

(English version)

**Question for written answer E-001592/24
to the Commission
Fernand Kartheiser (ECR)
(2 September 2024)**

Subject: Threat posed by Digital Services Act to freedom of expression in Europe and EU-US relations

Commissioner Breton has faced fire for the letter he addressed to Elon Musk on 12 August 2024, in particular from the US Congress and Trump's election campaign officials. Meanwhile, in the EU, many people have expressed their concern that the Digital Services Act (DSA) poses a threat to freedom of expression.

1. Will the Commission revise the DSA to remove anything that poses a threat to freedom of expression or would entail censorship in the EU?
2. Does it agree that the primary use of the DSA is to prevent conservative views from being shared online, and that it is thus a weapon of lawfare to be used against opinions that bother the Commission?
3. Is Mr Breton still in theory eligible to be a Commissioner?

Submitted: 2.9.2024

**Answer given by Executive Vice-President Vestager on behalf of the European Commission
(12 November 2024)**

Freedom of expression is essential to the EU democratic system and is protected under the EU Charter of Fundamental Rights ⁽¹⁾, which is binding on the EU institutions and Member States when they are implementing EU law.

In relation to political views expressed and shared online, the Digital Services Act ⁽²⁾ (DSA) does not regulate whether specific content is illegal.

The DSA's objective is to ensure that everyone in the EU can enjoy online platform services safely, in full respect of fundamental rights, including the freedom of expression.

It does so by defining platforms' responsibilities, so that very large online platforms and very large search engines take reasonable, proportionate and effective measures to mitigate the risks stemming from the design or functioning of their service. It also protects users in the EU against over-removal of lawful content.

In December 2023, the Commission opened an investigation into X's compliance with the DSA. In July 2024, the Commission informed the provider of X of its preliminary view that it may be in breach of the DSA in areas linked to dark patterns, advertising transparency and researcher access to data.

The provider of X now has the possibility to exercise its rights of defence by examining the documents in the investigation file and by replying to these preliminary findings.

In parallel, the Commission continues its investigation in relation to practices linked to the dissemination of illegal content and the effectiveness of the measures taken to combat information manipulation.

All acts and decisions adopted by the Commission are taken within the limits of the Commission's powers and are subject to judicial review.

Mr Breton stepped down as Commissioner for Internal Market on 16 September 2024.

⁽¹⁾ https://eur-lex.europa.eu/eli/treaty/char_2012/oj

⁽²⁾ Regulation (EU) 2022/2065, <https://eur-lex.europa.eu/eli/reg/2022/2065/oj>