

**Question for written answer E-002768/2025/rev.1
to the Commission**

Rule 144

**Marieke Ehlers (PfE), Rachel Blom (PfE), Ton Diepeveen (PfE), Auke Zijlstra (PfE),
Sebastian Kruis (PfE), Sebastiaan Stöteler (PfE)**

Subject: Definition of ‘misinformation’ and ‘disinformation’, ‘lying’ and ‘misleading information’ in primary and secondary Union law

No definition of ‘misinformation’ and ‘disinformation’ is laid down in any primary or secondary source of EU law. Article 3(h) of the Digital Services Act contains merely a definition of ‘illegal content’. Only on its website does the Commission seem to suggest a definition, but it does not refer to any definition laid down in a legal text¹.

Legal doctrine denounces the lack of a consistent definition of misinformation and disinformation within the European legal order, as well as its negative impact on legal certainty².

1. Why can the Commission not agree with the co-legislators on a legal definition of ‘disinformation’ and ‘misinformation’, even though this is essential to be able to combat them?
2. In the Commission’s view, what is the difference between ‘lying’ and ‘misinformation’?
3. The Commission defines misinformation as ‘false OR misleading information’. Does the Commission then mean that misleading information can also be true? And if misleading information can be factually correct, what is the difference between sanctioning factually correct information and censorship?

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¹ <https://digital-strategy.ec.europa.eu/en/policies/online-disinformation>.

² K. Bleyer-Simon, U. Reviglio, ‘Defining Disinformation across EU and VLOP Policies’, European Digital Media Observatory, October 2024.