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P-004901/2025

Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(23.1.2026)

As stated in our first reply, the Commission does not comment on individual national legal proceedings and does not have any competence to monitor national organisations. This remains a prerogative of national authorities.

As concerns EU funds, the Financial Transparency System (FTS)¹ makes available to the public information on recipients of funds financed from the EU budget and implemented under direct and indirect management mode. ‘Hessen gegen Hetze’ is not reported as one of the beneficiaries of EU funding.

Under the Digital Services Act (DSA), trusted flagger status is awarded and revoked by the national Digital Service Coordinators (DSCs). The list of DSA trusted flaggers is public² and we note that ‘Hessen gegen Hetze’ has no such status at the time of this reply.

The DSA requires providers of online platforms, on the one hand, to communicate to the competent DSC information that would trigger the procedure for revocation of trusted flagger status and, on the other hand, to adopt measures with adequate safeguards to tackle the misuse of notice and action mechanisms, including the suspension, in justified cases, of the processing of notices³. The Commission is working closely with DSCs in ensuring enforcement of the DSA.

To restate a crucial point from the previous reply: the DSA does not define what is illegal content. The DSA explicitly protects freedom of expression online and protects users in the EU against over-removal of lawful content by ensuring transparency in the policies of intermediary services providers. The DSA created a set of redress mechanisms for users: when platforms remove or demote content, they must inform the user that posted the content, explain why they took the decision, and offer the opportunity to challenge it⁴.

¹ Financial Transparency System <https://ec.europa.eu/budget/financial-transparency-system/index.html>.

² Trusted flaggers under the Digital Services Act (DSA) <https://digital-strategy.ec.europa.eu/en/policies/trusted-flaggers-under-dsa>.

³ Articles 22 and 23 of the DSA establish the rules for DSCs to award or revoke the Trusted Flaggers status.

⁴ See Articles 14 ‘Terms and Conditions’; Art. 17 ‘Statement of Reasons’; Art. 20 ‘Internal Complaint-Handling System’; and Art. 21 ‘Out-of-Court Dispute Settlement’ of the Digital Services Act: 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 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R2065>.