

The Digital Services Act (DSA)¹ and the 2022 Code of practice on disinformation² provide a comprehensive framework to mitigate the risks of online disinformation fully in line with fundamental rights including freedom of speech. Neither instrument regulates content or gives the Commission power to issue content or account removal orders. To the contrary the DSA protects EU users against over-removal of lawful content by platforms, obliges platforms to explain to affected users their content moderation decisions in so-called statements of reasons³ and gives them means of redress in case of breach by the platform.

The Code supports voluntary cooperation in times of elections, including by establishing a Rapid Response System (RRS) to swiftly exchange information. Signatories implemented this commitment for the first time during the 2024 European elections.

1. The Commission chairs the Code's task force meetings, including those on the RRS. In its role, the Commission facilitates the discussion. It does not notify platforms of any content, including within the RRS, and cannot require platforms to act upon notifications from other signatories.

2. As set out in the Code's Transparency Centre⁴, the RRS is a framework of cooperation, designed by and agreed among signatories, which allows civil society organisations and fact-checkers to report content, accounts, or trends that they deem to present threats to the integrity of the electoral process. Based on their terms of service, platforms might decide to take actions on what was reported.

3. Signatories are expected to provide in their next Code reports information at Member State level on actions taken under the Code and in relation to the RRS. Broader data on content and account removals is already reported in the DSA Transparency Database⁵.

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), OJ L 277, 27.10.2022, p. 1-10.

² <https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation>

³ Available in the DSA Transparency Database, see below.

⁴ <https://disinfocode.eu/eu-elections-2024/>

⁵ <https://transparency.dsa.ec.europa.eu/>