

Key Recommendations

Protecting Against Threats to the Electoral Process



The issue of foreign interference and its impact on electoral processes and democratic institutions has drawn significant attention in Canada in the past few years. While appearing before the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions, the Chief Electoral Officer (CEO) committed to producing recommendations on how to address some of the issues associated with federal elections, nomination contests and leadership contests.

While the *Canada Elections Act* (CEA) currently contains [provisions that directly or indirectly address aspects of foreign interference](#), it is essential to strengthen and expand the rules and protections in place to further protect elections and maintain electors' trust in the electoral process.

It should be noted that the threats of foreign interference can be met only if all the actors involved in federal elections do their part to meet this evolving challenge. The recommendations included in this report represent part of Elections Canada's contribution to meeting the challenge. Some of these recommendations are also included, in whole or in part, in [Bill C-65, *An Act to amend the Canada Elections Act*](#), which is currently before Parliament.

Here is an overview of the CEO's recommendations. Read the full report and see the full list of recommendations here: "[Protecting Against Threats to the Electoral Process](#)".

Social Media, Disinformation and Democratic Processes

Reports have shown that the continued evolution of technology and social media have made it easier for foreign actors to reach target populations and manipulate narratives. Many of the CEA's provisions relating to campaign communications channels were drafted before the advent of digital communications, and they do not adequately address current challenges. Therefore, the recommendations include taking measures to increase the transparency requirements for online platforms, address the emerging issues of artificial intelligence and deepfakes, ensure proper tagging of electoral communications and protect against efforts to undermine trust in the electoral process.

Topic	Recommendations
<p>➤ Online platforms</p>	<ul style="list-style-type: none"> • Require online platforms to publish their content-moderation policies, including how they will address content (paid or unpaid) that misleads electors about where, when and ways to vote or that inaccurately depicts election-related procedures during an election period. • Require platforms to publish their policies on the administration of paid electoral communications during pre-election and election periods.
<p>➤ Artificial intelligence (AI) and deepfakes</p>	<ul style="list-style-type: none"> • Expand the current CEA provision about impersonation to apply to any misrepresentation involving the manipulation, by any means, of the voice or image of some categories of individuals. • Expand the current CEA provisions regarding impersonation and misleading publications so that they are also applied outside an election period and within and outside Canada. • Require that all paid and unpaid election-related content (e.g. image, audio, video or text) distributed during a regulated pre-election or election period, or a contest, that has been generated or manipulated by AI include a clear transparency marker. • Require that platforms that have AI-generated chatbots or search functions indicate in their responses where official or authoritative information can be found about when, where and how to register and vote.
<p>➤ Source of electoral communications</p>	<ul style="list-style-type: none"> • Require that, during a pre-election period and an election period, all electoral communications (regardless of whether they are paid) made by registered political entities, or by political entities that are required to register, include a tagline or a source of information that indicates their origin.
<p>➤ Efforts to undermine trust in the electoral process</p>	<ul style="list-style-type: none"> • Prohibit the publication of false information that has the goal of undermining trust in an election and its results.

Political Entities

The political financing regime in the CEA is founded on transparency, the promotion of fairness and the prevention of the undue influence of money. The basic elements of the regime include how political entities receive and spend money and report their financial transactions. The regime has evolved over time to reflect a changing political financing landscape, evolving values and expectations, and emerging issues, including foreign interference. However, even though the regulatory framework is comprehensive, there is room for improvement to ensure that it continues to serve its purpose effectively.

Additionally, while the CEA does not regulate the rules of nomination and leadership contests, it does regulate aspects of contestants' financial reporting. It is not feasible or desirable for Elections Canada to administer these contests; however, several proposals in the report could strengthen the powers in the CEA without fundamentally disrupting the delicate balance of roles and responsibilities.

Topic	Recommendations
▶ Third parties	<ul style="list-style-type: none">• Subject to the exceptions outlined below, ensure that all regulated expenses of third parties be paid using contributions from Canadian citizens or permanent residents.• Amend the CEA to provide that third parties other than individuals who wish to rely on their own funds to finance regulated electoral activities need to provide Elections Canada with audited financial statements showing that no more than 10 percent of their revenue in the previous fiscal year came from contributions.• Require that all other third parties (that are not individuals) that incur expenses to support or oppose parties and/or candidates receive funds only from Canadian citizens and permanent residents.• Prohibit foreign entities from making a contribution to a third party for the purpose of conducting regulated activities.• Clarify that a third party is prohibited from using property or services provided by a foreign entity for regulated activities.
▶ Bulk purchase of party memberships	<ul style="list-style-type: none">• Prohibit the payment of party membership fees by any entity other than the individual wishing to become a party member.• Require membership applications to be made by an applicant directly to the party or its authorized representative.

Topic	Recommendations
<p>➤ Cryptocurrency and untraceable instruments</p>	<ul style="list-style-type: none"> • Prohibit contributions in cryptocurrency or untraceable instruments.
<p>➤ Eligibility to vote in contests</p>	<ul style="list-style-type: none"> • Allow only Canadian citizens and permanent residents to be eligible to vote in a nomination or leadership contest. • Require parties to obtain a declaration from their members regarding their status as a Canadian citizen (or permanent resident) and maintain records of who has voted in their contests and the voters' declarations of eligibility for a minimal period.
<p>➤ Strengthen the legal framework</p>	<ul style="list-style-type: none"> • Expand the CEA provision regarding foreign influence to apply at all times (not just during an election period) and to include influencing any person to vote for or against a nomination or leadership contestant. • Expand the prohibitions against bribery, intimidation and pretence or contrivance to nomination and leadership contests. • Prohibit efforts to lie or commit fraud in a nomination or leadership contest equivalent to those that now apply in elections.
<p>➤ Transparency of rules</p>	<ul style="list-style-type: none"> • Require that parties and electoral district associations file their rules for nomination and leadership contests with Elections Canada. • Require that an entity holding a contest file a notice with Elections Canada before the contest. • Require that all nomination contestants file a financial return with Elections Canada.