



Governing AI Persuasion: Regulating Chatbots Under the Canada Elections Act

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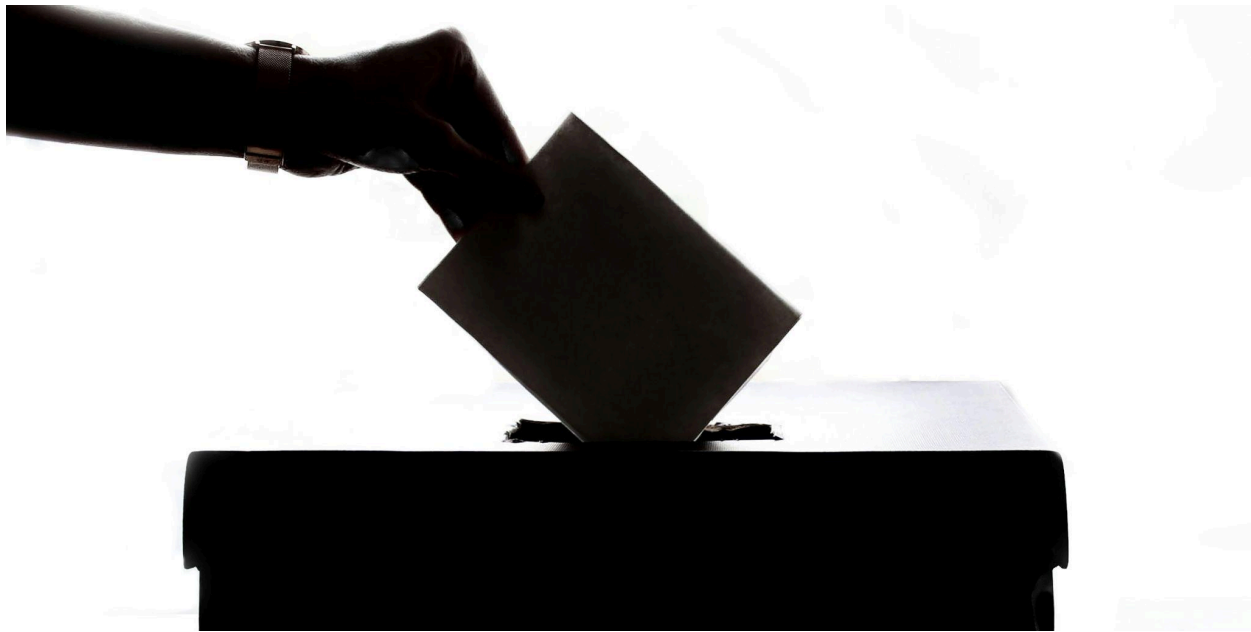
Closing the Regulatory Gap: AI Chatbots and the Evolving Landscape of Political Advertising

New experimental evidence shows that artificial intelligence (AI) chatbots can persuade voters, and politicians are already using them in their election campaigns. In an online experiment conducted during Canada's 2025 federal election, at least 1 in 13 voters switched their votes after a brief conversation with an AI chatbot, confirming that chatbots are meaningfully more persuasive than traditional political advertising. The most persuasive chatbots are also more likely to be misleading. Such evidence highlights a critical threat: AI models enable covert manipulation that could flip narrow electoral margins and erode the shared factual foundations needed to ensure that the electorate is informed and autonomous. AI chatbots can manipulate and mislead voters at an unprecedented scale, posing a threat to elections and democracies worldwide.

This brief offers Elections Canada and Parliament a pathway to close regulatory gaps through interpretative guidance and targeted amendments to the existing campaign finance framework. Current frameworks under the Canada Elections Act do not yet encompass the use of AI chatbots for political advertising or persuasion, and disclosure requirements remain focused primarily on designated election periods. The pathway proposes: (1) treating paid chatbot distribution as regulated advertising under the placement cost approach during pre-election and election periods; (2) standardizing how chatbot development and operating costs are reported in returns; and (3) closing the remaining gap through narrow legislation requiring persistent AI-disclosure and sponsor-identification notices year-round. By acting now, Canada would set the first G7 benchmark for regulating AI political persuasion, built on existing legislation readily exportable to allied democracies.

