

(English version)

**Question for written answer E-003878/25
to the Commission
Sarah Knafo (ESN)
(2 October 2025)**

Subject: Respect for freedom of expression, plurality of information and supervision of private ‘moderation’ organisations

On 24 August 2024, Pavel Durov, founder of the Telegram messaging app, was arrested at Paris-Le Bourget Airport. He remains under investigation, as the French authorities deem his app to be too permissive.

On 28 February 2025, C8, one of the most watched and recognised channels for its pluralism, ceased broadcasting following a decision by Arcom.

On 10 July 2025, French MP Aurore Bergé announced that a coalition of associations would be created to combat hate speech online, entrusting the role of digital policing to private and politicised entities which have no democratic mandate.

These events raise serious concerns about respect for freedom of expression and media pluralism in France, principles enshrined in Article 11 of the Charter of Fundamental Rights of the European Union.

1. How does the Commission assess the growing role of unelected bodies in media and digital regulation?
2. What measures does it envisage to ensure that any action to combat online abuse remains subject to strict review by the courts, in order to avoid any infringement of fundamental freedoms?

Submitted: 2.10.2025

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(21 November 2025)**

Freedom of expression, media freedom and pluralism, are enshrined in the EU Charter of Fundamental Rights ⁽¹⁾

Under Article 30 of the Audiovisual Media Services Directive (AVMSD ⁽²⁾), Member States must ensure the independence of media regulators and that they exercise their powers impartially and transparently.

Article 50 of the Digital Services Act (DSA ⁽³⁾) requires Digital Services Coordinators (DSCs) to monitor the compliance of service providers established on their territory, in complete independence.

They shall neither seek nor take instructions from any other public authority or any private party. In France, Arcom has been designated under the AVMSD and as DSC under the DSA.

While the DSA requires providers of online platforms to have in place reporting mechanisms for signalling illegal online content, both for users and designated trusted flaggers, it is always for platform providers to decide on what actions to take. Any final assessment of what is illegal is up to the courts.

The DSA provides redress mechanisms which have already led to the reinstatement of millions of posts ⁽⁴⁾. The DSA bans general monitoring obligations imposed on providers of intermediary services, preventing all online platform providers from being forced to monitor the online content of EU citizens or be held liable for illegal content they are not aware of.

The Commission must respect the Charter of Fundamental Rights, including freedom of expression. Its DSA-related decisions can be challenged before the Court of Justice of the EU, while national decisions remain under Member State judicial oversight.

The Commission is aware of criminal proceedings in France against Pavel Durov, based on the French Criminal Code, but does not comment on national investigations.

⁽¹⁾ Charter of Fundamental Rights of the European Union, OJ C 326, 26.10.2012, p. 391-407.

⁽²⁾ Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services.

⁽³⁾ 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.

⁽⁴⁾ As reported by providers of online platforms in their DSA Transparency reports: <https://digital-strategy.ec.europa.eu/en/policies/dsa-brings-transparency>.