

ARTIFICIAL INTELLIGENCE AND HUMAN RIGHTS: IMPLICATIONS FOR DEMOCRACY AND THE INTEGRITY OF THE ELECTORAL PROCESS

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Abstract

This article examines the profound impact of artificial intelligence (AI) on human rights and democratic processes, with a focus on its use in electoral campaigns. Building on the principles enshrined in Articles 19 and 21 of the Universal Declaration of Human Rights, it explores how generative AI technologies, such as deep fakes, microtargeting, and manipulative narratives, threaten the integrity of electoral processes and undermine voters' autonomy. The paper emphasizes the ethical dimensions of AI use, highlighting frameworks such as consequentialist, deontological, and virtue ethics as essential tools for guiding responsible AI development. Furthermore, the study underscores the risks posed by the opacity of AI systems and the challenges of ensuring accountability in automated decision-making. Concrete measures are proposed to mitigate these risks, including enhancing algorithmic transparency, labeling AI-generated content, limiting personalized advertising, and enforcing sanctions against malicious uses. The article also underscores the critical importance of digital education and international cooperation in establishing global standards to protect democratic integrity and fundamental rights. By analyzing the regulatory landscape and presenting a case study of Romania's 2024 presidential elections, it highlights the urgent need for effective safeguards to counteract manipulation and bolster public trust in democratic institutions. In an era where technology is reshaping democracy, fostering ethical, transparent, and inclusive AI use is paramount to ensuring free and fair electoral processes.

Keywords: Artificial Intelligence (AI), Human Rights, Electoral Integrity, Democracy, Disinformation, Ethics in AI

JEL Classification: [K16; K24; K38]

1. Introduction

Artificial intelligence (AI)-based technologies are rapidly and profoundly transforming how modern societies function, including democratic mechanisms. In a digitalized era, integrating intelligent systems into multiple domains of social life has become a rising standard, offering significant opportunities but also presenting complex challenges. For instance, AI enhances access to information, streamlines electoral processes, and aids in detecting fraud. However, the unregulated use of these technologies can threaten fundamental rights, jeopardizing the integrity of democratic processes through public opinion manipulation, deepfakes, microtargeting, and deceptive narratives that distort voters' will.

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These risks raise essential questions about AI's impact on democracy and fundamental rights. Among these is how AI influences the right to information and freedom of expression, as guaranteed by Article 19 of the Universal Declaration of Human Rights¹, which states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers."

It is also crucial to analyse the ethical and legal implications of using AI in elections, especially as advanced technologies can subtly yet significantly influence voters' opinions through microtargeting and other manipulative techniques. This brings to the forefront the need for clear regulations to prevent AI from undermining democratic processes.

Furthermore, it is imperative to investigate how AI directly affects electoral processes and, by extension, free and fair elections. This right, enshrined in Article 21 of the Universal Declaration of Human Rights, emphasizes that "the will of the people shall be the basis of the authority of government," expressed through "genuine elections... held by universal and equal suffrage and by secret vote." In a technological landscape dominated by AI, this will can be distorted by sophisticated influence strategies, thus undermining the foundation of democratic processes.

Artificial intelligence, defined as the simulation of human cognitive processes by computer systems, spans from narrow artificial intelligence applications (ANI) to theoretical ideals like artificial general intelligence (AGI). While recent advancements in narrow AI have brought tangible benefits, they have also exposed significant vulnerabilities. For example, the unchecked use of AI in electoral campaigns can erode citizens' trust and their right to freely and informedly participate in democratic processes, as outlined in Article 21.

From this perspective, the European Union adopted the Artificial Intelligence Regulation on August 1, 2024, representing a balanced example of regulation that promotes innovation while protecting fundamental rights. The regulation encourages the classification of AI applications based on risks, algorithmic transparency, and digital education, equipping citizens with the tools needed to understand and use technology for their benefit.

