weforum.org/stories/2023/11/social-media-governance-guidelines-digital-unesco/

Chapter Four

International Case Law on Electoral Expenditure and Electoral Media: Lessons in Enforcement and Accountability for Lebanon

Controlling political money and electoral media is among the most complex challenges to electoral integrity in different countries. Comparative experience in the United States, France, the United Kingdom, and Germany has shown that the judiciary and oversight bodies play a pivotal role in confronting violations, whether by annulling results, imposing financial and administrative sanctions, or requiring media outlets to maintain neutrality. These international precedents confirm that compliance with financial and media rules is not a mere formality, but a fundamental condition for ensuring equal opportunity among candidates and protecting the democratic process from distortion. In Lebanon, reviews conducted by the Constitutional Council in a number of electoral appeals have emerged as a step toward strengthening the principle of equal opportunity through the regulation of media and electoral spending, and in some cases they have led to changes in the results or the rerunning of elections following the recounts conducted by the Council in light of its investigations.

Examples of Judicial Precedents in Cases Involving Political Money, Electoral Spending, and Electoral Media

In 2010, the case of *United States v. Pierce O'Donnell* drew attention. O'Donnell, a prominent California lawyer, channeled sums of money to John Edwards's presidential campaign through sham contributions made in the names of his employees, with a promise to reimburse them later. The federal court considered

this conduct an attempt to circumvent individual contribution limits and held that such practices constitute an electoral offence because they undermine the principles of transparency and equality among donors[62].

In 2012, *United States v. William Danielczyk Jr. and Eugene Biagi* followed. The two businessmen, from Galen Capital Group, organized a fundraising campaign in support of Hillary Clinton and reimbursed donors through disguised financial transfers presented as consulting fees amounting to more than USD 150,000. The federal court stressed that the law still prohibits direct corporate contributions to campaigns, despite permitting independent corporate spending, and convicted the defendants, holding that the use of economic influence in this manner threatens the integrity of the democratic process[63].

In 2018, a federal jury in Virginia convicted Paul Manafort, the former campaign manager of President Donald Trump, on eight of eighteen counts, most notably bank fraud, tax evasion, and concealment of foreign bank accounts. The charges stemmed from his work as a political consultant in Ukraine and his receipt of millions of dollars in undeclared payments, which he concealed from U.S. authorities. The case was not merely a financial one; it was directly linked to Special Counsel Robert Mueller's investigation into foreign interference in U.S. elections. Manafort's conviction highlighted how unlawful financing and foreign ties can undermine the integrity of political representation and the independence of national decision-making, making it one of the most prominent examples of the dangers posed by political money in the contemporary American context[64].

These three cases show that political money in the United States has long been, and remains, a major source of legal and political controversy. O'Donnell represented individual circumvention of contribution limits, Danielczyk illustrated the exploitation of corporate financing, and Manafort exposed foreign interference and financial crimes linked to political activity. All three confirm that regulating electoral finance is not merely a technical issue, but a fundamental condition for protecting democratic integrity and ensuring equality among citizens.

In France, the cases of Jack Lang and Nicolas Sarkozy provide a fuller picture of how the French judiciary deals with breaches of electoral spending ceilings, whether directly or through accounting manipulation. **In Jack Lang's case in 1993**, the Constitutional Council made clear that openly exceeding the financial ceiling constituted a serious violation and issued a decision annulling his parliamentary seat, declaring him ineligible to stand for election for one year, and considering

62- FindLaw. UNITED STATES v. DONNELL (2010) . Available at: https://caselaw.findlaw.com/court/us-9th-circuit/1527192.html

63- UNITED STATES OF AMERICA v. WILLIAM P. DANIELCZYK Available at: https://www.fec.gov/resources/cms-content/documents/114667.P.pdf

64- Courthouse News Service. Paul Manafort Guilty on Eight Counts, Including Bank Fraud . Available at: https://www.courthousenews.com/paul-manafort-guilty-on-eight-counts-including-bank-fraud/

him to have resigned from his parliamentary office by operation of law[65]. This decision sent a clear message that compliance with financial rules is a basic condition for the validity of the electoral process, and that the law applies to all without any exception, even ministers and prominent public figures.

In Nicolas Sarkozy's case in 2012, the breach was more complex. His campaign resorted to the company Bygmalion, which inflated invoices and concealed the true level of expenditure, thereby exceeding the legal spending ceiling indirectly. The French judiciary convicted the former president of unlawful campaign financing, confirming that manipulation through false invoicing is no less serious than direct overspending because it undermines transparency and conceals the real scale of expenditure[66].

A comparison between the two cases shows that the French judiciary deals strictly with all forms of violation: in Jack Lang's case, the breach was direct and explicit; in Sarkozy's case, it was carried out through accounting manipulation. Yet the result in both was the same: judicial sanction affecting the legitimacy of political representation. These precedents confirm that democracy cannot function properly unless the financial rules governing election campaigns are respected, and that the judiciary is capable of confronting political corruption regardless of the status of those involved.

In the 1995 French presidential election, after Jacques Chirac defeated his rival Lionel Jospin, the Constitutional Council reviewed the campaign accounts as required by French law. That review showed that Chirac had exceeded the prescribed financial ceiling for campaign spending in certain constituencies, which was considered a clear violation of the law. On that basis, the Council annulled the results in those constituencies, although this did not affect the overall outcome that installed him as President of the Republic[67]. The case was an important milestone because it highlighted the Constitutional Council's authority to impose financial discipline on campaigns and confirmed that compliance with spending ceilings is not a formality but an essential condition for ensuring equal opportunity among candidates. **In 2020**, however, the archives of the Constitutional Council revealed that it had validated Chirac's campaign accounts despite clear overspending. Investigations showed that Chirac had spent more than the law allowed, yet the

65- Conseil Constitutionnel. https://www.conseil-constitutionnel.fr/decision/1993/931328_1487AN.htm

66- Skynews Arabia. "Sarkozy to face jail again after the Libyan financing case". Available at: https://www.skynewsarabia.com/world/1836522-%D9%82%D8%B6%D9%8A%D8%A9-%D8%A7%D9%84%D8%AA%D9%85%D9%88%D9%8A%D9%84-%D8%A7%D9%84%D9%84%D9%8A%D8%A8%D9%8A-%D8%B3%D8%A7%D8%B1%D9%83%D9%88%D8%B2%D9%8A-%D9%8A%D9%88%D8%A7%D8%AC%D9%87-%D8%B9%D9%82%D9%88%D8%A8%D8%A9-%D8%A7%D9%84%D8%B3%D8%AC%D9%86-%D9%85%D8%AC%D8%AF%D8%AF%D8%A7

67- Decision of the Constitutional Council. Available at: https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000189819

Council chose to accept the accounts and not to annul the final result, a decision that was described as a "departure from the law" or "political leniency" in favour of the elected president. This case became controversial because it exposed the limits of the Constitutional Council's independence in the face of executive power and sparked broad debate over the effectiveness of oversight of political money in France[68].

In the United Kingdom, in 2016, the Electoral Commission fined the Conservative Party GBP 70,000 after it was found to have incurred undeclared expenditure during the general election and failed to disclose it in its official reports. The Commission considered the failure to disclose campaign expenditure an electoral offence and confirmed that financial transparency is a basic condition for ensuring the integrity of the democratic process. This case highlighted the role of the Electoral Commission as an independent oversight body capable of imposing financial and administrative sanctions on major parties when they violate the law[69].

In Germany, the Federal Constitutional Court has played a central role in entrenching the principle of neutrality of public media during election campaigns, holding that any unjustified bias amounts to a constitutional violation affecting the principle of equal opportunity among candidates. This principle did not remain theoretical; it has been applied in several practical cases.

One prominent example concerns unbalanced coverage during the 2024 Bundestag elections, where the Court held that public broadcasters had given unequal media space to major and minor parties. The Court required those broadcasters to correct their coverage and grant equal opportunities to the affected candidates, emphasizing that public media is not merely a conveyor of news but an institution legally bound to remain neutral[70].

In the Arab world, some judicial precedents have emerged criminalizing unlawful spending or the unlawful use of media in elections. These rulings show that oversight and accountability can be activated where there is sufficient political will, but they have often been used against opponents or within the context of political vendettas, making them problematic lessons rather than clearly positive models.

68- Elodie Guéguen, Sylvain Tronchet, Radio France Investigation Unit, October 20, 2020. Available at: https://www.radiofrance.fr/franceinter/presidentielle-1995-le-jour-ou-le-conseil-constitutionnel-a-bafoue-le-droit-en-validant-les-comptes-de-chirac-4337741

69- Electoral Commission. Conservative Party fined £70,000 following investigation into election campaign expenses. Available at: https://www.electoralcommission.org.uk/media-centre/conservative-party-fined-ps70000-following-investigation-election-campaign-expenses

70- Christina Etteldorf. Federal Constitutional Court Rules In Dispute Over Public Broadcasters' Presentation Of Election Results. Institute of European Media Law. Available at: https://merlin.obs.coe.int/article/10177?utm_source=copilot.com

In Morocco, between 1994 and 2017, the Constitutional Council issued a series of decisions dealing with electoral propaganda, media, and financing. It held that the use of public media or national symbols such as the flag and the King's image in election campaigns constitutes a violation of the principle of neutrality, and it annulled the results of certain candidates because campaigning continued beyond the legally prescribed period or because posters were displayed in unauthorized places. It also stressed that the direct use of political money through vote-buying or the distribution of cash or in-kind gifts constitutes an electoral offence affecting the integrity of the vote, and it issued rulings annulling the election of candidates who had distributed money and gifts to voters in a manner contrary to constitutional equality[71]. The Constitutional Court in Morocco also annulled the election of two members of the parliamentary majority in the Ain Chock district of Casablanca, following appeals relating to the 8 September 2021 elections, holding that campaign irregularities had occurred, most notably the distribution of leaflets carrying the photographs of certain candidates individually rather than of the full electoral list, thereby undermining equal opportunity. The Court ordered by-elections to fill the two seats, emphasizing that compliance with the rules governing campaigning and spending is a basic condition for the integrity of the electoral process[72].

In Iraq, a number of appeals have been brought before the Federal Supreme Court on various grounds, particularly electoral spending and electoral media, in addition to allegations of prior ties with the banned Ba'ath Party. These appeals did not lead to the annulment of parliamentary seats except in one case involving the forgery of an academic credential, namely the case of Mishaan al-Jubouri in 2022[73].

In Tunisia, **the Court of Accounts issued more than 350 first-instance rulings against electoral lists that had participated in the 2019** legislative elections, due to violations that included failure to submit financial accounts, exceeding spending ceilings, and unlawful financing. It had earlier annulled 80 lists in the 2018 municipal elections for failure to comply with the principle of transparency, and it referred more than 30 files involving electoral offenses such as unlawful financing to the Public Prosecutor. The report issued by the Court in October 2020 on the 2019 presidential and legislative elections revealed widespread violations in funding sources and a lack of transparency, and confirmed that such violations

71- Constitutional court of Morocco. https://www.cour-constitutionnelle.ma/Decision?id=600&Page=Decision

72- Morocco: Court Annuls the Election of Two Majority MPs, *Asharq Al-Awsat*, 29 June 2022. Available at: https://shorturl.at/gOgT8

73- The Federal Supreme Court of Iraq, Republic of Iraq. Available at: https://www.iraqfsc.iq/krarid/67_fed_2022.pdf

lead to the total or partial denial of reimbursement of campaign expenses. The Court classified electoral offenses into three categories: campaign violations, violations relating to financial transparency and spending, and violations linked to political advertising and unlawful financing[74].

