European Commission preliminarily finds Meta and TikTok are failing to meet their transparency obligations

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Paola Bellissens
European Audiovisual Observatory

On Friday 24 October, the European Commission took the preliminary view that the two social networking giants Meta and TikTok had failed to meet their transparency obligations under the Digital Services Act (DSA). Under this law, these platforms are obliged to guarantee researchers adequate access to their internal data. However, the European institution found that Meta and TikTok did not provide sufficient access to their data, preventing researchers from properly studying their platforms. Adequate access is important because it enables researchers to measure the potential impact of these platforms on our health, for example.

In addition, and according to the same law, platforms must allow any user to request the removal of illegal content through what are known as “notice and action mechanisms”. However, the Commission took the preliminary view that two Meta subsidiaries, Instagram and Facebook, have not implemented these mechanisms in a sufficiently appropriate manner. Consequently, the Commission considers that these platforms have not complied with their obligations.

These various conclusions issued by the Commission are the result of two formal investigation procedures. One was opened against Meta in April 2024, while another was opened against TikTok in February 2024.

These platforms now have the opportunity to examine the content of the investigation files and to respond in writing. They will then be able to take the necessary steps to rectify their situation. If the Commission’s opinion is upheld, the two undertakings could face fines of up to 6% of their worldwide turnover. However, at this stage, the Commission is still examining further potential breaches.

TikTok et Meta ne respectent pas leurs obligations de transparence au titre du règlement sur les services numériques, constatations préliminaires de la Commission

https://ec.europa.eu/commission/presscorner/detail/en/ip_25_2503

Commission preliminarily finds TikTok and Meta in breach of their transparency obligations under the Digital Services Act

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