Thus, this article analyses the impact of AI on fundamental rights and democracy, with a particular focus on the influence of these technologies on electoral processes. First, it discusses the risks and challenges associated with AI, such as information manipulation through deepfakes, microtargeting, and infringements on freedom of expression. Second, it identifies practical solutions to mitigate AI's adverse effects, such as algorithmic transparency, labelling AI-generated content, regulating personalized advertising, and sanctioning malicious uses. Finally, it highlights the importance of international cooperation in establishing common

¹ The Universal Declaration of Human Rights, adopted on December 10, 1948, issued by the United Nations, published in the Brochure on December 10, 1948.

standards and creating a global legislative framework to safeguard democratic integrity.

In an era where technology is redefining democracy, preventing the erosion of public trust in elections has become an absolute priority. Only through a coordinated effort that combines regulation, digital education, and international cooperation can a free, fair, and fully democratic electoral process be ensured.

2. Regulation of Artificial Intelligence: Progress, Challenges, and Implications

The regulation of artificial intelligence (AI) has become a global priority, considering the profound impact of these technologies on modern society. The year 2024 marked a turning point in AI governance efforts with the adoption of significant legislative and strategic initiatives at both European and international levels. Key developments included the adoption of the European Union Artificial Intelligence Act (AI Act)², the signing of the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law³, the drafting of Romania's National Artificial Intelligence Strategy 2024–2027⁴, and the adoption of the first global resolution on AI by the United Nations General Assembly. These initiatives reflect a shared commitment to establishing frameworks that ensure the responsible use of AI while safeguarding fundamental rights and democratic values.

The adoption of the AI Act on June 13, 2024, by the European Parliament and Council, represents a historic milestone in the regulation of digital technologies. The regulation, which came into effect on August 1, 2024, is the world's first harmonized legislative framework dedicated to AI regulation. It classifies AI systems based on risk levels: prohibited systems, such as those inferring emotions for discriminatory purposes; high-risk systems used in areas like healthcare, education, and justice; limited-risk systems, such as chatbots; and minimal-risk systems, which require no additional regulatory measures. Through this approach, the European Union consolidates its position as a global leader, setting standards that balance innovation promotion with the protection of fundamental rights.

² Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 establishing harmonized rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139, and (EU) 2019/2144, and Directives 2014/90/EU, (EU) 2016/797, and (EU) 2020/1828 (the Artificial Intelligence Regulation), PE/24/2024/REV/1.

³ Proposal for a Council Decision on the signing, on behalf of the European Union, of the Council of Europe Framework Convention on Artificial Intelligence, Human Rights, Democracy, and the Rule of Law, COM/2024/264 final.

⁴ Decision No. 832 of July 11, 2024, approving the National Strategy on Artificial Intelligence 2024–2027, issued by the Government of Romania, published in the Official Gazette No. 730 of July 25, 2024.

Another defining moment was the signing, on September 5, 2024, of the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law. This international treaty, the first legally binding agreement in the AI domain, reaffirms the importance of upholding ethical principles and democratic values in the use of advanced technologies. The convention establishes a significant precedent in global AI regulation, providing a model that can be replicated in other regions.

At the international level, the United Nations General Assembly adopted the first global resolution on artificial intelligence on March 21, 2024. This initiative underscores the importance of coordinated global governance. Although the resolution is non-binding, it highlights the need to protect human rights, data privacy, and rigorous monitoring of AI-associated risks. Proposed by the United States and co-sponsored by over 120 nations, including China, the resolution advocates for regulation to prevent malicious uses of AI and limit risks such as undermining democratic processes, fostering fraud, and causing massive job losses. The statement by U.S. Ambassador to the United Nations, Linda Thomas-Greenfield: "Today, all 193 members of the UN General Assembly have spoken with one voice and collectively chosen to govern artificial intelligence rather than let it govern us"⁵, reflects a global commitment to preventing technological abuses before they become major threats.

