Question for written answer E-000384/2025
to the Commission
Rule 144
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Subject: Meta's discriminatory terms and conditions against the LGBTQIA+ community under the Digital Services Act

Meta recently announced changes to Facebook and Instagram's content moderation policy. These changes in the terms and conditions include: 'we do allow allegations of mental illness or abnormality when based on gender or sexual orientation, given political and religious discourse about transgenderism and homosexuality and common non-serious usage of words, such as "weird"'. Many Member States have national rules against illegal hate speech and incitement of hatred based on sexual orientation or gender.

1. Do these changes pose a systemic risk under Article 34 of the Digital Services Act (DSA), and, if so, do they pose a systemic risk based on the dissemination of illegal content through these services, notably illegal hate speech against the LGBTQIA+ community and gender-based violence, and/or based on the foreseeable negative effects on the exercise of fundamental rights, including the right to human dignity and non-discrimination, and/or based on the negative effects on civic discourse and/or negative effects in relation to gender-based violence? Please specify the arguments in favour of or against the applicability of each systemic risk.

2. Is the introduction of these changes in content moderation policy a violation of the obligation to mitigate these systemic risks under Article 35 of the DSA?

3. Are these changes in the terms and conditions a violation of Article 14(4) of the DSA to 'act in a diligent, objective and proportionate manner' in applying terms and conditions, with due regard to 'fundamental rights and freedoms as enshrined in the Charter', specifically the right to non-discrimination?

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