

(English version)

**Question for written answer E-000527/26
to the Commission
Erik Kaliňák (NI)
(9 February 2026)**

Subject: Who gave the Commission the mandate to interfere in elections?

A report by the US House of Representatives' Judiciary Committee, dated 3 February 2026, reveals that in the run-up to the 2023 Slovak elections, the Commission urged TikTok to flag as 'hate speech' statements such as 'children cannot be trans' or criticism of the LGBTI agenda — positions that TikTok itself described as common in Slovak discourse. This selective pressure clearly harmed parties that reject the 'rainbow agenda'.

1. When and by whom was the Commission given the authority to crack down on political views in Member States' national elections, including Slovakia's in September 2023?
2. By which Commission departments and on the instructions of which Member of the Commission were these demands imposed on social media platforms?
3. How can any Commission led by von der Leyen claim the right to assert that it 'represents EU citizens' when it seeks to dictate to them which views are 'acceptable' and which must be suppressed?

Submitted: 9.2.2026

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(14 April 2026)**

The Commission firmly rejects the report's unfounded and unsubstantiated allegations, including those concerning Slovakia's 2023 elections.

Freedom of expression is a cornerstone of the Digital Services Act (DSA) ⁽¹⁾. It helps protect this freedom by entitling users to explanations, appeals and redress when their content is removed or restricted by platforms.

The DSA does not prescribe which content is illegal; this is determined purely by national law or other EU laws. The Commission does not have the competence to mandate the removal of specific items of lawful content; moderation decisions lie with platforms themselves.

Since its application, 30% of appealed moderation decisions ⁽²⁾ have been reversed, proving users have real recourse mechanisms. No other law matches the DSA's protections against arbitrary platform moderation or its demand for accountability on how platforms operate.

TikTok's alleged content removals must therefore stem from its own policies. The DSA ensures accountability and transparency through annual transparency reports, where platforms must justify restriction or removal of content (e.g., under legal provisions or terms of service). Compliance is annually checked by an external audit.

The DSA also requires very large online platforms to assess systemic risks to civic discourse and elections, while considering the exercise of fundamental rights, including the right to freedom of expression and information ⁽³⁾.

Engaging with platforms to ask how their systems and practices operate across different jurisdictions is a normal and necessary part of regulatory oversight.

Interpreting such exchanges as a wish to influence political debate or pressure platforms misrepresents the nature of regulatory dialogue.

⁽¹⁾ Regulation (EU) 2022/2065 on a single market for digital services and amending Directive 2000/31/EC (Digital Services Act), <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.

⁽²⁾ <https://digital-strategy.ec.europa.eu/en/news/two-years-digital-services-act-allows-50-million-content-moderation-decisions-platforms-be-reversed>.

⁽³⁾ Charter of Fundamental Rights of the European Union, https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.