Question for written answer E-001432/2026
to the Commission
Rule 144
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Subject: De facto mandatory nature of the codes of conduct on disinformation and hate speech

Internal company emails released to the US House Judiciary Committee reveal that major platforms perceived participation in the Code of Practice on Disinformation and the Code of Conduct on Hate Speech as ‘effectively mandatory’, with agendas ‘set under strong impetus from the EU Commission’ and ‘consensus’ achieved under heavy regulatory pressure, especially once the Digital Services Act (DSA) was in sight.

1. How does the Commission reconcile its public claim that these codes are purely voluntary self-regulatory instruments with the reality that companies understood non-participation as exposing them to heightened enforcement risks and future DSA sanctions of up to 6 % of their global turnover?

2. Does the Commission acknowledge that using the threat of future binding legislation and severe fines to steer ‘voluntary’ commitments can create a chilling effect on lawful political speech and incentivise platforms to over remove controversial but legal content, particularly on migration, COVID-19 and gender ideology?

3. Will the Commission publish all its guidance, instructions and meeting readouts related to these codes, so that citizens and Parliament can assess whether its conduct remained within the limits of content neutral regulation, or whether it effectively dictated substantive editorial lines for private platforms?

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