

# POLITICAL SCIENCES

## REGULATING ONLINE PRE-ELECTION CAMPAIGNING IN ARMENIA: LEGAL AND POLITICAL CHALLENGES IN THE AGE OF ARTIFICIAL INTELLIGENCE

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### Abstract

This article examines the legal regulation of pre-election campaigning in the Republic of Armenia within a digitized information environment, in the context of global trends in the use of artificial intelligence (AI). The article demonstrates that the Electoral Code of the Republic of Armenia does not currently provide a sufficient regulatory toolkit to address contemporary challenges associated with online campaigning. These challenges include AI-generated political content, deepfakes, digital manipulation, and algorithmic influence on voter behavior. In response, the study proposes a number of amendments to the legal framework governing pre-election campaigning under Armenian electoral legislation.

**Keywords:** Electoral Code, pre-election campaigning, political communication, artificial intelligence, deep-fake

### Introduction

Contemporary electoral processes are undergoing substantial structural transformations driven by the digitalization of the public sphere and the growing use of artificial intelligence (AI) in politics. Political communication is gradually moving into the online environment, where the circulation and visibility of information are shaped not only by political actors but also by platform algorithms. The Electoral Code of the Republic of Armenia does not currently provide a sufficient regulatory toolkit to address contemporary challenges associated with online campaigning. These challenges include AI-generated political content, deepfakes, digital manipulation, and algorithmic influence on voter behavior.

### Methods

The study is grounded in an interdisciplinary political-legal methodology.

### Results and Discussion

Viewed through Jean Baudrillard's media-philosophical framework, these transformations suggest that online pre-election campaigning increasingly takes the form of simulation. According to Baudrillard, modern media is no longer merely a channel for transmitting information; rather, it constitutes an environment for producing models of reality. In many instances, these models come to replace reality itself, while political campaigning begins to operate through simulacra. Digital technologies make it possible to rapidly create and disseminate targeted political signs, images, fictitious events, and even fabricated political personae. It is precisely in this context that Baudrillard's notion of hyper-reality becomes relevant: non-existent meanings become so persuasive and influential that they begin to shape political behavior.

Global digitalization trends have shifted a considerable share of pre-election campaigning to social media platforms and this tendency is clearly reflected in Armenian political reality. Political communication in Armenia underwent a fundamental transformation after

the so-called Velvet Revolution of 2018, moving away from traditional media toward new media platforms, including social networks and live-streaming tools. This shift strengthened the direct communication between political actors and the public. [1]

The OSCE/ODIHR report on the parliamentary elections of December 9, 2018 recorded a notable shift in the structure of political information consumption by voters. Although television remained the primary source of political information, the report emphasized the growing significance of online media. [5] In relation to the 2021 snap parliamentary elections, the OSCE/ODIHR report went further, noting that social media platforms had become one of the main instruments of political communication alongside television. International observers stressed that electoral contestants actively used social platforms for political campaigning and for direct interaction with voters. Some political actors, lacking sufficient access to traditional media, conducted their campaigns almost exclusively through social media channels. [6]

Thus, the nationwide elections of 2018 and 2021 were marked by the virtualization of pre-election campaigning; in other words, a significant part of campaign activity took place in the virtual sphere, namely on the Internet. According to Freedom House's 2024 analysis, 58 percent of the population uses social media platforms to access political information, which already exceeds television's share as a source of political information. [1]

The Digital 2026: Armenia report prepared by Kepios Analysis indicates that, as of October 2025, 2.3 million people in Armenia use the Internet, of whom 1.6 million are active users of social media. The study applies a deduplication method, meaning that it seeks, to the greatest extent possible, to avoid counting the same user multiple times across different social networks. The same report identifies Facebook, Instagram, and TikTok as the most widely used social media platforms in Armenia. [8]

Accordingly, both the 2018 and 2021 nationwide elections in Armenia were marked by the virtualization of pre-election campaigning, in the sense that a substantial proportion of campaign activity took place within the digital sphere. This trend has only intensified. As digital technologies become more deeply integrated into political processes, the question of legal regulation becomes increasingly urgent. However, the rapid development of artificial intelligence has significantly altered the risk environment. By the period preceding the 2026 parliamentary elections, these earlier practices have been supplemented by more sophisticated forms of digital manipulation, including AI-generated audiovisual content, synthetic speech, and algorithmically amplified messaging.