In January 2022, the Tunisian judicial authorities referred 19 prominent politicians to trial for electoral offences committed during the 2019 elections, including exceeding spending ceilings, unlawful political advertising, and campaigning during the electoral silence period. These cases generated widespread controversy because they involved figures from different parties and political currents, yet did not include President Kais Saied despite the existence of suspicions surrounding his campaign. The charges included benefiting from unlawful promotion through social media, violating the prohibition on political advertising, and campaigning during electoral silence. The Tunisian judiciary referred these politicians to the Criminal Chamber of the Court of First Instance in Tunis, meaning that the cases entered the stage of criminal trial. However, the exclusion of President Kais Saied from the list of referred persons, despite the attribution of electoral violations to him, sparked political debate over the selectivity of judicial prosecutions and the extent to which they were being used as a tool for settling political scores[75]. In 2024, a judicial ruling sentenced Ennahda leader Rached Ghannouchi and former Foreign Minister Rafik Abdessalem to three years' imprisonment in a case concerning foreign funding of the Ennahda movement. The judgment also included financial fines and followed lengthy investigations into the party's funding sources during previous electoral periods. The case sparked wide controversy in Tunisia, with Ennahda supporters viewing it as political targeting, while the authorities presented it as part of anti-corruption efforts and an attempt to strengthen transparency in political life[76].

Farouk Bouasker argued, in an article published by *The Legal Agenda*, that electoral justice in Tunisia suffers from fragmented jurisdiction between the ordinary courts, the administrative courts, and the financial courts, which weakens its effectiveness and affects the integrity of the electoral process. The ordinary judiciary handles disputes relating to registration and candidacy, while the administrative judiciary hears challenges to decisions of the Independent High Authority for Elections, and the Court of Accounts monitors electoral

74- Tunisia Issues 380 Verdicts in 'Electoral' Crimes, Mongi Saidani, Asharq al Awsat. Available at: https://english.aawsat.com/home/article/3499996/tunisia-issues-380-verdicts-electoral-crimes

75- Adam Youssef. "19 Politicians in Tunisia Face Trial over 'Electoral Crimes'... Why Was Saied Not Referred?", The New Arab, 6 January 2022. https://shorturl.at/zi2B1

76- Tunisia: Rached Ghannouchi and Rafik Abdessalem Sentenced to Three Years in Prison, *RT Arabic*, 1 February 2024. https://shorturl.at/J3WFL

financing and issues financial or electoral sanctions. This distribution of jurisdiction has led to weak coordination among the judicial bodies and to delays in the issuance of final judgments, which has negatively affected voters' confidence in the electoral process. The author also notes that complex procedures and lengthy timeframes have often reduced electoral justice to little more than subsequent validation of decisions taken by the electoral authority, and that a large proportion of appeals are dismissed on formal grounds, thereby depriving the judiciary of the opportunity to address substantive issues such as unlawful political advertising (that is, electoral propaganda by unlawful means) or vote-buying. He concludes that electoral justice in Tunisia, despite its independence after the revolution, still requires a review of the legal framework, simpler procedures, and unified jurisdiction in order to provide more effective protection for electoral integrity[77].

In conclusion, it must be said that electoral appeals are not always a guarantee of justice. They can become a political tool used to exclude rivals, as occurred in Tunisia, or to validate abuses by those in power, as occurred in France. This points to the urgent need for an independent electoral judiciary, shielded from pressure and operating within an entrenched democratic culture founded on respect for the rules of fair competition. Accountability and transparency are not merely theoretical principles; they are essential conditions for safeguarding electoral integrity and ensuring equality among candidates. The key, therefore, lies in building impartial judicial institutions, strengthening a culture of democratic participation, and activating accountability mechanisms, because these are the pillars that make electoral appeals a means of achieving justice and protecting the will of voters, rather than a tool for settling scores or entrenching domination. Only under these conditions can any democratic process truly take root and acquire genuine legitimacy.

77- Bouasker, Farouk. "Electoral Justice between Fragmented Jurisdiction and Limited Effectiveness," The Legal Agenda, 7 January 2021. https://shorturl.at/tOEhZ

The Lebanese Reality of Electoral Appeals Based on Violations of Electoral Expenditure and Electoral Media Rules

Over the course of six general electoral cycles and ten by-elections[78], since the Constitutional Council began exercising its functions on 30 July 1994, no appeal has been accepted on the basis of violations relating to electoral spending or media space, despite the many appeals that included major violations in both areas. According to Dr. Issam Suleiman, former President of the Constitutional Council, this is due to the difficulty of controlling electoral spending—especially foreign financing—and proving violations because bank secrecy applies to all accounts except for the single account dedicated to the campaign, the inability to regulate party finances due to the absence of a legal framework governing them, and the weakness of law-enforcement mechanisms.

Dr. Suleiman also pointed to the contradiction in the law embodied in Article 62, which allows candidates to provide in-kind and cash assistance during the electoral campaign. In his view, what is set out in that article effectively legalizes electoral bribery, since it is impossible to control the volume of such contributions and assistance. He further noted that most of the comprehensive financial statements submitted by candidates lack accuracy and that there are doubts surrounding their reliability, while the Supervisory Commission does not audit these reports in accordance with procedures capable of verifying their accuracy, even though this falls within the Commission's remit rather than that of the Constitutional Council.

In examining electoral appeals, the Constitutional Council proceeds by uncovering violations and assessing the extent of their impact on election results. If it appears that a violation had a direct and decisive effect on the outcome, the result is reconsidered, which may lead to the annulment of the parliamentary seat won by the candidate because of the violations committed. If, however, the

78- Information International. Parliamentary By-Elections in Lebanon: 40 Elections Since 1929, *The Monthly*, https://shorturl.at/liUT0

Eight by-elections have been recorded in Lebanon since the Constitutional Council assumed its functions in July 1994. These include the Beirut district election in 1995 following the death of MP Joseph Moghaizel; the Metn election in 2002 following the death of MP Albert Moukheiber; and the Baabda election in 2003 following the death of MP Pierre Helou. In 2007, by-elections were held in Metn following the assassination of MP Pierre Gemayel, and in Beirut II following the assassination of MP Walid Eido. These were followed by by-elections in Minieh–Dinnieh in 2010 after the death of MP Hashem Alameddine; in Koura in 2012 after the death of MP Farid Habib; and in Jezzine in 2016 after the death of MP Michel Helou, according to the above-mentioned source. Omitted from this list, however, was the 1997 by-election held after the challenge to the parliamentary seat of MP Khaled Daher was accepted, although he was re-elected, in the North Lebanon Governorate electoral district for the Sunni seat in Akkar. The 2019 Tripoli by-election following the annulment of MP Dima Jamali's mandate should also be added to this list.

effect of the violation is limited, so that correcting the result after uncovering it still shows that the candidate retains a sufficient number of votes to win, then the seat is not annulled; rather, the adjusted result is upheld. It should be noted that the Constitutional Council has no authority to take action against those responsible for the violations. Such measures fall within the jurisdiction of the ordinary judiciary rather than the constitutional judiciary, whose powers are confined to ruling on the election result itself.

To illustrate this mechanism, two examples from the 2009 elections may be cited:

1. **The appeal filed by candidate Hassan Yaacoub against MP Okab Sakr, who won the Shiite seat in the Zahle district (2009).**The appeal included an allegation that LBP 27 billion had been transferred from BankMed to its Zahle branch five days before the election, to be used to buy voters' ballots. However, Yaacoub refused to disclose the name of the employee who had revealed this information, which prevented that person from being summoned and heard, out of fear of professional repercussions. This example clearly highlights the need to activate the law on the protection of whistleblowers, so as to facilitate the exposure of electoral violations, strengthen transparency and accountability, and encourage citizens and employees to disclose information without fear of retaliation or loss of employment.

2. **The appeal filed by candidate Ghassan Rahbani against MP Michel Murr, who won the Orthodox seat in the Metn district (2009).** The appeal was based on the allegation that Murr had paid USD 300,000 by bank cheque to a Syriac Orthodox clergyman in Metn. Rahbani produced an audio recording between Murr and the priest confirming that the payment had been made before campaign expenses formally began to be counted. In the investigation conducted by the Constitutional Council, Michel Murr admitted making the payment, and the priest acknowledged receiving it, explaining that the amount had remained in his account and had not been used in the electoral process, and that its purpose had been to settle a debt. The Constitutional Council nevertheless held that the payment had been made for electoral purposes and therefore decided to strike out the votes Murr had received in the polling stations designated for Syriac Orthodox voters in the relevant district. Even so, Murr remained ahead of his opponent Ghassan Rahbani in the total vote count, and the appeal was dismissed and his parliamentary seat confirmed.

On the other hand, in matters relating to media campaign, it is difficult to calculate the direct impact of media coverage or advertisements on election results, because the Constitutional Council does not examine the electoral process as a whole, but rather the dispute within a specific district on the basis of objective data and violations capable of being measured in votes. The real basis for strengthening electoral integrity therefore remains the activation of law-enforcement mechanisms and the establishment of a solid legal framework alongside the election law.

The statement made by the late Patriarch Nasrallah Boutros Sfeir on 6 June 2009, on the eve of the parliamentary elections, is perhaps one of the clearest examples of the fragility of the enforcement of electoral silence in Lebanon. He made a forceful statement warning of an "existential threat" facing Lebanon and its Arab identity, in a clear reference to Hezbollah and its allies. This was considered a breach of the silence period and sparked wide debate over the role of religious authorities in a democratic contest. Patriarch Sfeir called on the Lebanese to be alert to these dangers and to thwart the "plots" that could alter the face of the country, urging courageous positions that would reaffirm Lebanese identity and preserve freedom, sovereignty, and independence. It was a direct political speech at a moment when electoral silence was supposed to prevail[79]. It should be recalled that the 2009 parliamentary elections were a decisive contest between the March 14 camp led by Saad Hariri and the March 8 camp led by Hezbollah and its allies, and that the Christian vote was expected to be decisive in determining the outcome, which gave Sfeir's statements a major impact on the electoral mood. His relationship with Hezbollah was tense, as he rejected the party's armed influence and Syrian influence in Lebanon, a stance consistent with the discourse of the March 14 forces, which gave his statements a political weight that went beyond their spiritual and moral character.

What is striking is that all radio and television stations broadcast this statement on Saturday afternoon, less than twenty-four hours before the opening of the ballot boxes, during the electoral silence period, thereby raising controversy over the limited effectiveness of this principle. The law requires media outlets not to broadcast political programmes or statements that may influence voters, but it cannot compel individuals—especially those who are not candidates—to remain silent or to refrain from specific types of statements. Even so, no media outlet was held accountable for the breach. According to Dr. Issam Suleiman, the electoral appeals at the time recorded the breach of electoral silence, and he recounted how one of the elected candidates whose seat had been challenged in the Zahle district, defended himself during questioning by saying that, on the one hand, he

79- Alarabiya magazine, Sfeir implicitly criticizes Hezbollah and warns of risks threatening Lebanon's Arab identity on the eve of the Lebanese elections, 6 June 2009. Available at: https://www.alarabiya.net/articles/2009%2F06%2F06%2F75053

could not be held responsible for the Patriarch's statement, and, on the other, it was impossible to measure the extent of the statement's effect on voters; indeed, its effect may even have been negative for him, prompting some voters to cast protest votes in favour of his rivals.

