

Question for written answer E-003273/2025
to the Commission
Rule 144
Christine Anderson (ESN)

Subject: Criteria and methods for establishing intent in the context of online dissemination of misleading information

According to the Commission's definition, disinformation is false or misleading content that is spread intentionally to deceive or to obtain economic or political gain, while misinformation is false or misleading content that is shared without harmful intent¹. The decisive factor in distinguishing between the two is, therefore, the establishment of intent, which remains difficult to determine in practice, particularly in the context of online dissemination.

In this regard, can the Commission clarify:

1. which criteria and methods it applies when establishing the intent behind the online dissemination of misleading information?
2. how it ensures that such determinations are made beyond a reasonable doubt and in compliance with the principle of freedom of expression?
3. how online platforms subject to obligations under the Digital Services Act are expected to apply this distinction in practice, given the vagueness of intent as a concept?

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¹ <https://digital-strategy.ec.europa.eu/en/policies/online-disinformation>, accessed on 19 August 2025: 'Disinformation is false or misleading content that is spread with an intention to deceive or secure economic or political gain, and which may cause public harm. Misinformation is false or misleading content shared without harmful intent though the effects can be still harmful'.