

Question for written answer E-005040/2025
to the Commission
Rule 144
Christine Anderson (ESN)

Subject: Digital Services Act systemic-risk actions affecting algorithmic distribution systems and their implications for editorial autonomy and property rights

In the plenary debate on the European Democracy Shield on 18 December 2025, Members from several groups highlighted the editorial nature of platform algorithms. In fact, algorithmic recommender systems are the digital equivalent of a printing press and should enjoy similar legal protection.

Since Articles 34-36 and 51 of the Digital Services Act (DSA) permit supervisory authorities to require disclosure, modification or repeated adjustment of recommender logic and ranking parameters, these obligations may affect a platform's core editorial and economic autonomy even when all underlying content is lawful.

1. Can the Commission confirm whether it considers recommender systems to be part of a platform's 'editorial function' for the purposes of Articles 11(1)-(2) of the Charter of Fundamental Rights of the EU, and if not, provide its legal reasoning for excluding algorithmic curation from Charter-level editorial protection?
2. Given that corrective measures under Article 51 DSA may compel alterations to the distribution of lawful political content, does the Commission accept that such interventions amount to interference with the imparting of information protected by Article 11(1) of the Charter?
3. How does the Commission justify compelling disclosure or alteration of proprietary algorithmic systems under Articles 16 and 17 of the Charter when such measures would require judicial authorisation if applied to traditional media infrastructure?

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