Accordingly, the Constitutional Council was not in a position to assess the effect of the statement on the results or on the validity of the resulting representation. Nor does it have the authority to impose sanctions on media outlets, although the Supervisory Commission for Elections does have the power to refer violations to the judiciary—which did not happen.

This incident shows that electoral silence in Lebanon remained more of a formal measure than an effective oversight tool, even before the widespread rise of social media and digital media. It confirms the limited effectiveness of this provision in its current form and makes clear the need to develop legislation and oversight mechanisms capable of ensuring the neutrality of public discourse during the crucial days preceding polling.

Reviews conducted by the Constitutional Council in a number of electoral appeals have also shown that political money and serious violations committed by media outlets were central elements in the examination of appeals and their effect on the results. In some cases, the Council corrected the results or annulled them in specific districts after violations relating to spending or media propaganda had been established, making it clear that such acts are unlawful and infringe the principle of equal opportunity among candidates. Yet these rulings, despite their legal significance, revealed a major gap in the capacity of oversight bodies and the judiciary to pursue the perpetrators, since no effective measures or sanctions were taken against the violators, whether they were candidates or media outlets. The decisions thus remained confined to correcting results without translating into accountability or deterrence, which weakened their practical effect and made them closer to symbolic legal signals than to effective tools for controlling money and media in the electoral process. This reality reflects a broader problem, namely the absence of an integrated system of oversight and enforcement, leaving the Constitutional Council confined to its judicial powers without any real extension into deterrent or punitive mechanisms. This has fueled growing debate over the need for legislative and institutional reforms to ensure that judicial rulings do not remain mere formal corrections, but become practical instruments for protecting electoral integrity and strengthening citizens' trust in the democratic process.

Concluding Observations and General Recommendations

Electoral reform in Lebanon cannot be reduced to amending the election law alone. Rather, it must rest on a threefold foundation that constitutes the basis of any genuine democratic path: political culture, an integrated legal framework—including both the election law and supporting legislation—and effective accountability and enforcement mechanisms. These elements are not merely supplements to the election law; they are essential conditions for its effectiveness. Political culture entrenches the values of transparency, accountability, and the right of access to information, while strengthening citizens' confidence that elections are not merely a formal contest, but a genuine exercise of political rights.

The legal framework, for its part, ensures that the election law does not operate in a vacuum, but instead rests on a supporting system that includes laws on political parties and financing, the right of access to information, protection for whistleblowers, and the regulation of traditional and digital media. Finally, accountability and enforcement constitute the decisive pillar of reform, because legal texts remain ineffective unless accompanied by rigorous mechanisms of judicial and administrative accountability. It is in this context that the concept of electoral justice emerges as the guarantee that links reform to reality: it translates legal texts into actual practice and ensures that any overreach, violation, or breach is met with deterrent sanctions, thereby protecting electoral integrity and restoring confidence in the democratic process.

This tripartite framework—culture, structure, and enforcement—is what transforms reform from a mere legal amendment into an integrated democratic project that restores public trust and places transparency and accountability

at the heart of the electoral process. These are not separate elements, but interconnected links: political culture creates an environment receptive to reform, the legal framework provides the tools, and electoral justice through accountability and enforcement ensures implementation. Without this balance, reform remains purely formal; with the integration of these elements, it becomes a genuine practice that safeguards the integrity of elections and opens the way to a more deeply rooted democracy. In this sense, electoral reform and electoral justice become two sides of the same coin: the first lays down and updates the rules, while the second ensures that they are respected and applied. There is no reform without justice, and no justice without reform.

Accordingly, no genuine electoral reform can be expected unless the legal infrastructure is strengthened through the enactment of a set of laws complementary to the election law. Reform is not confined to amending provisions relating to polling and counting; it requires an integrated framework that includes:

- **A law regulating political parties**, especially with regard to financing, through the establishment of clear mechanisms for disclosing parties' sources of funding and controlling their expenditure, in a way that curbs undeclared political money and strengthens equal opportunity among competing forces.
- **Strengthening judicial independence** through a law that entrenches the independence of the judiciary and grants it the capacity to confront electoral violations even when they involve major political figures—a basic condition for achieving electoral justice and ensuring equal enforcement of the law.
- **Amending and updating media laws**, especially those governing online media and social media, so as to provide a clear legal framework for regulating digital advertisements and sponsored content, and preventing media disinformation or anonymous advertising that undermines the integrity of the democratic process.

Yet these laws, however precise and comprehensive they may be, remain ink on paper if they are not effectively enforced. International experience confirms that legal texts alone are not enough; they require strong enforcement mechanisms and genuine political will to activate them. In the Lebanese context, the existence of political will to apply the law, together with popular will to hold accountable those who fail to implement it and to push toward its enforcement, are two parallel and indispensable factors. The law derives its strength not only from its texts, but also from practical adherence to it and from citizens' ability to compel respect for it through pressure and accountability.

In this sense, electoral reform and electoral justice constitute two complementary tracks: the first provides the legal and institutional framework, while the second guarantees implementation and accountability. Without this balance, reform remains purely formal. With the integration of legal texts and political and popular will, however, it becomes a real practice that safeguards the integrity of elections and opens the way toward a more firmly rooted democracy.

As regards the practical dimension relating to the election law itself, the following proposals offer practical guidance that may be useful in improving the administrative and supervisory performance of the electoral process, especially with respect to electoral spending and media and advertising. The aim of these ideas is not merely to propose technical solutions, but to contribute to a broader public discussion in light of comparative experiences, in a way that helps shape a comprehensive reform capable of restoring trust in the democratic process and placing transparency and accountability at its core.

First: Electoral Expenditure

This paper highlights the significant legal challenges involved in regulating electoral expenditure in Lebanon. These challenges are reflected in the absence of a legal definition of digital financing, the absence of mandatory disclosure of spending or of the entities managing campaigns, and the weakness of the Supervisory Commission, which lacks digital monitoring tools and the authority to access data held by global platforms. The absence of effective cooperation with companies such as Meta, Google, and TikTok also makes oversight almost impossible. This paper also illustrates the scale of the gap between legal texts and realities on the ground in Lebanon with regard to monitoring electoral spending. The law assumes the existence of an effective banking sector capable of controlling accounts and tracking the movement of funds, whereas the comprehensive collapse of the banking sector and the dominance of the cash economy have rendered these mechanisms nearly inoperative. Under such conditions, account monitoring and financial auditing become a purely formal exercise unrelated to real oversight, since most electoral spending takes place outside the banking system through direct cash payments or informal networks. This creates broad opportunities for undeclared political money and undermines the principle of equal opportunity among candidates.

Accordingly, multi-level reforms may be proposed:

- **At the legal level:** inserting a full chapter on digital financing into the election law, including a definition of digital advertising and sponsored content, and imposing immediate disclosure of funding by candidates and by political parties.

- **At the institutional level:** strengthening the capacities of the Supervisory Commission, creating a digital oversight unit within it, and training a specialized civil service body in digital data analysis.
- **At the technical level:** developing a national platform for monitoring digital advertisements and using artificial intelligence tools to track campaign financing, in cooperation with global platforms.
- **At the cultural level:** enhancing voters' awareness of the importance of tracking funding, monitoring, and disclosure, and supporting independent digital media.

In addition, comparative experience and expert opinion show that adopting an approach based on a price list constitutes a fundamental step toward controlling campaign costs in a realistic and transparent way, especially in the Lebanese context. Instead of relying solely on traditional accounting approaches, which often produce inaccurate figures or figures open to manipulation, oversight bodies could adopt official and unified price lists setting out the cost of the services and materials most commonly used in campaigns, such as television and radio advertising, advertising space in newspapers and websites, video production and digital content, as well as the costs of printing, distribution, transport, human resources, and the like. This approach makes the auditing process more objective, because expenditure is calculated on the basis of declared and approved prices, thereby reducing opportunities for manipulation or concealment of the true cost.

The adoption of a price list also provides an integrated database that can be updated periodically and makes it easier for the judiciary and the Supervisory Commission to compare what candidates and parties declare with the actual expected cost. In this way, oversight is transformed from a mere review of formal accounts into an effective tool for uncovering excesses and limiting undeclared political money. If implemented rigorously, this mechanism contributes to strengthening electoral justice and equal opportunity among candidates, and restores confidence in the democratic process by ensuring that electoral spending is subject to transparent and verifiable standards.

Second: Electoral Media and Advertising

The problem in Lebanon is not, in itself, the existence of biased or politically financed media, but the absence of clarity and transparency. When citizens become convinced that all media is paid for or politically driven, they lose the ability to distinguish between accurate information and misleading information; trust collapses, and they become hostage to fake news and paid propaganda. What is required is not the elimination of bias, but its regulation and control, so that it

remains lawful and visible, without turning into disinformation, manipulation or incitement.

Freedom of expression and political freedoms are a fundamental pillar of any democratic system, and electoral reform cannot succeed if they are unduly constrained or excessively restricted. At the same time, however, a clear distinction must be drawn between the lawful expression of opinion and political bias, on the one hand, and practices that pose a direct threat to electoral integrity, such as incitement to violence, the dissemination of false news, or systematic media disinformation, on the other.

The regulation of electoral media must therefore be based on a dual principle: protecting freedom of expression and political freedoms on the one hand, and ensuring transparency and accountability on the other. Freedom of expression is a cornerstone of any democratic system, and the media has the right to take positions on political issues and reflect its orientations, but within the bounds of the law and in a manner that does not turn it into an instrument of disinformation or incitement. Bias in itself is not a problem if it is disclosed and documented; the problem arises when bias is presented as neutrality, or when hidden financing and sponsored advertisements are used to spread false news or mislead voters.

In the Lebanese context, where media is often funded or linked to political interests, the most appropriate approach is one that balances freedom and regulation. The continued imposition of a long and repeated silence period, as occurred in the 2022 elections, together with ambiguity as to whom that silence covers and interpretations that infringe the right of candidates to campaign, reveals a deficiency in understanding the spirit of the law. This deficiency may become an instrument for undermining independent candidates who comply with the law, while major political forces escape any real controls and remain immune from accountability. Accordingly, and on the basis of comparative experience, we propose a middle-ground approach consisting of:

- **Shortening the period of electoral silence** and restricting it to the vicinity of polling stations, in order to reduce tension and safeguard the neutrality of the process without obstructing public debate or impairing the right of candidates and parties to conduct their campaigns.
- **Requiring media outlets to disclose their political orientations and advertising rate cards**, so that bias remains lawful and visible rather than deceptive.
- **Creating partnerships with major digital platforms** to monitor disinformation and digital spending and regulate sponsored content, thereby limiting fake news and undisclosed paid propaganda.

- **Enhancing voters' awareness** of the nature of sponsored advertisements and supporting independent digital media that helps expose opaque practices and strengthens citizens' confidence in the democratic process.

Under such a framework, media bias remains lawful and visible, while disinformation, incitement to violence, and the dissemination of false news are excluded, and citizens' right of access to accurate and balanced information is protected. This approach places freedom of expression in its natural position as a fundamental right, while linking it to accountability and transparency, so that it does not become a cover for practices that weaken the integrity of elections or undermine citizens' confidence in democracy.

In conclusion, it must be stressed that electoral reform, in its essence, is not merely a technical or administrative adjustment. It is a matter of rights and constitutional principles directly linked to equal opportunity among candidates, women and men alike, and to guaranteeing citizens' right to choose their representatives freely and in an informed manner.

In this context, electoral expenditure and media emerge as two fundamental pillars in measuring the democratic character of any electoral process: the former defines the boundaries of fairness in competition by regulating political money and preventing its unlawful influence, while the latter constitutes the space in which convictions are formed and public opinion is shaped. When regulation and transparency are absent, money and media turn into instruments of exclusion and deception, electoral integrity is weakened, and public confidence in elections collapses.

