

EN
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Answer given by Mr McGrath
on behalf of the European Commission
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Democracy is a founding value of the EU, with free and fair elections at its core.

The organisation and conduct of elections are the competence and responsibility of the Member States, in accordance with their national legislation, international obligations and applicable EU law. National authorities and courts are primarily responsible for ensuring compliance with applicable rules, as well as for protecting the fairness and integrity of the electoral processes.

As guardian of the Treaties, the Commission is responsible for ensuring the correct application of EU electoral law and other pieces of EU legislation, relevant in the context of elections, such as the Digital Services Act (DSA)¹ and the Regulation (EU) 2024/900 on the transparency and targeting of political advertising. Under Articles 34 and 35 of the DSA, providers of very large online platforms (VLOPs) and very large online search engines (VLOSEs) are obliged to assess and mitigate systemic risks stemming from their service, while protecting fundamental rights, including the freedom of expression. Risks include those related to electoral processes and civic discourse². The DSA does not determine what type of content users may or may not post online. One of the aims of the DSA is to ensure that EU citizens and other persons can effectively exercise their freedom of expression online.

¹ <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.

² Article 34 (1) of the DSA.