Romania, as a member state of the European Union, has responded to these challenges by adopting the National Artificial Intelligence Strategy 2024–2027. This strategic document aims to integrate AI into public administration, the economy, and society, with a focus on aligning with European and international standards. The strategy includes objectives such as developing digital skills, strengthening infrastructure, promoting research and innovation, and creating a national AI governance framework. It also acknowledges significant challenges, such as the shortage of specialists and insufficient funding, while emphasizing the opportunities AI offers for Romania's digital transformation.

Nevertheless, regulating AI presents complex challenges, including effectively implementing norms and adapting them to the rapid pace of technological changes. The AI Act, with its gradual implementation until 2027, provides industries time to adapt and develop compliance mechanisms. Meanwhile, the success of the UN resolution depends on international cooperation and the ability of states to implement measures that balance innovation and safety.

By adopting the AI Act, signing the Council of Europe Framework Convention, and endorsing the UN resolution, the international community demonstrates that AI can be integrated into society in a way that protects fundamental

⁵ Thomas-Greenfield, L., U.S. Representative to the United Nations, *Remarks following the adoption of a UNGA resolution on artificial intelligence*, New York, March 21, 2024. Available at: <https://usun.usmission.gov/remarks-by-ambassador-thomas-greenfield-at-the-un-security-council-stakeout-following-the-adoption-of-a-unga-resolution-on-artificial-intelligence/> [Accessed 18 Dec. 2024].

rights and democratic values. However, the success of this endeavor relies on collaboration among governments, the private sector, academia, and civil society to ensure uniform regulation and promote responsible AI use.

Lastly, it is essential to note that regulating AI is not just a legislative effort but a global responsibility. Only through a coordinated approach and the active involvement of all relevant stakeholders can AI become a tool that supports progress while protecting the fundamental rights and values essential to a democratic society. The adoption of recent regulations is evidence that, in the face of unprecedented challenges, international cooperation remains key to shaping a fair and secure technological future.

3. Risks and Challenges of Using AI in Electoral Campaigns

Artificial intelligence (AI) plays a significant role in contemporary electoral campaigns, offering innovative tools for personalizing political messages while simultaneously raising numerous risks that threaten the integrity of democratic processes. Generative technologies, such as those producing deepfakes, are a striking example of the abusive use of AI. While "no reported cases of deepfakes being used in electoral contexts have had a decisive impact on elections, the frequency of these incidents suggests a trend with potential for expansion" (Łabuz, 2024). This technology amplifies uncertainty and erodes public trust in the authenticity of information, leading to cumulative negative effects on democratic processes.

Another problematic aspect is the use of microtargeting, which allows political messages to be tailored based on voters' behavioural data. Analysis of Germany's 2021 general elections reveals that "there are considerable discrepancies between the audiences targeted by political ads and those actually reached, exposing a systematic algorithmic bias favouring populist parties" (Bär, 2024). While effective from a strategic standpoint, this practice creates informational bubbles that limit voters' exposure to alternative perspectives and exploit their emotions and fears.

Manipulating political narratives through AI exacerbates social divisions. "AI algorithms favour the distribution of polarizing content, deepening political and social divides by exploiting citizens' biases and fears" (Minihold, 2024). This trend is troubling as it undermines democratic dialogue and voters' ability to make informed decisions.

Electoral education and effective regulations are essential to combating AI-driven manipulation. According to Hajdúková (2024), "involving citizens in understanding the risks associated with AI use is crucial for protecting democratic processes, and developing a robust legislative environment represents a first step toward combating manipulation and ensuring a fair electoral process." However, existing regulations are often insufficient. "The lack of clear norms regarding algorithmic transparency and the difficulty of holding malicious actors accountable, especially those operating transnationally, undermine efforts to safeguard electoral integrity" (Gemenis, 2024).

AI also has the potential to detect and combat disinformation. Cartwright et al. (2022) demonstrate the use of machine learning algorithms to identify disinformation activities in "near real-time". "Developing such tools is essential to preventing orchestrated attacks aimed at manipulating public opinion, such as those conducted by Russian agencies during the 2016 elections".