Empirical Evidence for Threats to Elections and Democracy

There is deep public concern about AI's impact on democratic societies. Much of this concern centres on recent advances in AI, such as large language models, and **the potential for this technology to enable any entity, or even an individual, to manipulate individuals' and societies' beliefs and behaviours at an unprecedented scale and with**



unparalleled precision. In an internal briefing note dated February 2025, the Office of the Commissioner of Canada Elections classified AI as a “high” risk to the federal election and warned that the upcoming campaign would “quite probably generate complaints involving the use of AI tools that may constitute a contravention of the [*Canada Elections Act*].”¹ Politicians in the United States and the United Kingdom are already experimenting with AI chatbots as a means of engaging with the public.^{2,3,4} Yet until recently, there was no empirical evidence that conversations with large language models influence voters’ electoral decisions.

Convincing Voters to Switch Votes in the 2025 Canadian Federal Election

Large-scale experiments published in a recent peer-reviewed study found that a single, brief conversation lasting 6 to 10 minutes was very effective in persuading voters to shift their preferences and switch their votes.⁸ One in 11 Canadian voters who chatted with a pro-Carney AI switched to “vote Carney,” and 1 in 13 voters switched to “vote Poilievre” after chatting with a pro-Poilievre AI.

To examine the impact of chatbots in democratic elections, an international team of researchers at leading institutions, including MIT and Cornell University, conducted rigorous, large-scale experiments to investigate AI chatbots’ capacity to influence voters’

preferences and opinions in Canada, the United States, Poland, and the United Kingdom.^{5,6,7} The peer-reviewed studies,^{8,9} published on December 4, 2025, provide striking insights into how conversations with AI chatbots can influence voter preferences and voting intentions:

1. **During the 2025 Canadian federal election, 1 in 11 Canadian voters who engaged with a pro-Carney AI chatbot switched to “vote Carney” in their stated preferences. One in 13 voters switched to “vote Poilievre” after engaging with a pro-Poilievre AI chatbot.** These results represent voter shifts of approximately 10 percentage points — far exceeding the persuasive effects of traditional television and digital advertising, which typically achieve shifts of 0.5 to 2 percentage points in voter preference. These findings were robustly replicated across multiple countries, though the effectiveness varied by jurisdiction.
2. In the United States, where presidential campaigns typically span 1.5 to 2 years, experimental evidence indicates a significant lasting effect: **approximately 30% of the immediate persuasive impact from AI interactions persisted for more than a month.** Such persistence suggests that attitude shifts resulting from even a single brief conversation with an AI are not merely transient.
3. **Although AI models attempt to persuade voters with information, the most persuasive AI systems are also more likely to be misleading.**⁹ Information--based arguments proved more persuasive than strategies that relied on storytelling, emotional appeals, or personalization. Importantly, the model training techniques that increase an AI’s ability to persuade, such as dense information delivery and targeted persuasion training, come at the direct expense of factual accuracy and can even lead people to believe misinformation.¹¹

These large-scale experiments conducted in four countries provide convincing empirical evidence that AI is rapidly changing the electoral landscape, highlighting the need to protect election integrity and democratic legitimacy. **AI chatbots are able to engage with and persuade (like canvassers) millions of voters simultaneously at relatively low cost, far surpassing the capacity of any human campaign.** Publicly available open-source AI models can also be highly effective in generating many persuasive claims to promote or oppose any political entity.^{8,9} This means that any individual or organization, anywhere in the world, can deploy campaigns relatively cheaply and easily. No human campaign staff can vet this volume of real-time, dynamic content. We face an immediate risk to

electoral and democratic processes, driven by scalable, easily accessible AI systems. Policymakers must act to ensure transparency and assign clear accountability before these systems reshape the democratic process beyond our control.

