

Question for written answer E-003272/2025
to the Commission
Rule 144
Christine Anderson (ESN)

Subject: Stacking effects from diverse removal grounds under the Digital Services Act

Under the Digital Services Act (DSA), restrictions on free speech arise from criminal law, removal requests from trusted flaggers, arbitration outcomes, codes of conduct, etc.

In practice, platforms generally apply one uniform set of rules across the Union.

This leads to a stacking effect: when a trusted flagger in Member State A demands the removal of certain content, or when criminal law in Member State B prohibits particular speech, or when a risk assessment in Member State C identifies content as disinformation, the relevant material is deleted Union-wide. Citizens in Member State D, where none of these restrictions apply, cannot access that content either. In effect, the most restrictive national approach becomes the de facto standard for all Member States. This creates a race to the bottom, with maximum infringement of the principle of free speech across the Union.

1. Does the Commission acknowledge that stacking effects may produce a huge restriction of speech across the Union?
2. Will the Commission clarify that removal obligations should be territorially or materially limited to what is strictly required, instead of incentivising Union-wide or global deletions?
3. How does the Commission intend to ensure that citizens in more liberal Member States, whose legal orders provide for a higher degree of free expression, are not deprived of access to lawful content because of restrictive measures adopted elsewhere in the Union?

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