For this reason, genuine electoral reform must rest on a comprehensive rights-based approach that guarantees equal opportunity as a constitutional right and ensures effective public participation in accountability, within a framework of transparency grounded in the principles of disclosure and oversight. Taken together, these elements place justice at the heart of the electoral process and transform legal texts from a merely theoretical framework into an actual practice that safeguards the integrity of elections and restores trust in democracy as a collective popular choice. Only then do elections achieve their highest purpose: to produce authority that derives its legitimacy from respect for constitutional rights and that enjoys both credibility and a genuine popular mandate.

Legal References

A. Lebanese Laws and Legislation

- Law No. 44/2017 (Law on the Election of Members of the Chamber of Deputies).
- Law No. 25/2008 (Parliamentary Elections Law).
- Lebanese Penal Code (Legislative Decree No. 340/1943 and its amendments, especially Articles 329 to 334).
- Code of Money and Credit (Law No. 13513 issued on 1 August 1963).
- Banking Secrecy Law (issued on 3 September 1956, as amended in 2022 and 2025).
- Publications Law (issued on 14 September 1962).
- Law Regulating Television and Radio Broadcasting (Law No. 382/1994).
- Law on Associations (issued on 3 August 1909 – Ottoman).

B. International Laws and Legislation

- **United States of America:** Tillman Act (1907); Federal Election Campaign Act (FECA – 1971).
- **United Kingdom:** Political Parties, Elections and Referendums Act (PPERA – 2000).
- **Germany:** Political Parties Act (PartG – 1967).
- **Australia:** Electoral Legislation Amendment (Electoral Reform) Act (2025).

C. Reports, Studies, and Research Articles

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- Maharat Foundation, studies on media monitoring and the distribution of advertising space during the 2022 parliamentary elections.
- Lebanese Center for Policy Studies (LCPS – Tomorrow's Policies Center), report evaluating the performance of the Supervisory Commission for the 2022 Lebanese parliamentary elections.

D. Judicial Precedents and Decisions (Case Law)

- **U.S. courts:**
- *Supreme Court:* (*Buckley v. Valeo*, 1976) | (*Citizens United v. FEC*, 2010) | (*McCutcheon v. FEC*, 2014).
- *Federal courts:* (*United States v. O'Donnell*, 2010) | (*United States v. Danielczyk*, 2012) | (*United States v. Manafort*, 2018).

- **French courts:** decisions of the Constitutional Council relating to the 1995 elections, and the case concerning the financing of President Nicolas Sarkozy's campaign (*Bygmalion* – 2012).
- **UK courts:** Electoral Commission decision in the Conservative Party case (2016), and (*R v. Rowe*, 2001).
- **Arab courts:** rulings of the Court of Cassation and the administrative judiciary (Egypt and Morocco), rulings of the Administrative Court (Tunisia), and rulings of the Electoral Court of Appeal (Jordan).

Annexes

Electoral Laws and Legislative Instruments in International Jurisdictions
International Court Cases on Electoral Campaign Finance
International Court Cases on Media and Electoral Advertising
International References on Electoral Campaign Finance
International References on Media and Electoral Advertising
References on Electoral Campaign Finance in Arab Countries
References on Media and Electoral Advertising in Arab Countries

Electoral Laws and Legislative Instruments in International Jurisdictions

#	Country	Type	No.	Date	Title / ID
1	Albania	Law	9087	19/06/2003	The Electoral Code of the Republic of Albania (Approved by Law no. 9087, dated 19 June 2003 and amended by Law no. 9297, dated 21 October 2004 and Law no. 9341, dated 10 January 2005 and Law no. 9371, dated 14 April 2005 and Law no.9676, dated 13 January 2007)
2	Australia	Act	SECT 287	01/01/1918	Commonwealth Electoral Act 1918 (Commonwealth Consolidated Acts)
3	Belgium	Code	1894-04-12/30	12/04/1894	Electoral Code of Belgium (Amendments up to 15/07/2025 included)
4	Canada	ACT	S.C. 2000, c. 9)	Last update 17/03/2026	Canada Elections Act (S.C. 2000, c. 9) Department of Justice Canada
5	France	Code		28/10/1964	Code electoral
6	Spain	Act	no. 147	07/09/2011	Representation of the people Institutional Act. (Official Gazette -BOE- no. 147, of June, 20th 1985. Investments errors in Official Gazette no. 17, of January 20, 1986.) Text in force as from September 7, 2011
7	Portugal	Law	No. 14/79	16/05/1979	Electoral Law for the Assembly of the Republic / Lei Eleitoral da Assembleia da República
8	Germany	Act	BWG	07/05/1956	Federal Elections Act / Bundeswahlgesetz
9	Germany	Regulation	BWO	19/04/2002	Federal Electoral Regulations in the version published on 19 April 2002 (Federal Law Gazette I p. 1376), as last amended by Article 1 of the Ordinance of 12 September 2024 (Federal Law Gazette 2024 I No. 283)
10	New Zealand	ACT	87	17/08/1993	Electoral Act 1993 (Updated Version as at 1 January 2026)
11	Italy	DECREE OF THE PRESIDENT OF THE REPUBLIC	n. 361	30/03/1957	Approval of the consolidated text of the laws containing provisions for the election of the Chamber of Deputies. (Last updated to the document published on 05/17/2025)

#	Country	Type	No.	Date	Title / ID
12	Swiss Confederation	Federal Act on Political Rights	AS 1978 688	19/12/1976	Federal Act on Political Rights
13	United Kingdom	Act	c.37	2022	Elections Act 2022 UK Public General Acts 2022 c. 37
14	Finland	Act	714	01/01/1998	Election Act (Amendments up to 361/2016 included)
15	Netherlands	Act	BWBR0004627	28/09/1989	Elections Act / Kieswet
16	Sweden	Act	2005:837	24/11/2005	Elections Act / Vallag (2005:837)
17	Denmark	Consolidated Act	No. 4	08/01/2024	Consolidated Act on Elections to the Folketing / Bekendtgørelse af lov om valg til olketinget
18	Ireland	Act	No. 23 of 1992	05/11/1992	Electoral Act, 1992
19	Norway	Act	LOV-2023-06-16-62	16/06/2023	Election Act / Lov om valg til Stortinget, fylkesting og kommunestyrer — Valgloven
20	Poland	Act/ Code	Dz. U. 2011 Nr 21 poz. 112	05/01/2011	Electoral Code / Kodeks wyborczy
21	Greece	Presidential Decree	P.D. 26/2012	15/03/2012	Codification of the legislation for the election of Members of Parliament / Electoral Law for Parliamentary Elections
22	USA	Act	H. R. 5237	09/09/2025	Campaign Transparency Act To amend the Federal Election Campaign Act of 1971 to eliminate the thresholds for reporting the identification of persons making contributions to political committees with respect to elections for Federal office.
23	USA	Code			Code of Federal Regulations - Title 11 Federal Elections Revised as of January 1, 2024 (Published by the Office of the Federal Register National Archives and Records Administration as a Special Edition of the Federal Register)
24	USA	Act	No. 73-416	19/06/1934	Statutes and Rules on Candidate Appearances & Advertising (Communications Act of 1934, as amended (Title 47 United States Code) Relevant Sections of the Communications Act of 1934)
25	USA	Act	H.R.2356	14/02/2022	Bipartisan Campaign Reform Act of 2002
26	USA	Rules			Campaign Advertising Requirements and Restrictions - California Fair Political Practices Commission

International Court Cases on Electoral Campaign Finance

#	Country	Court Name	Number of Decision	Date	Description
1	Australia	High Court of Australia	Case Number S204/2018	29/01/2019	- Limits on third-party campaign spending/ Unjustified preferential treatment of candidates over third-party actors
2	Australia	High Court of Australia	Case Number S211/2014	07/10/2015	- Political Donations/ Indirect campaign contributions
3	Australia	High Court of Australia	Case number S70/2013	18/12/2013	- Donations/ Exceeded electoral expenditure
4	Austria	Constitutional Court	No. G62/2017 et al.	14/06/2017	- Unequal Party Funding Violation of the principle of equality through the amendment to the calculation of the increase in party funding, which was retroactively implemented during an ongoing legislative period; unfair disadvantage for parties represented in the state parliament with only one member each – due to the departure of the other members of parliament from the party.
5	Austria	Constitutional Court	No. E729/2016	13/12/2016	- Exceeded expenditure limit Dismissal of a political party's appeal against the imposition of a fine for exceeding the maximum amount for election campaign expenditure in the 2013 National Council election
6	Austria	Constitutional Court	No. E1406/2016	13/10/2016	- Incorrect reduction and miscalculation of party funding Violation of the complainant party's right to equality through the allocation of reduced party funding in Salzburg for the year 2016 as a result of party resignations or expulsions
7	Austria	Constitutional Court	No. B1302/2013	11/03/2014	- Exceeded expenditure limit Dismissal of the appeal by a political party represented in the Carinthian state parliament against the rejection of its application for state party funding for 2014 due to exceeding the maximum limit for election campaign expenditures
8	Belgium	General Court	T-48/17	7/11/2019	- Use of EU funds for ineligible purposes/ Indirect funding of national political parties

#	Country	Court Name	Number of Decision	Date	Description
9	Belgium	Constitutional Court	Arrêt n° 195/2009	03/12/2009	- Limitation of electoral expenditures/ Unequal treatment of parties in accessing funds
10	Belgium	Constitutional Court	Arrêt n° 127/2007	04/10/2007	- Failure to submit expense declarations and sources of campaign funds This case deals with campaign finance law, specifically the sanction (loss of office) for breaching spending-limit or reporting obligations in local elections, and whether this differs unfairly from federal rules.
11	Belgium	Constitutional Court	Arrêt n° 111/2007	26/07/2007	- Exceeded Spending limits/ Distribution of Gifts
12	Belgium	Arbitration Court	Arrêt n° 30/2003	26/02/2003	- Campaign spending limits/ Unequal campaigning costs This ruling mainly concerns electoral law (constituencies, eligibility, thresholds, and proportional representation), with a brief mention of campaign spending limits under the 1989 law.
13	Belgium	Arbitration Court	Arrêt n° 10/2001	07/02/2001	- Discrimination in funding Loss of public funding
14	Belgium	Arbitration Court	Arrêt n° 20/2000	23/02/2000	- Campaign/communication expenses Misuse of public communication which led to sanctions affecting campaign spending limits
15	Belgium	Constitutional Court	40/90 Rôle no 166	21/12/1990	- Failure to comply with funding rules/ Lack of accounting transparency
16	Brazil	Supreme Court	BRA-2022-2-005	04/07/2022	- Spending on Advertising The expansion of the limits for spending on institutional advertising on the eve of the elections can significantly affect the conditions of the electoral dispute, making it necessary to postpone the effectiveness of normative changes in this sense, in compliance with the principle of electoral precedence.
17	Bulgaria	Constitutional Court	13/13	09/07/2013	- Vote Buying The case involves financial misconduct in elections (vote buying)

#	Country	Court Name	Number of Decision	Date	Description
18	Canada	Commissioner of Canada Elections		28/01/2022	- Illegal Contributions Charged for having solicited political contributions from his employees and from an employee's spouse while offering them a reimbursement from the company. Under the Act, it is illegal for anyone other than a Canadian citizen or permanent resident to make a political contribution or to conceal the source of a contribution.
19	Canada	Commissioner of Canada Elections		20/05/2021	- Provided false bank information Accused of having obstructed the action of the Commissioner of Canada Elections or persons acting under his authority, by knowingly producing to an investigator documents, namely a bank closing account, bank statements and a note, knowing that they contained false or misleading information.
20	Canada	Commissioner of Canada Elections		06/10/2020	- Exceeded contributions limit/ Provided false documents Charged with Circumventing the contribution limit of $5,000 for contributions that a candidate was legally allowed to make to his or her electoral campaign; and - Knowingly providing the Chief Electoral Officer with false or misleading documents.
21	Canada	Commissioner of Canada Elections		06/09/2019	- Failed to provide electoral campaign return/ stealing campaign's money The case is about: - knowingly failing to provide the Chief Electoral Officer with the candidate's electoral campaign return, along with other related documents, within four months after polling day; and - committing theft of money of a value of over $5000, which belonged to the candidate's electoral campaign.
22	Canada	Commissioner of Canada Elections		26/11/2018	- Ineligible contributions The case is about illegal political contributions, specifically soliciting donations from employees and reimbursing them through the company, which is a form of financial misconduct in election funding.