Current Regulatory Status and Gaps

Canada’s federal election rules under the *Canada Elections Act* aim to promote fairness and transparency through spending limits, contribution rules, reporting, and regulated-communications requirements. Candidates and registered parties are subject to election-period spending limits, and only eligible individuals may contribute within annual caps; corporate and union contributions are prohibited. During the regulated pre-election and election periods, partisan and election advertising must include an authorization statement (tagline) identifying the entity that authorized it. In addition, online platforms that meet statutory thresholds must maintain a public registry of regulated ads, including a copy of each ad and the name of the person who authorized it. Elections Canada administers the regime (guidance, audits, referrals), while the Commissioner of Canada Elections is responsible for compliance and enforcement and acts independently in enforcement decisions.

The principal gap regarding AI chatbots is that key transparency tools depend on whether a communication qualifies as regulated “advertising,” and Elections Canada’s internet guidance treats online advertising as regulated only when it has (or would normally have) a placement cost. As a result, a persuasive chatbot deployed on a party’s or third party’s own website — or distributed through email, text, or other non-placement channels — may be a significant campaign expense yet not trigger the “advertising” category that carries taglines and platform-registry visibility. This creates an attribution and audit problem: voters can receive dynamic, tailored persuasion without clear sponsorship (and, in many cases, without any notice that they are interacting with AI), especially outside the regulated pre-election and election periods where the Canada Elections Act’s advertising-based transparency measures do not apply. In *Moffatt v. Air Canada* (2024 BCCRT 149), the BC Civil Resolution Tribunal held Air Canada liable for misleading information provided by its website chatbot, but the damages in that case were economically quantifiable.¹² Democratic harms from AI-driven political misinformation are diffuse and nearly impossible to quantify after the fact, leaving a practical accountability vacuum even where formal liability theories might apply.

Persuasive AI Chatbots as Political Advertising, Activities, and Expenses

AI chatbots can deliver campaign-like persuasion at scale while often falling outside the *Canada Elections Act*'s online "advertising" rules because many deployments occur on owned media (a party's or third party's own website/app) without any "placement cost." However, the existing framework is stronger than it first appears: Elections Canada's handbook states that "the official agent has to report as election expenses all the expenses related to the design, development and distribution of online communications used during an election period, regardless of whether or not they are election advertising."¹³ Even where a chatbot does not meet the placement-cost test and therefore does not trigger advertising-specific requirements (such as taglines, platform registries, or blackout-related rules), its design, development, and operating costs can still be captured as election expenses subject to spending limits.

Building on the existing framework, the recommendations in this brief close key gaps by treating persuasive chatbots primarily as regulated partisan activities and/or related expenses when they are used to promote or oppose a party or candidate during pre-election and election periods, while applying existing advertising rules when campaigns or third parties pay to place or boost content that distributes or amplifies the chatbot.

1. Interpret AI chatbots as advertising and partisan activity

Elections Canada can issue a new interpretation note to clarify that interactive AI systems promoting or opposing, directly or indirectly, an applicable political entity constitute a distinct category requiring disclosure. This interpretation is analogous to clarifying that paid influencer posts qualify as advertising (as in OGI 2020-05, "Partisan and Election Advertising on the Internet"¹⁴). Similarly, a chatbot is dynamic and more "intrusive" than a static website because it actively engages and persuades the user, just as Elections Canada argued that influencer marketing is advertising because a political entity is "buying" access to an audience. Moreover, personalized, dynamic AI systems function more like canvassers than advertisements, and such canvassing is already regulated as partisan activity. This interpretation allows AI chatbots to be treated as campaign expenditures under the current Act. For example, placement cost can include:

- Paid embeds – paying a third-party website/app to host a chatbot widget or “chat now” module (analogous to buying ad inventory on that site)
- Paid platform promotion/access – paying a platform to surface or distribute a chatbot entry point (analogous to boosting or sponsoring a post)
- Paid per-conversation delivery via an intermediary – paying a distributor/service specifically to obtain user access or reach on a per-interaction basis (analogous to pay-per-click distribution)

2. Expand placement cost to capture paid distribution of interactive political chatbots

Under the current framework, online content is treated as partisan or election advertising only if it has (or would normally have) a placement cost, i.e., a charge for purchasing advertising space or for paid access to an audience. New guidance can clarify that paid distribution of an interactive political chatbot constitutes an ad-like placement cost because the sponsor is paying to place persuasive, interactive content in front of users on someone else’s property or through someone else’s distribution channel. (Note also that AI chatbots have per-interaction marginal costs for compute and API that are analogous to placement costs, because each conversation or message generated by the AI chatbot can be considered a discrete “ad placement” that a political entity pays for.) Where such a placement cost existed during regulated periods, AI chatbot communication would be treated as partisan/election advertising and would therefore trigger the existing rules (authorization/taglines, platform registries where applicable, and regulated advertising expense treatment) without new legislation.

