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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(17.4.2026)

The Commission is aware of the report and rejects its unsubstantiated and unfounded allegations. The Commission is not planning to issue further explanations. The Digital Services Act (DSA)¹ aims to create a safe, predictable online environment, protecting fundamental rights, including freedom of expression, enshrined in the Charter of Fundamental Rights². The Commission acts when providers of very large online platforms (VLOP) and very large online search engines (VLOSE) fail to meet the transparency and accountability obligations. In April 2024, the Commission opened an investigation into Meta for suspected demotion of political content through their recommender systems³.

The DSA does not define illegal content, hate speech or disinformation, nor does it contain criteria for determining this. What constitutes illegal content is determined by national law or other EU laws⁴. The Commission cannot issue orders to act against illegal content; only national judicial or administrative authorities can issue orders to providers of intermediary services, on the basis of other EU legislation or national law in compliance with EU law. Providers must inform authorities of any effect given to the order without undue delay, if such orders fulfil the requirements stated in Article 9 of the DSA.

Content moderation decisions are taken by providers themselves, while the DSA obliges them to specify the reasons for restricting or removing content and provide effective redress. 30% of appealed moderation decisions⁵ have been reversed since the DSA's application.

In relation to elections, the Commission has issued guidelines⁶ for providers of VLOPs and VLOSEs on the mitigation of systemic risks for electoral processes.

¹ Regulation (EU) 2022/2065, <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.

² Charter of Fundamental Rights of the European Union, Charter of Fundamental Rights of the European Union, https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.

³ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_2373.

⁴ Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia https://eur-lex.europa.eu/eli/dec_framw/2008/913/oj/eng.

⁵ <https://digital-strategy.ec.europa.eu/en/news/two-years-digital-services-act-allows-50-million-content-moderation-decisions-platforms-be-reversed>.

⁶ Communication from the Commission – Commission Guidelines for providers of Very Large Online Platforms and Very Large Online Search Engines on the mitigation of systemic risks for electoral processes pursuant to Article 35(3) of Regulation (EU) 2022/2065, <https://eur-lex.europa.eu/eli/C/2024/3014/oj/eng>.