

PACE: Resolution on “Regulating content moderation on social media to safeguard freedom of expression”

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On 30 January 2025, the Parliamentary Assembly of the Council of Europe adopted a resolution on “Regulating content moderation on social media to safeguard freedom of expression.”

Content moderation is a complex issue, and pressure on social media companies to remove illegal and harmful content, and cooperate with public authorities in the fight against war propaganda, disinformation and hate speech, may result in overly cautious moderation and the removal of legal content. It is therefore crucial that any regulatory intervention in this domain does not have unintended consequences for freedom of expression, while also taking into consideration the rights and interests of social media companies.

In its Resolution 2590(2025), the Assembly calls on member states of the Council of Europe to review their legislation in order to better safeguard the right to freedom of expression on social media. The Assembly also calls on social media companies to avoid measures that unnecessarily restrict the freedom of expression of users. The resolution provides a set of proposals that includes the following:

- Terms and conditions must be accessible and understandable for every user;
- Content moderation decisions must be duly motivated, and researchers must have access to full information on the legal base and reasoning behind each decision.
- When a content item is moderated, the user that posted it must be notified without undue delay and receive a proper explanation;
- Human moderators must be responsible for making decisions in cases where automated systems are not up to the task. Social media companies must provide human moderators with comprehensive training and adequate working conditions (including mental healthcare);
- It is essential to establish clear and transparent rules for conflict resolution and create appropriate independent bodies that help in this regard.

Finally, the resolution singles out two types of content that need special treatment:

- Content provided by the press or TV broadcasters: social media services must notify the newspaper or the TV broadcaster before any action is taken on it, and provide an opportunity to reply within an appropriate time frame.
- Videos taken in war zones: despite their violent nature, such videos can serve as evidence of war crimes in a court of law and must not be deleted permanently from social media servers.

Regulating content moderation on social media to safeguard freedom of expression, PACE Resolution 2590 (2025)

<https://pace.coe.int/en/files/34156>