#	Country	Court Name	Number of Decision	Date	Description
23	Canada	Commissioner of Canada Elections		30/10/2017	- Exceeded the contribution limits
24	Canada	Commissioner of Canada Elections		12/09/2017	- Exceeded contribution limits The case is about willfully making contributions to a registered association and to candidates of a particular registered party, between January 1, 2008, and December 31, 2008, that exceeded the contribution limits established by the Canada Elections Act.
25	Canada	Commissioner of Canada Elections		20/06/2017	- Exceeded spending limits The case is about having avoided the old legal contribution limit by paying, from his own funds, the expenses related to his electoral campaign for the general election of May 2, 2011.
26	Canada	Supreme Court	No.: 36495.	26/01/2017	- Spending money on campaign advertisement - The case is about election advertising rules, which are a form of campaign finance regulation. - Specifically, it concerns transparency and disclosure requirements for those who spend money to advertise during elections.
27	Canada	Commissioner of Canada Elections		25/06/2015	- Exceeded the spending limits/ Report included false information The case is about incurring election expenses in excess of the election expenses limit; and providing the Chief Electoral Officer with an election campaign return that he knew or should reasonably have known contained false or misleading information.
28	Canada	Commissioner of Canada Elections		25/06/2015	- Exceeded spending limits/ Donations/ Report included false information The case is about incurring election expenses in excess of the election expenses limit; - voluntarily exceeding the contribution limit set for a candidate to his or her own election campaign; and -providing the Chief Electoral Officer with an election campaign return that he knew or should reasonably have known contained false or misleading information.

#	Country	Court Name	Number of Decision	Date	Description
29	Canada	Commissioner of Canada Elections		01/12/2014	- Not all expenses are recorded/ False information
30	Canada	Commissioner of Canada Elections		16/01/2014	- Failed to open a campaign bank account/ Failed to provide a bank statement
31	Canada	Commissioner of Canada Elections		16/09/2013	- Failure to open a separate bank account/ Failure to dispose surplus of campaign funds
32	Canada	Federal Court	File number: T-1791-11	11/01/2013	- Vote- buying The case is about providing financial assistance to a voter's family ($1,300 in cheques and $200 cash) in exchange for votes.
33	Canada	Federal Court of Appeal	File number: A-63-10	28/02/2011	- Misreporting election expenses
34	Canada	Federal Court	File number: T-838-07	25/09/2008	- Excluded certain expenses The case is about financial administration and reimbursement of election campaign expenses, specifically whether certain media ad costs could be counted.
35	Canada	Federal Court	File number: T-755-07	25/02/2008	-Transfer of Fund (Refund of entry fee) - Section 404.3 of the Act prohibits a political party from transferring funds to a leadership contestant, unless done equally to all contestants. - The case focuses on whether refunding the $50,000 entry fee to Rae and other leadership contestants would count as a prohibited transfer.
36	Canada	Supreme Court	File number: 29618	18/05/2004	- Exceeded advertising spending limits on media advertising during elections.
37	Canada	Supreme Court	No.: 29618.	18/05/2004	- Exceeded spending limits
38	Canada	Supreme Court	File number: 24960	09/10/1997	- Exceeded spending limits
39	Estonia	Supreme Court	EST-2010-2-007 No.: 3-4-1-33-09	01/07/2010	- Campaign Spending (Ban on Political Outdoor Advertising since it requires a huge amount of money) The legislator is free to abolish the prohibition or to establish restrictions on the time, place and size of political outdoor advertising, and to set a ceiling for election expenses.

#	Country	Court Name	Number of Decision	Date	Description
40	France	Constitutional Council	n° 2025-6542 AN	11/07/2025	- Failure to open a single campaign bank account
41	France	Council of State, First Chamber	N° 491864	19/09/2024	- Campaign expenses: Using a branded bus as election propaganda outside authorized locations, making the related expense ineligible for public reimbursement.
42	France	Court of Cassation - Criminal Chamber	N°: 23-82.194	19/06/2024	- Campaign Kits and Loans/ Misreporting campaign expenses/ Use of corporate funds to fund campaigns Pour financer l'achat de ce kit, l'association proposait aux candidats un prêt d'un montant équivalent au coût du kit et un prêt pour payer les intérêts du premier prêt. Lorsque les candidats étaient remboursés de leurs frais de campagne par l'Etat, ils devaient alors rembourser l'association du montant du prêt.
43	France	Constitutional Council	n° 2023-31 ELEC	29/09/2023	- Failure to open a single bank account/ Incomplete Campaign Accounts
44	France	Constitutional Council	n° 2023-6128 AN	30/06/2023	- Donations/ Exceeded spending limits
45	France	Constitutional Council	n° 2023-6078 AN	09/06/2023	- Failure to include all expenses The case is about having omitted to include an expense of €1,800 corresponding to the creation of propaganda documents, and the absence of payment of this expense to the service provider being constitutive of a prohibited donation from a legal person.
46	France	Constitutional Council	n° 2023-6060 AN	21/04/2023	- Exceeded spending limits/ Accepted a loan The National Commission for Campaign Accounts and Political Financing rejected the campaign account on the grounds that he received a loan of 3,850 euros from the association "Education, Democracy, Dignity".
47	France	Constitutional Council	n° 2022-5907 AN	24/03/2023	- Exceeded spending limits/ Several Bank accounts for 1 candidate
48	France	Constitutional Council	n° 2022-5781 AN	27/01/2023	- Donations Donations were processed through a non-compliant payment platform
49	France	Council of State	N° 465399	11/10/2022	- Campaign expenses: Whether posters and other expenses are treated as campaign expenses)

#	Country	Court Name	Number of Decision	Date	Description
50	France	Court of Cassation - Criminal Chamber	N° 19-85.764	01/12/2020	- Vote Buying: To describe the alleged defamatory statements against the civil party in his capacity as a holder of a public mandate, the contested ruling states that these statements allege both electoral fraud and vote buying.
51	France	General Court	T-829/16	27/11/2018	- Indirect and unlawful funding Prohibition on indirect funding of a national political party.
52	France	Court of Cassation - Criminal Chamber	N° 17-84.804	27/06/2018	- Misuse of public funds Public money (parliamentary reserve) was paid to an association
53	France	Court of Cassation - Criminal Chamber	N° 16-82.934	20/06/2017	- Donations/ Illegal financing of political parties from companies
54	France	Council of State - 4th/5th SSR	N° 388442	22/07/2015	- Donations/ Exceeded spending limits
55	France	Constitutional Council	no. 2013-156 PDR	04/07/2013	- Exceeded spending limit/ Undeclared expenses/ Illegal financing elements
56	France	Constitutional Council	no. 2013-667 DC	16/05/2013	- Exceeded spending limits National Commission for Campaign Accounts and Political Spending declare both candidates from the same pair to be ineligible where the campaign account indicates, as the case may be after adjustment, that the limit on campaign expenses has been exceeded, where the account has not been filed under the conditions and within the time limits.
57	France	Constitutional Council	n° 2012-4602 AN	25/01/2013	- Failure to record all expenses the applicant argues that expenses relating to the rental of premises for campaign offices and vehicles, the organization and sound system for election meetings, the manufacture of clothing for election meetings, the manufacture and use of propaganda material and the remuneration of "political advisors", as well as technicians and drivers for driving sound-equipped vehicles, were not recorded in the campaign account, or were recorded there for a value lower than their actual cost.

#	Country	Court Name	Number of Decision	Date	Description
58	France	Constitutional Council	n° 2011-117 QPC	08/04/2011	- Exceeded spending limits
59	France	Court of Cassation - Criminal Chamber	N°: 03-80.508, 09-86.242	08/04/2010	- Donations/ Illegal Campaign Financing (illicit source of funds)
60	France	Constitutional Council	n° 2008-24 ELEC	29/05/2008	- Failure to designate a financial agent
61	France	European Court of Human Rights	No. 71251/01	07/09/2007	- Received financial support from a foreign legal entity The case is about restricting foreign financial support to political parties
62	France	Constitutional Council	n° 2003-20 ELEC	15/05/2003	- Donations/ Exceeded spending limits
63	France	Constitutional Council	n° 98-15 ELEC	04/06/1998	- Non- accuracy of campaign accounts/ Public Funding/ Donations
64	France	Constitutional Council	no 97-2209	06/02/1998	- Donations / Exceeded Spending Limits
65	France	The European Court	Case 294/83	23/04/1986	- Reimbursement of election campaign expenses/ Reporting the use of funds The case is about EU election funding, specifically how the EP allocated and controlled funds for election-related activities.
66	Germany	Federal Constitutional Court Order of the Second Senate	2 BvC 46/14	19/09/2017	- Concealed financing The electoral complaint was directed against the "concealed financing of electoral campaigns by way of channeling state funding to political parties represented in the Bundestag via their parliamentary groups, the staff working for members of the Bundestag and the political foundations affiliated with the respective parties". The applicant claimed a violation of the principles of equal suffrage and of equal opportunities for political parties...
67	Germany	Federal Constitutional Court Order of the Second Senate	2 BvF 1/78	24/07/1979	- Donations On the tax treatment of contributions and donations to political parties.

#	Country	Court Name	Number of Decision	Date	Description
68	Germany	Federal Constitutional Court Order of the Second Senate	2 BvF 1/57	24/06/1958	- Donations/ State financing - The case is about tax deductions for donations to political parties - The court examined how these deductions effectively function as indirect state financing of political parties
69	Japan	Supreme Court	No. 2022(Gyo-Hi) 317	12/12/2023	- Vote Buying: This case deals with: - Assembly member remuneration and end-of-term allowances that were paid to a candidate who was later disqualified due to a criminal conviction related to vote-buying. - Expenses for political activities paid to a political faction formed by that candidate, and whether these funds must be returned as unjust enrichment once the election victory is retrospectively nullified.
70	Korea	Constitutional Court	2015Hun-Ma509, 1160	29/12/2016	- Unconstitutional use of Candidate's deposit money This case concerns financial conditions for candidacy (election deposits), which are considered part of the broader regulatory control of election campaigns and candidate participation.
71	Korea	Constitutional Court	2007Hun-Ka22	26/03/2009	- Gift and Food Donations The applicants in these proceedings had each received a box of dried fish, costing around 9,000 KRW (equivalent to 8.23 USD), sent by a member of the 00 party. However, the boxes were endorsed with the name of a candidate from that party, running for the post of city mayor. The local Election Commission imposed an administrative penalty fine of 450,000 KRW on each applicant
72	Mexico	Electoral Court of the Federal Judiciary High Chamber	SUP-JE-0275-2022	21/12/2022	- Vote Buying A coalition candidate running for election as governor of the state of Nuevo León was found to have committed the infraction of vote buying and voter coercion by this state's Electoral Tribunal.
73	Moldova	Constitutional Court	MDA-2024-2-002	19/07/2024	- Bribery The main issue is the constitutionality of canceling a candidate's registration for electoral violations such as voter bribery.