Additionally, political bots have become a critical component of electoral campaigns. According to García-Orosa et al. (2021), "political bots are used for astroturfing and other strategies that create the false perception of widespread public support, thereby manipulating public opinion and undermining democratic processes". They emphasize the need to develop automated methods to detect these entities to prevent information manipulation.

Another important aspect is the use of AI for emotion analysis in campaigns. Valle-Cruz et al. (2021) have shown that "emotions such as trust, joy, and anticipation predominated in candidates' campaigns, correlating with increased voter engagement". Differences in emotional expression between candidates influenced voter perceptions, highlighting how AI can optimize political messages to sway public decisions.

Nor should the use of AI in analysing social media data to evaluate voter perceptions be overlooked. Dhiman and Toshniwal (2022) highlight that "using social media data, such as geolocation and sentiment analysis, can provide detailed insights into voter behaviour patterns and the success of government schemes". However, excessive government control over such data could lead to the manipulation of public discourse and influence electoral outcomes.

In conclusion, while AI offers significant opportunities for improving electoral processes, it involves major risks, from manipulating public opinion to undermining trust in democracy. The implementation of clear international regulations, expanded digital education, and global cooperation are essential to ensuring the responsible use of AI. By addressing these challenges, AI can be transformed from a tool of manipulation into an instrument for strengthening democracy.

4. Ethical Implications of Using Artificial Intelligence in Elections

The use of artificial intelligence (AI) in electoral campaigns raises significant challenges, not only legal but also ethical, which are essential to ensure that emerging technologies support the strengthening of democratic processes without undermining them. Analysing the ethical implications thus becomes a priority, given the potential of these technologies to influence individuals' decision-making autonomy and distort the democratic process. A concrete example is the ability of algorithms to exploit voters' behavioural vulnerabilities by creating personalized messages aimed at influencing their choices. As highlighted in the literature, "algorithms can be used to target individuals or small groups with inputs that are most likely to influence their behaviour" (Müller, 2023). This phenomenon is amplified by the use of generative technologies, such as "deepfakes", which can produce false yet highly convincing

audio-visual materials. Such tactics not only undermine public trust in the electoral process but also call into question the integrity of information in the digital environment.

Another fundamental issue is the opacity of AI systems, which creates major challenges in terms of accountability and decision-making transparency. AI systems often operate as "black boxes", and users or even experts face difficulties in understanding how a particular decision is made. According to Müller, "in the case of machine learning systems, programmers do not always know the data patterns used, and these may evolve based on new information or feedback". This lack of transparency adds additional risks to democratic processes, where decisions must be not only accurate but also verifiable.

From a theoretical perspective, ethics provides a useful framework for evaluating AI use. The literature distinguishes several fundamental approaches that can guide the analysis of ethical dilemmas associated with emerging technologies. Consequentialist ethics, for example, evaluates actions based on their outcomes, aiming to maximize collective benefits. In contrast, deontological ethics focuses on respecting obligations, duties, and rights, regardless of final results. Another important perspective is virtue ethics, which emphasizes fundamental moral values, such as justice or courage, arguing that ethical agents should be guided by the desire to act rightly (Yu et al., 2018). These frameworks provide essential tools for evaluating how AI can be used in electoral processes and for preventing potential abuses.

Human responsibility plays a central role in this context. As Dignum (2018) observes, it is crucial to integrate social, moral, and legal values into all stages of the AI lifecycle, from design and construction to implementation and evaluation. This involves not only adhering to general principles but also developing mechanisms to ensure that AI operates in accordance with democratic values. In the absence of a well-defined ethical framework, there is a risk that these technologies will be used in ways that favour private interests to the detriment of the public good. For example, private or state actors "have increased their capacity to invade privacy and manipulate people using AI technology and will continue to do so in the absence of policies that protect the general interest" (Müller, 2023).

