Commission and EBDS endorse the integration of the Code of Practice on Disinformation into the DSA

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Olivier Hermanns
European Audiovisual Observatory

According to Article 45(2) of the Digital Services Act (DSA), codes of conduct may be drawn up tospecifically address significant systemic risks. These risks include “any actual or foreseeable negative effects on civic discourse and electoral processes, and public security” (Article 34(1) subparagraph 2 (c) of the DSA). One type of “negative impacts of systemic risks on society and democracy” (Recital 104 of the DSA) is disinformation.

A voluntary code of practice already existed on this subject. As a self-regulatory instrument, it was established in 2018 and strengthened in 2022. In October 2024, the signatories requested the European Commission and the European Board for Digital services to assess the Code pursuant to Article 45(4) of the DSA. On 13 February 2025, the Commission and the Board separately endorsed the integration of this document into the framework of the DSA, in the form of a “voluntary code of conduct”, i.e. a co-regulatory instrument. The Commission issued an opinion, while the Board’s position was published in the form of conclusions.

Signatories may be providers of very large online platforms (VLOPs) and of very large online search engines (VLOSEs), of online platforms and of other intermediary services, but also competent authorities, civil society organisations and other relevant stakeholders. Signatories that are not providers of VLOPs and VLOSEs may “subscribe to commitments that are relevant to their services and to implement them through measures that are proportionate in light of the size and nature of their services and the resources available to them” (point m of the Preamble). However, any signatory may withdraw from the Code (point y of the Preamble).

Signatories commit to take specific risk mitigation measures. The Code of conduct contains 43 commitments, as well as other measures that make these commitments more concrete. The compliance of providers of VLOPs and VLOSEs with the commitments undertaken pursuant to the Code shall be assessed through an annual independent audit (Article 37 DSA). Among the commitments are the demonetisation of disinformation, the labelling of political advertising, the commitment to ensure the integrity of services by fighting manipulation, and the commitment to empower users, researchers and the fact-checking community.

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This includes a commitment to improve media literacy and to provide users with a functionality to flag harmful false and/or misleading information that violates their terms of service. Fact-checking in all member states and languages shall be encouraged through cooperation and fair financial contributions.

A Permanent Task-force is established, in which the signatories will participate. This "multistakeholder forum", chaired by the Commission, shall strengthen cooperation between its members and contribute to the effectiveness and development of the Code. The Task-force will establish a "Rapid Response System" (RRS) to be used in special situations such as elections or crises, as well as a set of "Structural Indicators" to help assess the impact of the Code.

Finally, a publicly available common "Transparency Centre" website will provide information on the implementation of the Code's commitments and measures.

While both the Commission and the Board concluded their assessment by stating that the Code meets the conditions for codes of conduct set out in Article 45(1) and (3) of the DSA, they called on the signatories to further develop the RRS and to implement the "Structural Indicators".

The conversion will take effect from 1 July 2025.

Code of Conduct on Disinformation

https://ec.europa.eu/newsroom/dae/redirection/document/112678

COMMISSION OPINION of 13.2.2025 on the assessment of the Code of Practice on Disinformation within the meaning of Article 45 of Regulation 2022/2065, C(2025) 1008 final

https://ec.europa.eu/newsroom/dae/redirection/document/112679

CONCLUSION OF THE BOARD, The recognition of the Code of Practice on Disinformation as a code of conduct pursuant to Article 45 of Regulation 2022/2065 (Digital Services Act or "DSA")

https://ec.europa.eu/newsroom/dae/redirection/document/112680

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