#	Country	Court Name	Number of Decision	Date	Description
74	Moldova	European Court of Human Rights	nos. 5113/15 and 14 others	04/11/2020	- Undeclared funds and money from abroad The application concerns the removal of the applicant party from the list of participants three days before the elections on the ground that, contrary to the provisions of the electoral law, it had used undeclared funds, including money from abroad.
75	Romania	European Court of Human Rights	no. 37327/24	11/02/2025	- False reporting of campaign expenses/ Inequality of campaign resources (on the annulment of the electoral process for the election of the President of Romania in 2024)- (relevant to future parliamentary elections disputes)
76	Romania	Constitutional Court	Decision No. 182	26/03/2024	- Unequal Funding (Different funding between parliamentary and non-parliamentary parties) Parliamentary political parties receive significant amounts of money from the state budget for the electoral campaign, while non-parliamentary parties do not receive such funding.
77	Romania	Constitutional Court	Decision No. 142	19/03/2024	- Illegal Donations/ Overspending/ Misreporting
78	Romania	Constitutional Court	Decision No. 686	30/09/2020	- Misuse of Public Funds/ Unequal funding
79	Romania	Constitutional Court	Decision No. 829	11/12/2018	- Failure to appoint a financial agent/ Failure to submit a financial report
80	Romania	Constitutional Court	Decision No. 432	21/06/2018	- Misuse of campaign funds
81	Romania	Constitutional Court	Decision No. 718	08/11/2017	- Misuse of campaign funds/Failing to report funds: The case is about an objection of unconstitutionality regarding the Law amending and supplementing Law No. 334/2006 on the financing of the activity of political parties and electoral campaigns.
82	Romania	Constitutional Court	Decision No. 1,600	15/12/2011	- Constitutional challenge to party financing laws/ Restrictions caused by financing regulations: The pending case is the resolution of the exception of unconstitutionality of the provisions of the Law on Political Parties no. 14/2003 and of Law no. 334/2006 on the financing of the activity of political parties and electoral campaigns.

#	Country	Court Name	Number of Decision	Date	Description
83	Russia	European Court of Human Rights	Applications nos. 55066/00 and 55638/00	11/04/2007	- Refused to return election deposit The applicant party complained about the domestic authorities' refusal to return the election deposit.
84	Russia	Constitutional Court	RUS-2006-2-003	16/07/2006	- Restriction on independent citizen financing / Transparency of funding Prohibiting citizens from the independent financing of electioneering is intended to ensure equality between candidates and the protection of the rights and freedoms of others, as well as transparency of the funding of elections, which is necessary for equality between candidates and the freedom of voters to form their own opinion.
85	South Africa	Constitutional Court	Constitutional Court	21/06/2018	- Political finance transparency / access to information (Disabled access to information on private political funding.) It is declared that information on the private funding of political parties and independent candidates is essential for the effective exercise of the right to make political choices and to participate in the elections.
86	Spain	Supreme Court Administrative Litigation Chamber	Judgment No: 1.312/2024	18/07/2024	- Exceeded expenditure limits In the local elections held on May 26, 2019, the political party "Totes i tots som Vinaròs" incurred election expenses amounting to €3,551.38. Following the corresponding procedure, the Court of Auditors concluded that the aforementioned political party's election expenses exceeded by €247.75 (7.92%) the maximum limit (€3,128.18) applicable to it
87	Spain	Constitutional Court	Judgment 74/2024	07/05/2024	- Exceeded Expenditure Limits An audit of its accounts revealed that it had incurred electoral expenses for outdoor advertising above the maximum limit established for this concept by article 55.3 LOREG. The excess computed amounted to 910.37 euros, which represented 202.61% of the maximum expenditure, estimated at 449.33 euros.

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88	Spain	Constitutional Court	Judgment 69/2024	24/04/2024	- Exceeded Expenditure Limits After submitting the electoral accounts and processing the corresponding procedure, the Court of Auditors agreed by resolution of October 28, 2021, to impose on the aforementioned political party "a penalty of five thousand euros (€5,000), ... consisting of exceeding the maximum expenditure limit applicable to the political party in the local elections (€3,917.54), by €91.47, which has represented an excess of 2.33 percent over said limit."
89	Spain	Supreme Court. Administrative Chamber	Appeal No.: 331/2018	22/01/2020	- Exceeded expenditure limits The Administrative Litigation Division of the Supreme Court has upheld the ruling of the Court of Auditors' Plenary Session of June 18, 2018, which imposed a fine of €130,192 on the Convergencia i Unió Federation for exceeding the electoral spending limit set for the 2015 municipal elections by that amount.
90	United Kingdom	High Court of Justice	Case No: M/350/14	23/04/2015	- Bribery/ false statements/ Misuse of Public funds/ Unreported funds
91	United Kingdom	European Court of Human Rights	(141 / 1996 / 760 / 961)	19/02/1998	- Exceeding third-party spending limits/ Unauthorized campaign expenditure
92	USA	District Court for the district of Columbia	No. 1:21-cv-2128	23/01/2025	- Exceeded Spending Limits coordination with New Republican PAC, which spent over $29 million supporting his election during the 2018 cycle.
93	USA	District Court for the district of Columbia	No. 1:19-cv-1192 (EGS)	10/01/2025	- Illegal Spending CLC Action filed suit against the FEC after it failed to announce any action on four complaints alleging illegal coordination between the NRA and seven federal campaigns via common vendors. CLC Action is suing the FEC to force it to hold the NRA accountable for violating the laws designed to limit money's influence on politics.
94	USA	Arizona Court of Appeals	No. 1 CA-CV 24-0272 A	08/11/2024	- Secret Spending (source of money) The Arizona Court of Appeals, Division One, issued a decision upholding the validity of the Voters' Right to Know Act, also known as Proposition 211, which requires disclosure of the original source of all major contributions used to pay for campaign media spending in Arizona.

#	Country	Court Name	Number of Decision	Date	Description
95	USA	Court of Appeals	No. 24-3051	05/09/2024	- Exceeded Contribution Limits NRSC filed suit to challenge longstanding limits on how much political parties can spend in "coordination" with federal candidates. The lawsuit is foreclosed by a that a 2001 decision by the Supreme Court upheld these federal limits because they prevented donors from routing big money to candidates through party committees.
96	USA	District Court For the District of Arizona	No. CV-23-00470-PHX-ROS	20/03/2024	- Secret Spending (source of money) Campaign Legal Center Action is representing Voters' Right to Know, the political action committee that wrote and campaigned for Arizona's Proposition 211, which requires major campaign spenders to disclose the true sources of money behind campaign media spending.
97	USA	District Court for the District of Maine	No. 1:23-cv-00450-NT	29/02/2024	- Foreign campaign spending Ban on campaign spending by foreign government-influenced entities and related provisions in their entirety.
98	USA	District Court for the District of Minnesota	No. 23-cv-02015	04/12/2023	- Use of corporate funds to influence elections The Minnesota Chamber of Commerce filed a lawsuit in July 2023 seeking to invalidate this prohibition on campaign spending by foreign-influenced corporations, arguing that it violated its members' First Amendment rights and was preempted by federal law. In December 2023, CLC joined the case as an amicus curiae, filing a "friend of the court" brief defending the ban on foreign-influenced corporate campaign spending.
99	USA	District Court For the District of Columbia	No. 23-3163	20/10/2023	- Inaccurate campaign finance information CLC and OpenSecrets sued to force the FEC to do its job and ensure full transparency of the funds flowing into and out of these supercharged party accounts.
100	USA	District Court For the District of Columbia	No. 22-cv-3067	29/09/2023	- Illegal Corporate Contributions The March 2021 administrative complaint alleged that election-related activities by the nonprofit corporation True the Vote constituted prohibited corporate in-kind contributions to the Georgia Republican Party because its activities were undertaken in coordination and partnership with the party but were neither paid for nor disclosed, in violation of federal campaign finance law.

#	Country	Court Name	Number of Decision	Date	Description
101	USA	Court of Appeals	No. 22-5176	09/06/2023	- Exceeded Contribution Limits End Citizens United PAC, represented by Campaign Legal Center Action, filed suit against the FEC after the agency dismissed a complaint alleging the Trump campaign illegally solicited unlimited contributions to a super PAC. ECU sued to force the FEC to do its job and hold the campaign accountable.
102	USA	Court of Appeals for the Ninth Circuit	No. 22-35612	09/02/2023	- Exceeded Contribution and Donation Limits
103	USA	Court of Appeals	No. 21-2352, 21-2433	28/09/2022	- Contributions (Campaign contributions by banks and certain other corporations) The lawsuit also alleges that New Jersey's law imposes an unconstitutional ban on independent expenditures by banks and other corporations, but the state disputes that interpretation of the law.
104	USA	Court of Appeals	No. 22-15824	05/08/2022	- Secret Contributors CLC has joined a case defending a City of San Francisco disclosure law that requires certain campaign ads to include disclaimers listing the ad's sponsor and the sponsor's top contributors, enacted through referendum to ensure city voters receive immediate information about who is financing the election messages they see.
105	USA	Court of Appeals	No. 22-8019/ 22-8021	25/07/2022	- Exceeded contributions and spending limits/ Failed to Report the funding source Before the Court is a standard campaign finance disclosure law, requiring groups that spend substantial amounts on "independent expenditures" and "electioneering communications" in Wyoming elections to report the expenditures they made and the contributions they received for such advertising

#	Country	Court Name	Number of Decision	Date	Description
106	USA	Supreme Court	No. 21-12	16/05/2022	- Donations This case involves Section 304 of the Bipartisan Campaign Reform Act of 2002 which limits how much a campaign can use post-election contributions to repay a candidate's personal loans to their own campaign. Specifically, under 52 U.S.C, campaigns can only use up to $250,000 in post-election donations for this purpose. Senator Ted Cruz loaned his 2018 Senate campaign $260,000.
107	USA	District Court for the District of Columbia	No. 22-1248	05/05/2022	- Failed to report the funding sources CLC filed suit against the dark money group Heritage Action for America to enforce disclosure laws. Heritage Action spent over $1 million to influence federal elections in 2018 cycle without reporting its funding sources.
108	USA	Supreme Court	No. 21-890	07/03/2022	- Exceeded Spending and Contribution Limits CLC assisted in the successful defense of a Rhode Island transparency law requiring groups that spend significant amounts of money to influence state elections to disclose their spending and certain contributors to voters.
109	USA	District Court For the District of Columbia	No. 21-cv-1376	19/05/2021	- Avoided reporting contributions, expenditures and debts CLC sued the FEC for failing to enforce federal transparency laws, enabling Big Tent Project, an entity funded by secret money, to avoid reporting its contributions, expenditures and debts. The FEC has failed to protect the public's right to know who is seeking to influence elections.
110	USA	District Court For the district of Columbia	Case 1:21- cv-00389	12/02/2021	- Failed to report the funding sources (Deprived voters their right to know the funding sources) Violation of federal campaign finance law. Despite its major purpose of supporting the reelection of U.S. Sen. Joni Ernst, Iowa Values failed to register as a PAC and publicly disclose its donors and the recipients of its spending.