To counter these risks, it is essential to adopt measures that promote ethical responsibility and decision-making transparency. Integrating moral values into AI development must not be a mere formality but a real priority in the design and use of these technologies. In this way, AI can become an ally of democracy, contributing to the strengthening of electoral processes and the protection of fundamental rights, rather than representing a threat to them.

5. Case Study – The Romanian Presidential Elections of 2024

The 2024 presidential elections in Romania marked a pivotal moment in analysing how advanced technologies and social media platforms can influence

democratic processes. This unprecedented event revealed both systemic vulnerabilities and the complexity of the interaction between technology, digital manipulation, and democracy, amplified by international reactions and the European geopolitical context.

The electoral crisis was triggered by allegations that a candidate benefited from massive promotion and non-transparent financing on the TikTok platform. According to declassified documents from Romania's Supreme Council of National Defence (CSAT), the candidate was supported through an aggressive influence campaign orchestrated by external entities and local facilitators. A money-laundering mechanism was identified, involving massive donations made to influencers and opinion leaders on TikTok to amplify electoral messages and manipulate voter perceptions. The main financier, known under the pseudonym "bogpr," made direct payments to platform users for the promotion of the candidate even after the official end of the electoral campaign.

The decision of the Constitutional Court⁶ to annul the elections was made following an analysis that concluded the electoral process was compromised throughout its duration. Manipulation of the vote by exploiting social platform algorithms and the non-transparent promotion of a candidate severely impacted equal opportunities and the free nature of the elections. The Court emphasized that, under such circumstances, democratic integrity was compromised, necessitating a re-run of the electoral process to restore public trust.

On an international level, Romania's electoral crisis drew attention to the impact of emerging technologies on democratic processes. Former European Commissioner Thierry Breton highlighted the importance of strict regulations to combat external interference and digital manipulation. However, his statements were later distorted, being picked up by sources that propagated false information suggesting that the European Union had been responsible for annulling the Romanian elections. These claims were firmly refuted, with the clarification that the decision was made exclusively by Romanian authorities.

The crisis was further amplified by political reactions both domestically and internationally. Klaus Iohannis, the incumbent president, stated that annulling the elections was necessary to protect the integrity of the democratic process.

⁶ On December 6, 2024, the Constitutional Court, in order to ensure the fairness and legality of the electoral process, exercised its authority provided by Article 146(f) of the Constitution and unanimously decided the following:

1. Pursuant to Article 146(f) of the Constitution, the Court annuls the entire electoral process regarding the election of the President of Romania, conducted under Government Decision No. 756/2024 on setting the date for the presidential election of 2024 and Government Decision No. 1061/2024 approving the calendar program for carrying out the necessary actions for the election of the President of Romania in 2024.
2. The electoral process for the election of the President of Romania shall be fully restarted, and the Government is to set a new date for the presidential election, as well as a new calendar program for carrying out the necessary actions.
3. This decision is final and generally binding, shall be published in the Official Gazette of Romania, Part I, and will be brought to public attention.

Meanwhile, opposition political leaders argued that the decision represented a dangerous precedent for democracy. Internationally, Romania's case was compared to other instances of electoral interference, such as the German elections, where Chancellor Olaf Scholz warned about the dangers of manipulation through social media.

Another significant aspect of this crisis was the influence of false information propagated on social networks. For instance, Elon Musk shared fake news suggesting that the European Union had been responsible for annulling the Romanian elections (Ciobanu, 2025). This amplified tensions and added a global dimension to the issue. These episodes underscore the real risk that digital manipulation poses to democratic processes and highlight the importance of digital literacy and strict regulations.

In this context, the concept of the "attention economy" becomes relevant. Recent research indicates that advanced AI models can be used to anticipate and direct voter behaviour based on digital footprints and behavioural data collected. If not properly regulated, these practices can transform the democratic process into a mere game of influence, undermining the integrity of elections.

