EN
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Answer given by Executive Vice-President Virkkunen
On behalf of the European Commission
(11.2.2025)

Democracy is a core value of the EU with free and fair elections at its heart. Member States are responsible for organising elections according to national constitutional rules, legislation, international obligations, and EU law.

The Digital Services Act (DSA)[1] contains regulatory means for scrutinising the risks around the design, functioning, or the use made of very large online platforms and search engines, including the dissemination of illegal content, or to any negative effects on civic discourse and electoral processes.

In the context of the Romanian Presidential elections, following the analysis of TikTok's risk assessment reports, TikTok's replies to the Commission's requests for information[2], as well as third-party reports and internal Commission testing and evidence collection, the Commission opened a third set of proceedings against TikTok[3] based on suspected infringements of the DSA concerning systemic risks to civic discourse and electoral processes. Additionally, the Commission issued a 'retention order' to TikTok[4], ordering to freeze and preserve data related to actual or foreseeable systemic risks its service could pose on electoral processes and civic discourse in the EU.

In these proceedings, the Commission will investigate TikTok's compliance with DSA obligations on the assessment and mitigation of systemic risks[5] related to civic discourse and electoral processes stemming from the intentional manipulation of TikTok's services, including its recommender systems, and the dissemination of political advertisements and paid-for political content, despite prohibition of such advertisements and content in TikTok's terms and conditions.

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[1] Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act) (Text with EEA relevance)
PE/30/2022/REV/1. OJ L 277, 27.10.2022, p. 1–102.
[2] The Commission sent requests for information on 2 October, 29 November and 5 December 2024 https://digital-strategy.ec.europa.eu/en/policies/list-designated-vlops-and-vloses
[3] https://digital-strategy.ec.europa.eu/en/news/commission-opens-formal-proceedings-against-tiktok-election-risks-under-digital-services-act
[4] https://digital-strategy.ec.europa.eu/en/news/commission-online-platforms-and-civil-society-increase-monitoring-during-romanian-elections
[5] DSA Articles 34 and 35.