#	Country	Court Name	Number of Decision	Date	Description
111	USA	District Court For the district of Columbia	No. 20-cv-02842	06/10/2020	- Illegal campaign contributions CLC challenged the FEC's delay in enforcing key provisions of federal campaign finance law, including the ban on "straw donors," against SCYWSE, LLC, which gave a $150,000 contribution to a federal super PAC despite having no public history of any business or commercial activity.
112	USA	District Court For the District of Montana Helena Division	No. CV 19-00056 -H-CCL	29/05/2020	- Exceeded Contributions Limits/ Disclose sources of money The Supreme Court and Ninth Circuit have repeatedly upheld requirements to disclose the sources of money used to pay for election-related spending, including "electioneering communications" like the ones plaintiff Illinois Opportunity Project ("plaintiff") intends to disseminate.
113	USA	Supreme Court	No. 19-484	14/02/2020	- Donations This case arises out of an administrative complaint alleging that an "unknown respondent" had donated $1.71 million in the name of a nonprofit to a political action committee, in violation of the Act's prohibition on "making a contribution in the name of another person,"
114	USA	District Court For the District of Columbia	No. 19-5161	29/10/2019	- Exceeded Contribution and spending Limits CREW filed an administrative complaint alleging that a self-described "issues" group called New Models had violated these important FECA provisions by spending millions of dollars to influence the 2012 elections without registering with the FEC as a political committee or complying with attendant campaign finance disclosure requirements.

#	Country	Court Name	Number of Decision	Date	Description
115	USA	Supreme Court	No. 19-234	October 2019	- Exceeded contribution limits In 2016, petitioner sued the Commission, arguing that (1) the contribution limits violate the First Amendment as applied to Shaber's contribution and (2) the limits violate the First Amendment on their face because they allow donors to increase the size of their contributions to national party committees, but only if the recipient spends the money on specified categories of expenses.
116	USA	Court of Appeals For the Seventh Circuit	No. 16-3585	13/09/2018	- Exceeded Contribution Limits
117	USA	Supreme Court	No. 12–536	02/04/2014	- Exceeded Contribution limits Appellant contributed to 16 different federal candidates, complying with the base limits applicable to each. He alleges that the aggregate limits prevented him from contributing to 12 additional candidates and to a number of noncandidate political committees. He also alleges that he wishes to make similar contributions in the future, all within the base limits.
118	USA	Supreme Court	No. 12-683	Feb. 2013	- Contributions Appellant is a private individual who alleges that she would like to make contributions to candidates that would exceed the aggregate limit on candidate contributions but would not exceed FECA's total aggregate limits on contributions to all entities. she alleges that during the 2011-2012 election cycle she contributed $27,000 to candidates and $5000 to political committees, but that she wanted to make additional contributions to candidates (within the $2500 per-candidate, per-election base limit) that would have brought her aggregate candidate contributions to more than $46,200 but less than $117,000.
119	USA	Supreme Court	Docket Number: S059245	04/10/2012	- Limited Contribution and expenditure limits

#	Country	Court Name	Number of Decision	Date	Description
120	USA	Court of Appeal	No. 11-4667	28/06/2012	Contributions
121	USA	Supreme Court	No. 08–205	21/01/2010	- Contributions (Corporate and union direct contributions to candidates)
122	USA	Court of Appeal	No. 09-50296	14/06/2010	Donations
123	USA	Supreme Court	No. 07–320	26/06/2008	- Exceeded Spending Limits and Contribution Limits/ Spending personal funds
124	USA	Supreme Court	No. 06–969	25/06/2007	- Financing campaign Ads WRTL planned to run the ads throughout August 2004 and finance them with its general treasury funds. Recognizing, however, that as of August 15, 30 days before the Wisconsin primary, the ads would be illegal "electioneering communication", but believing that it nonetheless had a First Amendment right to broadcast them, WRTL filed suit against the Federal Election Commission...
125	USA	Supreme Court	No. 04–1528.	26/06/2006	- Exceeded Spending and Contribution Limits
126	USA	Civil Court of the City of New York .	Slip Op 25497	21/11/2005	- Failure to Document Use of Public Funds/ Parties did not comply with administrative audit procedures
127	USA	Supreme Court	No. 02–403	16/06/2003	- Contributions (A contribution from a corporation to a candidate) A corporation is prohibited from making "a contribution or expenditure in connection with" certain federal elections, but not from establishing, administering, and soliciting contributions to a separate fund to be used for political purposes. Such a PAC is free to make contributions and other expenditures in connection with federal elections.
128	USA	Massachusetts Supreme Judicial Court.	436 Mass. 144	25/02/2002	- Inability to distribute funds (Failure to appropriate funds)
129	USA	Court of Appeals	No. 00-5163	29/06/2001	- Contributions from Corporations the National Rifle Association spent $37,833 on behalf of its political action committee.

#	Country	Court Name	Number of Decision	Date	Description
130	USA	Supreme Court	No. 00–191	25/06/2001	- Exceeded spending limits
131	USA	United States District Court, E.D. New York	No. 00 CV 3754 CBA.	08/12/2000	- Submitted incomplete reports and information Herschaft petitioned the Board to amend the rules to allow for relaxed reporting for contributions of less than $10, but the Board declined his request. He then filed a lawsuit challenging the constitutionality of the disclosure requirements.
132	USA	U.S. District Court for the Northern District of Ohio	No. 5:98CV2862.	02/12/1999	- Contributions and Loans
133	USA	Supreme Court	No. 95-489	26/06/1996	- Exceeded expenditure limit
134	USA	US District Court for the District of Massachusetts	No. 82-609-G.	29/06/1984	- Use of corporate funds to influence elections
135	USA	Supreme Court	No. 75-436	30/01/1976	- Exceeded Contribution and spending limits Buckley proved the foundational case for analysis of campaign finance provisions. It created concerns regarding political equality by allowing governments to provide campaign funding without requiring candidates to accept that funding and the associated limits on expenditures. Public financing systems by state or federal governments cannot be used to level the playing field between candidates with varying access to funds, which can have an impact on the democratic process.
136	USA	Supreme Court	No.243 U.S. 476	09/04/1917	- Bribing Voters In this case, the defendants were accused of conspiring to influence congressional and senatorial elections by bribing voters, that is, by corrupting elections through illegal payments and false votes.

International Court Cases on Media and Electoral Advertising

#	Country	Court Name	Number of Decision	Date	Description
1	Armenia	European Court of Human Rights	Application no. 32283/04	17/09/2008	- Media Coverage The applicant company complained that the refusals of a broadcasting license amounted to a violation of its freedom of expression under Article 10 of the Convention (The applicants' involvement in television broadcasting)
2	Armenia	Constitutional Court	No. DCC-412	16/04/2003	- Media Coverage Equal opportunity for candidates is closely connected to the formation of voters' opinions and assumes the neutrality of state bodies regarding the election process, specifically, the pre-election campaign and the media coverage.
3	Australia	Federal Court of Australia	No. QUD 384 of 2023	23/08/2024	- Unauthorized political advertising (social media posts) where the primary judge held that three posts on a Facebook page were electoral matter published in contravention of s 321D(5) of the Commonwealth Electoral Act 1918 in that they failed to disclose the name and relevant town or city of the person publishing the posts ...
4	Australia	Federal Court of Australia	No. VID 78 of 2023	26/03/2024	- Non-compliant electoral advertisements (newspaper publications/ prints..)
5	Australia	Federal Court of Australia	No. QUD 443 of 2021	09/08/2023	- Failure to include authorisation details in social media posts/ Non-transparent political messaging (digital) whether each Facebook post constituted only a single contravention, or whether there was a contravention each time a post was read/ respondent deliberately disguised he was the author of one post
6	Australia	Federal Court of Australia	No. NSD 375 of 2022	27/07/2023	- Non-compliant printed electoral advertising (posters/..) (Breach of formatting/visibility rules)
7	Benin	African Court on Human and Peoples' Rights	No.012/2021	04/12/2023	- Media Restriction (Internet shutdown during elections)

#	Country	Court Name	Number of Decision	Date	Description
8	Brazil	Supreme Court	BRA-2022-2-005	04/07/2022	- Spending on institutional advertising The expansion of the limits for spending on institutional advertising on the eve of the elections can significantly affect the conditions of the electoral dispute, making it necessary to postpone the effectiveness of normative changes in this sense, in compliance with the principle of electoral precedence.
9	Canada	Supreme Court	No. 36495	26/01/2017	- Sponsored Political Advertising Individuals or organizations who wish to "sponsor election advertising" to register is not a reasonable and demonstrably justified limit on expression by persons who convey political messages through small-scale election activities like displaying homemade signs in their windows, putting bumper stickers on their cars, or wearing T-shirts with political messages on them.
10	Canada	Supreme Court	No. 29618	18/05/2004	- Third Party Advertising/ Spending limits on third-party advertising This case is how political actors can use the media to communicate during election campaigns, and how the law may legitimately limit or regulate that communication to ensure fairness and integrity in the democratic process.
11	Chile	Constitutional Court	2487-2013	21/06/2013	- Broadcast Media (Unequal access to broadcast media during elections)
12	Croatia	Constitutional Court	No. U-VII-1120/1999	17/12/1999	- Media Coverage Croatian Radio and Television has to grant equal time to each political party participating in the elections to allow them to present their electoral programme, regardless of whether the political party participates in the election independently or as a member of a coalition.
13	Estonia	Supreme Court	No. 3-4-1-33-09	01/07/2010	- Ban on Political Outdoor Advertising (The ban aimed to prevent wealthy candidates or parties from dominating campaigns through expensive billboard campaigns.) A ban on billboards could help: - reduce campaign spending - limit visual campaign saturation - reduce voter manipulation through advertising.

#	Country	Court Name	Number of Decision	Date	Description
14	France	Constitutional Council	n° 2024-6365	07/03/2025	- Publication of inaccurate information/ Unbalanced Reporting (Pejorative coverage of some parties/ Journal du Dimanche post about immigration law)
15	France	Constitutional Council	n° 2022-5781	27/01/2023	- Paid political advertising on social media (illegal timing/method)/ Distribution of fake campaign material (fake leaflet)
16	France	Council of State	N° 429370	04/04/2019	- Unequal Access to Media (imbalance in airtime) - The disputes center on France Télévisions' refusal to invite certain political candidates or parties to participate in televised debates ahead of the European elections in 2019. - The petitioners argued that exclusion from these debates violated the principle of pluralism in media coverage, which is essential for fair electoral competition.
17	France	Constitutional Council	n° 2012-4602	25/01/2013	- Unequal Access to Media (imbalance in airtime) The Constitutional Council examined two main media-related issues raised by the petitioner: - Access to audiovisual media (TV/radio debates) - Campaign materials and online presence
18	Germany	Federal Constitutional Court	- 2 BvE 4/20 - 2 BvE 5/20	15/06/2022	- Unequal Access to Media Platforms This case concerns the use of governmental media channels (official websites and press conferences) to influence electoral or political competition. (Violating the principle of equal opportunities of political parties.)
19	Germany	European Court of Human Rights	Application no. 48311/10	10/10/2014	- Publication of inaccurate information/ Unbalanced Reporting - A newspaper published questions suggesting improper motives by a former Chancellor - The newspaper did not obtain or present the former Chancellor's position on the allegation.
20	Hungary	European Court of Human Rights	no. 201/17	20/01/2020	- Unlawful Campaigning/ Freedom of Expression The campaign included the display of billboards caricaturing the government's own media campaign with slogans such as "Feel free to come to Hungary, we already work in England!"