The Romanian presidential election crisis highlights the fundamental vulnerabilities of modern democracies in the face of digital manipulation and external influences. The events of 2024 demonstrated the urgent need for electoral reforms, including strict regulations on the use of social platforms and artificial intelligence in electoral campaigns. Furthermore, they underscored the importance of international cooperation to counter hybrid threats and protect democratic values in an increasingly complex digital era.

6. Proposals for Ensuring the Integrity of Electoral Processes

In an electoral landscape increasingly influenced by digital technologies and potential external interference, measures to safeguard the integrity of electoral processes have become essential. To ensure fairness and transparency, governments and electoral institutions must take responsibility for developing clear and implementable mechanisms to address contemporary risks.

Firstly, governments and regulatory institutions should collaborate with technology experts to develop mechanisms for the independent auditing of algorithms used to distribute political content. These audits could verify whether algorithms favour specific messages or candidates and recommend adjustments to ensure fairness. Digital platforms should be required to periodically report to national authorities to increase transparency in the use of algorithms during electoral campaigns.

Digital education represents a feasible and long-term measure. National programs for digital literacy should be developed and included in school curricula and adult education. Public awareness campaigns should use mass media and social media to reach as many citizens as possible, providing information about recognizing

disinformation, understanding electoral rights, and the importance of participating in elections.

At the international level, states should collaborate to create a common framework for regulating digital technologies used in electoral processes. Through organizations such as the Council of Europe or the United Nations, minimum standards could be established to protect electoral processes from digital manipulation. Additionally, mechanisms for the rapid exchange of information in cases of detected cyberattacks or transnational disinformation campaigns should be prioritized.

National electoral institutions should create real-time public registers to provide full transparency regarding expenditures associated with online campaigns. These registers could include detailed information about the sources of funding and how they are used. Electoral legislation must be updated to require social media platforms to publicly disclose the sponsors of political ads and the targeting criteria used.

Moreover, governments should initiate public-private partnerships to develop technologies that can quickly detect and counteract disinformative content. These partnerships can support innovation while ensuring the application of rigorous ethical standards.

Finally, the role of civil society and non-governmental organizations should be recognized and supported. These entities can contribute to monitoring electoral processes and educating the public about the risks of digital manipulation. Collaboration among authorities, experts, and citizens must become a central pillar in defending democracy.

Conclusions

In an increasingly digitalized world, the influence of advanced technologies, including artificial intelligence (AI), on democratic processes has become more apparent. The case study of Romania's 2024 presidential elections demonstrated how digital manipulation, fuelled by social platforms and sophisticated influence techniques, can compromise the integrity of electoral processes and undermine public trust in democracy. The Constitutional Court's decision to annul the elections due to systematic irregularities highlighted the vulnerabilities of the democratic system in the face of new hybrid threats.

Moreover, the analysis emphasized not only the need for clear regulations and international cooperation to prevent the abusive use of AI but also the importance of integrating robust ethical frameworks at every stage of the AI lifecycle. Human responsibility remains critical in the design and use of AI to ensure that these systems operate in alignment with democratic values and respect fundamental rights. The integration of ethical dimensions such as consequentialism, deontology, and virtue ethics provides the necessary theoretical foundation to guide the responsible use of AI.

Digital education continues to be an essential measure to empower citizens against disinformation and manipulation. However, this must be complemented by increased transparency in the decision-making processes of AI systems and robust auditing mechanisms. Through digital literacy and awareness of the risks associated with AI, societies can build greater resilience to manipulation while ensuring informed voter participation.

The Romanian elections highlighted not only technological and ethical challenges but also the urgency of action. They demonstrated that, in the absence of proactive measures and a well-defined ethical framework, digital manipulation can undermine not only elections but the very essence of democracy. It is imperative for authorities, civil society, and the private sector to collaborate in protecting democratic processes, integrating ethical values into the use of AI, and maintaining citizens' trust in democratic systems. In this way, technology can become an ally of democracy, contributing to the reinforcement of fundamental values rather than posing a threat to them.

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