The year 2024 has often been described as a “global election year,” since elections were held in around 60 countries worldwide. It was also distinguished by the unprecedented use of AI-generated content in electoral processes. [7] During this electoral cycle, generated deepfake content had a negative impact both on voter behavior and on public trust in democratic institutions and procedures. [2]

Under these conditions, a number of states have sought to regulate the use of artificial intelligence in election campaigns through legislative reform. For example, the European Union adopted the Artificial Intelligence Act, which establishes the legal meaning of the concept of “deepfake” and addresses the risks posed by such content in electoral processes. The Act does not prohibit AI-generated political content as such, but it recognizes such content as a risk factor for elections and imposes certain requirements, including mandatory labeling and disclosure measures. In particular, in Germany, during election periods, social media platforms may be required to remove manipulative AI-generated political content within 24 hours. [2]

South Korea’s electoral legislation, by contrast, imposes a general prohibition on the use of deepfake content for political purposes. [3] In the United States, several states prohibit the use of deepfakes during election periods, while others regulate their use through specific legal requirements. [4] China, for its part, criminalized the dissemination of deepfake materials without proper disclosure labels as early as 2019.

In Armenia, AI-generated content is already being widely used for political purposes. Research indicates that such content is actively circulating within the Armenian media space through real users rather than solely through anonymous or automated networks. The public not only consumes but also shares and comments on AI-generated political content, often compelling public authorities to issue denials and clarifications. Illustrative examples include the allegedly fake account of Mariam Israelyan, presented as an applicant rejected by the Diplomatic Academy of the Ministry of Foreign Affairs, [5] as well as deepfake videos featuring the Prime Minister and other public officials. [6]

AI-generated political videos have been increasingly disseminated in the period preceding the 2026 parliamentary elections, often by users connected to major political actors. [7] These materials are frequently posted without subtitles, disclaimers, or any

AI-generated content labels provided by social media platforms. Given the relatively low level of media literacy among parts of the population, such content spreads widely and poses a direct threat to the fairness and integrity of the electoral process.

Online pre-election campaigning in Armenia is regulated by Article 20.1 of the Constitutional Law of the Republic of Armenia Electoral Code, as amended on 7 May 2021 (HO-202-N). The article provides:

1. “Mass media operating on the Internet, as well as persons who are right holders of Internet websites, shall ensure non-discriminatory and impartial conditions for candidates and political parties (party alliances) during the period of pre-election campaigning.

2. During the period of pre-election campaigning, paid advertising materials and videos related to pre-election campaigning published on the Internet, including through mass media, may be disseminated only on the basis of a written agreement concluded with the candidate, party, or its representative, and only at the expense of the resources of the pre-election fund.

3. The publication of pre-election campaign materials shall be accompanied by the label ‘Pre-Election Campaigning’, while campaign videos shall contain a continuously displayed on-screen caption reading ‘Pre-Election Campaigning’. Campaign materials and videos must also include information identifying the customer.” [8] The need to amend the law had already been acknowledged in 2021 in the Joint Urgent Opinion of the Venice Commission on the Electoral Code of Armenia and related legislative amendments. The Opinion highlighted the new and extensive possibilities for influencing voters through social media and microtargeting techniques, as well as the manipulative potential of algorithmic processes. It specifically emphasized the need to assess regulatory frameworks governing political communication and electoral processes in order to preserve the fairness and integrity of elections. [9]

#### Conclusion

An analysis of the Electoral Code in light of current AI-related developments and international regulatory practice makes it possible to identify the following major gaps:

1. The Electoral Code of the Republic of Armenia lacks a number of key legal definitions, including, inter alia, “deepfake,” “AI-generated political content,” “AI-generated political advertising,” and “algorithmic microtargeting.”

The Code does not provide a sufficiently detailed framework regulating the placement and dissemination of political advertising by owners or operators of Internet platforms and websites.

2. The Code does not establish co-responsibility mechanisms for social media platforms with regard to the prompt removal of anonymous manipulative political content.

3. The Code does not require mandatory labeling of AI-generated political content.

Therefore, the Electoral Code of the Republic of Armenia does not currently provide an adequate legal toolkit to regulate contemporary challenges associated with online pre-election campaigning. In the context of

the modern digital era, the above legislative amendments would contribute to the formation of a more transparent, balanced, and controllable electoral environment.

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