



Brussels, 26.3.2024
C(2024) 2121 final

COMMUNICATION TO THE COMMISSION

Approval of the content of a draft Communication from the Commission on 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 the Digital Services Act (Regulation (EU) 2022/2065)

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With Regulation (EU) 2022/2065 (the ‘Digital Services Act’), the Union has laid down groundbreaking rules to secure its online information environment while protecting fundamental rights. It requires providers of very large online platforms (VLOPs) and very large online search engines (VLOSEs), which are those designated by the Commission as having a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, to carry out specific risk assessments and put in place reasonable, proportionate and effective risk mitigation measures including for any actual or foreseeable negative effects on electoral processes ⁽¹⁾.

Pursuant to Article 35(3) of Regulation (EU) 2022/2065, the Commission may issue guidelines on the risk mitigation measures providers of VLOPs and VLOSEs are required to adopt in relation to specific risks. Such guidelines may, in particular, present best practices and recommend possible measures.

Considering the high number of elections taking place in the EU in 2024, and given the importance of protecting the integrity of electoral processes, the current draft guidelines aim at supporting providers of VLOPs and VLOSEs to ensure that they comply with their obligation to mitigate specific risks linked to electoral processes.

In view of several elections planned in the Union in the months to come, including the upcoming 2024 elections to the European Parliament taking place from 6-9 June 2024, it is important that the draft guidelines are adopted and enter into force as soon as possible.

The Commission is therefore called upon to approve the content of a draft Commission Communication on Guidelines for providers of VLOPs and VLOSEs on the mitigation of systemic risks for electoral processes pursuant to the Digital Services Act (2022/2065).

The draft Commission Communication from the Commission on Guidelines for providers of VLOPs and VLOSEs on the mitigation of systemic risks for electoral processes will be formally adopted by the Commission later, when all language versions are available. It is only from that moment that the Communication will be applicable. The intention is to adopt the Communication before 26 April 2024. The text of the draft Commission Communication is enclosed as Annex to this Communication.

⁽¹⁾ Article 34(1)(c) of the DSA.