3. Clarify and standardize reporting of AI chatbot costs under existing expense rules

Elections Canada guidance already states that candidates and registered parties must report, as election expenses, all expenses related to the design, development, and distribution of online communications used during an election period, regardless of whether the communications constitute election advertising.¹³ **A persuasive AI chatbot would generally fall within “online communications/web content,” and its associated costs should be reported as election expenses to the extent that the chatbot was used during the election period to directly promote or oppose the candidate or party.** As an

administrative step (without new legislation), Elections Canada could update its handbooks, examples, and reporting templates to identify chatbots explicitly as a type of online communications and to encourage separate itemization of chatbot-related expenses (e.g. development/integration, operational service fees, API or platform service charges, and moderation/oversight) as a means of improving consistency and auditability across campaigns.

Elections Canada should clarify that existing spending limits already capture the full cost of AI chatbot persuasion deployed during a regulated period, regardless of when development costs were incurred:

- Chatbots distributed through paid channels (e.g. paid embeds on third-party platforms, sponsored delivery) – Production and distribution costs are subject to election-period spending limits “no matter when the expenses were incurred,” as stated in Elections Canada handbooks for candidates, parties, and third parties alike.^{13,14} Just as production costs for TV or digital ads created before the writ are treated as election expenses once broadcast during the campaign, AI persuasion capacity cannot be built off-book and then deployed at scale without counting against the same caps that apply to other forms of advertising.
- Chatbots deployed on a campaign’s own website or social media – The existing website/web content framework already treats design, development, hosting, and content production costs as election expenses when the site is used during the election period for the campaign.¹³ A chatbot integrated into a campaign website should be treated the same way: Its development cost (or commercial value of an equivalent system, in keeping with how Elections Canada values pre-existing websites and capital assets), plus operational costs prorated for the election period (e.g. compute, API fees, moderation), would count toward the spending limit.

4. Extend Elections Canada’s AI transparency recommendation to interactive AI chatbots

In *Protecting Against Threats to the Electoral Process* (2024), the Chief Electoral Officer recommended (Rec. 1.5) that all paid and unpaid electoral communications (image, audio, video, or text) distributed during a regulated pre-election period, election period, or contest period that are generated or manipulated by AI include a clear transparency

marker, including during nomination and leadership contests.¹⁵ This recommendation is not currently a legal requirement.

The *Canada Elections Act* already requires authorization statements (“taglines”) for partisan and election advertising, and online-platform registry rules apply to regulated ads displayed on qualifying platforms.¹⁴ If Parliament implements Recommendation 1.5, it should be drafted to explicitly cover interactive AI communications, including persuasive AI chatbots, not only static content. In particular, where an AI chatbot is deployed during a regulated period to promote or oppose a registered party or candidate (or to influence voting choices), the interaction should clearly and persistently include: (a) a statement that the user is interacting with an AI system; (b) a statement identifying the sponsoring political entity and, where applicable, the authorizing agent, in keeping with existing advertising authorization rules.

Because AI chatbot outputs are individualized and not readily captured in a public ad registry, Parliament should also consider a lightweight record-keeping obligation for sponsors of persuasive AI chatbots during regulated periods. Sponsors should be required to maintain and provide to Elections Canada or the Commissioner on request basic deployment details (place where it operates, AI service used at a high level) and a written “instruction set” describing what the chatbot is authorized to promote or oppose, prohibited claims/topics, and escalation rules. This approach builds on the Recommendation 1.5 transparency marker while recognizing that interactive AI persuasion requires transparency and audit mechanisms beyond those designed for static political advertising.

