



EUROPEAN COMMISSION

*Brussels, 12.10.2018
C(2018) 6570 final*

Dear President,

The Commission would like to thank the Bundesrat for its Opinion on the Commission's Communication on Tackling online disinformation: a European Approach {COM(2018) 236 final}.

The Commission is pleased the Bundesrat considers that the Commission takes seriously the risks presented by disinformation, and it welcomes the support expressed by the Bundesrat for the approach set forth in the Communication, in particular the adoption of a voluntary, self-regulatory code of practice.

The Commission fully recognises, as noted by the Bundesrat, that the actions announced in the Communication have specific relevance for freedom of opinion and information as well as the collective expression of these rights by media. Freedom of expression, as well as respect for media freedom and media pluralism, are fundamental rights under Article 11 of the European Charter of Fundamental Rights and the national legal orders of all European Union Member States, including under Germany's Basic Law.

Moreover, the Commission shares the Bundesrat's concern that terms employed in the Communication, such as 'disinformation', as well as the actions announced, must not be abused for the purpose of censorship or the manipulation of public opinion. The Commission notes that the Communication expressly avoids calling for measures criminalising speech or creating new categories of illegal content.

The Commission hopes that these clarifications address the issues raised by the Bundesrat and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Mariya Gabriel
Member of the Commission*

*Mr Michael MÜLLER
President of the Bundesrat
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