#	Country	Court Name	Number of Decision	Date	Description
21	Hungary	Constitutional Court	30/2019. (XI. 4.) AB	04/11/2019	- Disproportionate restrictions on political advertising - Restriction in placement of campaign materials in public spaces; specifically, election posters, standalone advertising structures, and billboards.
22	Iceland	European Court of Human Rights	no. 58493/13	16/06/2017	- Media Coverage (Media defamation of a candidate/ Online Media)
23	Lithuania	European Court of Human Rights	Nos. 84048/17 and 84051/17	12/12/2023	- Media Coverage/ Political Advertising The case is about political marketing, electoral influence, hidden political advertising, and political criticism.
24	Mexico	Electoral Court of the Federal Judiciary	SUP-RAP-593-2017	05/10/2017	- Media Coverage (Regulation of News Coverage) It is not possible to include major demands to media coverage other than those that are constitutionally and legally established, since the electoral authority must choose the most favourable interpretation of the norm for the protection of journalistic work.
25	Moldova	Constitutional Court	MDA-2024-2-004	16/07/2024	- Media Coverage (Restriction on audiovisual media coverage of electoral candidates during the electoral period)
26	Moldova	European Court of Human Rights	Application no. 28470/12	05/04/2022	- Media Coverage - Revocation of broadcasting licence of a TV channel after repeated and serious breach of the statutory requirement to ensure political balance and pluralism in news bulletins
27	Moldova	European Court of Human Rights	Application no. 13936/02	17/12/2009	- Failure to ensure media pluralism (Political control of public service broadcasting during an electoral period) Moldovan public broadcaster favored ruling party during campaigns; raised issues of political control over election coverage.
28	New Zealand	High Court	CIV-2023-485-260 [2023] NZHC 1823	13/07/2023	- Unequal Media Coverage Smaller parties argued that they receive too little broadcasting allocation and therefore cannot get adequate media coverage during the election period; especially compared to major parties who already receive more “free media.”

#	Country	Court Name	Number of Decision	Date	Description
29	New Zealand	Court of Appeal	CA239/2015 [2016] NZCA 512	20/10/2016	- Political Insult in Media (Political satire used as media criticism of a Prime Minister/ satirical song counts as an election advertisement) Planet Key was a satirical song and video that but for the intervention of the Electoral Commission would have been broadcast in the lead up to the 2014 general election. The Commission is said to have overreached by interfering in the expression of personal political views.
30	Norway	European Court of Human Rights	No. 21132/05	11/03/2009	- Political Advertising TV company fined for violating the prohibition on political advertising in television broadcasts when it broadcast advertisements of small political party.
31	Romania	Constitutional Court	Ruling No.32	06/12/2024	- Political Advertising/ Unequal Media Campaign The candidate received preferential treatment on social media platforms, which led to a distortion of the voters' expression of will.
32	Romania	Constitutional Court	Decision No.182	26/03/2024	- Unequal Media Campaign Parliamentary parties benefit from airtime, while non-parliamentary parties are not recognized for such a benefit.
33	Russia	European Court of Human Rights	Application no. 42911/08	03/07/2017	- Unlawful Media Campaign (Newspaper fined for publishing unregistered political ads) During electoral campaigns, regulatory frameworks should encourage and facilitate the pluralistic expression of opinions via the broadcast media.
34	Russia	European Court of Human Rights	Application no. 8918/05	24/04/2017	- Unlawful Media (Satire in political journalism/ Media criticism of public officials during elections) Conviction of journalists for satirical publication found to be insulting to regional prosecutor: violation.
35	Russia	European Court of Human Rights	Application no. 73219/01	06/03/2008	- Unlawful Media Campaign (Broadcasting false factual allegations during an election period/ Failure to verify information before dissemination) There were many breaches in the electoral campaign, all television shows were recorded by the party headquarters.

#	Country	Court Name	Number of Decision	Date	Description
36	Russia	Constitutional Court	RUS-2003-3-006	30/10/2003	- Freedom of mass media In limiting the right of the media to publish election propaganda during the election campaign, the legislature must retain the balance between the constitutional values protected, in particular the right to free elections and freedom of speech and information.
37	Singapore	Court of Appeal	[2021] SGCA 96	08/10/2021	- Publishing False information (Publishing false statements about employment statistics in an online article and Facebook posts/ Using misleading graphics in social media posts suggesting declining local employment)
38	Singapore	High Court	No. Suit 539/2006, 540/2006	23/09/2008	- Publishing false information/ Defamatory Statements (Plaintiffs suing defendants for publishing allegedly defamatory articles about them)
39	Singapore	High Court	No. OS 1017/2006	22/06/2006	- Ban on Podcasting/ Restrictions on internet election advertising (government's prohibition on podcasting and online audio/video political content during the election period)
40	Singapore	High Court	No. Suit 1460/2001	04/04/2003	- Publishing false information/ Defamatory Statements (Defamatory political speech accusing a Prime Minister of dishonesty/ Statements made in the presence of journalists, leading to mass publication.)
41	Singapore	High Court	No. OM 600021/2002, 600023/2002	18/04/2002	- Publishing false information/ Defamatory Statements (Defamatory political statements made at election rallies/ Republication of those statements by newspapers and broadcasters) The defendant spoke and published certain defamatory words concerning the plaintiff in the presence of members of the public and the print and broadcast media.
42	South Africa	Constitutional Court	2023Hun-Ba78	27/06/2024	- Publishing false information/ Defamatory Statements This case examines criminal regulation of election-related media content, including speech published through newspapers, broadcasts, online communication networks, and other media channels.

#	Country	Court Name	Number of Decision	Date	Description
43	South Africa	Constitutional Court	Case CCT 13/20	31/07/2021	- Hate Speech (Publication and propagation of hate speech)
44	South Africa	Constitutional Court	2018Hun-Ma456	28/01/2021	- Anonymous political speech on the internet The petitioners challenged legislation requiring the verification of internet users when they post election-related content to bulletin boards, news sites, and the like during election campaigns, claiming this requirement violates constitutional protections of free expression, free speech, anonymity, and informational self-determination.
45	South Africa	Constitutional Court	22-1(B) KCCR 497, 2008Hun-Ba169	24/06/2010	- Prohibition of Conducting Election Campaign before the Campaign Period In this case, the Constitutional Court held constitutional Article 59 Item 3 of the Public Official Election Act, which prohibits an election campaign before the designated election campaign period in principle but allows an exception when a candidate or a person intending to become a candidate conducts election campaigns by utilizing the Internet homepages opened by himself/herself.
46	Spain	Constitutional Court	Judgment No. 134/2021	24/06/2021	- Unequal Media Access - Violation of Political Pluralism in Public Media
47	Spain	Central Electoral Board	- Agreement No. 146/2021	25/02/2021	- Media regulation (digital platforms)/ (Unequal access to communication channels)/ Violation of political pluralism (inequality between candidates)
48	Spain	Constitutional Court	Judgment 14/2021	28/01/2021	- Media activity during electoral silence/ Misclassification of journalistic content as propaganda/ (interview with a political candidate during the electoral silence period)
49	Spain	Supreme Court	No. 242/2021	22/02/2021	- Media Coverage - Media/ news that favored certain political positions: Violation of informational neutrality - Inequality of Media Access - Disproportionate media coverage - Misuse of public media

#	Country	Court Name	Number of Decision	Date	Description
50	Spain	Supreme Court	No. 322/2020	04/03/2020	- Media Coverage Violations of the principles of informational neutrality and political pluralism on four occasions. (The Supreme Court endorses censorship and fines against TV3 and Mònica Terribas)
51	Spain	Central Electoral Board	- Agreement No.: 249/2019	25/04/2019	- Unequal Political Campaign (violation of media neutrality) Violation arose from the dissemination of the documentary entitled "A Process in the Process," which favors the ideological positions of some of the political parties running in the 2019 general elections.
52	United Kingdom	European Court of Human Rights	no. 15653/22	22/07/2025	- Disinformation Campaigns/ Foreign media interference/ Digital political manipulation
53	United Kingdom	European Court of Human Rights	no. 48876/08	22/04/2013	- Media Coverage/ Political Advertising (Who is allowed to use broadcast media and under what conditions) (Political advertising ban/ Broadcast media restriction)
54	Ukraine	European Court of Human Rights	Application no. 72713/01	12/10/2005	- Media Coverage (Defamation) Newspaper owner convicted of defamation for having published articles expressing value judgments about politicians
55	USA	Court of Appeals of the State of Washington-Division One	No. 84661-2-I	02/12/2024	- Noncompliance with Disclosure Law/ Misreporting Whether Meta (Facebook) violated Washington State's campaign finance disclosure laws by failing to keep and disclose records about political ads that ran on its platforms during Washington elections/ Not including all required ad data in the Ad Library or in responses to public requests.
56	USA	Court of Appeals of the State of Arizona-Division One	No. 1 CA-CV 24-0272 A	08/11/2024	- Campaign Media Spending - This case is about political spending on media communications, ex.: money used to influence elections through ads, digital outreach, and similar public communications.

#	Country	Court Name	Number of Decision	Date	Description
57	USA	Supreme Court	No. 23-411	26/06/2024	- Suppression of speech/ Government Pressures on platforms (on social media platforms) The case involves two states and five individual social media users who sued several federal officials and agencies, alleging that the government pressured social media platforms to censor their speech in violation of the First Amendment.
58	USA	District Court for the District of Arizona	No. CV-23-00470-PHX-ROS	20/03/2024	- Campaign Media Spending: Spending or accepting in-kind contributions to pay for communications about candidates or initiatives, with certain exclusions for news or nonpartisan activities.
59	USA	United States Court of Appeals for the Fifth Circuit	No. 23-30445	08/09/2023	- Government pressure on platforms/ Content Suppression A group of social media users and two states allege that numerous federal officials coerced social-media platforms into censoring certain social media content, in violation of the First Amendment
60	USA	United States Court of Appeals for the Tenth Circuit	No. 22-8019/ 22-8021	25/07/2022	- Campaign Media Spending (Insufficient reporting of media expenditures) Groups that spend substantial amounts on "independent expenditures" and "electioneering communications" in Wyoming elections are required to report the expenditures they made and the contributions they received for such advertising.
61	USA	United States District Court for the District of Montana	Case No. CV 19-00056-H-CCL	29/05/2020	- Campaign Media Spending (Failure to disclose funding sources for electioneering communications/ Non-disclosure of contributions used to finance pre-election political ads) The Supreme Court and Ninth Circuit have repeatedly upheld requirements to disclose the sources of money used to pay for election-related spending, including "electioneering communications" like the ones plaintiff Illinois Opportunity Project ("plaintiff") intends to disseminate.

#	Country	Court Name	Number of Decision	Date	Description
62	USA	Supreme Court	No. 06–969	25/06/2007	- Prohibited Broadcasts (Electioneering Communications) / Corporate-funded broadcast/ Pre-election blackout period This case is about political broadcasting, specifically TV and radio advertising during an election period. The Court examined how far the government can go in restricting media-based political communication funded by corporations or interest groups near an election.
63	USA	Supreme Court	No. 95-489	26/06/1996	- Use of party funds for radio advertisements (before the party officially selected its candidate) The case is about political advertising, freedom of expression, and campaign spending in the media during elections. The "expenditure" in question was radio advertising, ex. paid media used to influence voters The decision defines the line between: - Independent media spending - Coordinated media spending

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