5. Require always-on disclosure for persuasive partisan AI chatbots

Key transparency rules in the *Canada Elections Act*, such as authorization/tagline requirements for partisan and election advertising, are tied to the regulated pre-election and election periods, and Elections Canada notes that such advertising is not regulated outside those periods. For online communications, a message is considered “advertising” only if it has (or would normally have) a placement cost and meets the statutory criteria during the regulated period. As a result, AI chatbots can operate for long periods between elections without an always-on requirement to disclose the fact that the user is interacting with AI or to disclose who is sponsoring the persuasion.

This gap is critical because of the experimental evidence that conversations with AI chatbots cause substantial shifts in opinions that persist over time.^{8,9} Closing the year-round transparency gap likely requires a narrow, always-on disclosure rule in general AI legislation, rather than relying solely on the period-based advertising framework of the *Canada Elections Act*. At a minimum, any AI chatbot deployed for partisan political persuasion should provide a clear, persistent notice that it is an AI system and identify the sponsoring entity.

Implementation Pathway

Bill C-27 (including the proposed *Artificial Intelligence and Data Act*, or AIDA) died on the Order Paper in January 2025. Since then, Minister of Artificial Intelligence and Digital Innovation Evan Solomon has advocated targeted, risk-specific AI rules, often summarized as “light, tight, right.”¹⁶ This brief follows that approach by using the *Canada Elections Act*’s existing political financing framework to address AI-driven political persuasion during regulated pre-election and election periods, and by reserving only the “always-on” transparency gap for narrow new legislation.

Use existing CEA categories (administrative guidance): The Act regulates campaign spending by category of activity (such as advertising or partisan activities), not by the technology used; “AI chatbots” are not a standalone category. Elections Canada can update its interpretation guidance to clarify how the existing “placement cost” analysis applies to interactive systems so that payments can constitute placement costs and trigger the existing partisan/election advertising framework during regulated periods. By contrast, a chatbot on an entity’s own website without paid placement generally will not be “advertising” under Elections Canada’s placement cost approach. Elections Canada can also standardize how chatbot development and operating costs are itemized in returns, improving comparability and auditability.

Audits and enforcement: Elections Canada reviews and audits returns using a risk-based approach and refers potential violations to the Commissioner of Canada Elections for investigation and enforcement.

Charter framing: Spending and expense limits engage political expression, but Canadian courts have upheld such limits as justified to promote electoral fairness. Treating AI chatbot persuasion costs like other campaign persuasion costs is therefore an application of an existing fairness rationale, not an attempt to avoid constitutional scrutiny.

Narrow legislation (to prevent loopholes and ensure always-on disclosure): To prevent loopholes, Parliament should consider a targeted rule for regulated periods that treats AI chatbots and other interactive AI interfaces deployed by a registered party, candidate, or regulated third party (including prompt-engineered “wrappers” and API-based tools) as presumptively partisan advocacy, triggering applicable compliance obligations while carving out neutral entities such as news organizations, individual voter use on a non-commercial basis, and genuine academic research. Separately, because the *Canada Elections Act’s* advertising regime is period-based, a narrow successor AI law or targeted CEA amendment should require any partisan political AI chatbot to display persistent notices that (a) the user is interacting with AI and (b) the sponsoring entity is identified, year-round.

Conclusion

Peer-reviewed evidence shows that AI chatbots can meaningfully shift voter opinion and intentions at scale and at relatively low cost. Canada does not need to build a new regulatory apparatus to respond. The *Canada Elections Act* already provides the spending limit, disclosure, and enforcement infrastructure; Elections Canada can clarify how existing placement-cost and expense-reporting rules apply to AI-powered persuasion tools; and Parliament can close the remaining gaps through narrow, targeted legislation. Acting now would make Canada the first G7 nation to bring AI political persuasion within an established campaign-finance framework, setting a transferable benchmark that international allies can adapt to protect their own democratic processes.

Disclaimer

The views expressed in this paper are strictly those of the authors and do not necessarily represent or reflect the official policies or positions of Mila, its affiliates, directors or funders. The authors assume full responsibility for the accuracy and integrity of this work.

Footnotes

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