

Article – Social media and democracy: we need laws, not platform guidelines



In the wake of recent events in the US and the question of regulating social media, MEPs discussed their relationship with freedom of speech, fundamental rights, the state of media freedom in the EU as well as online disinformation campaigns.

The debate on 10 February comes as the EU is working on the Digital Services Act (DSA) and the Digital Markets Act (DMA). They will include [rules for platforms](#) as well as solutions for tackling [harmful or illegal content online](#), such as disinformation.

MEPs praised these efforts to regulate the online world via laws, not platform guidelines, but said they must safeguard freedom of expression and fundamental rights, while avoiding censorship.

According to [Marina Kaljurand](#) (S&D, Estonia) current measures against disinformation and hate speech are “insufficient to counter the assault on our democracy”. She said: “After the riots in Capitol Hill, the ultimate price of allowing disinformation and hatred to spread online unchecked is clear to all of us.” Welcoming the proposed legislation, she added: “The EU led the way and set the example by the [GDPR](#). Now we need to go further. (...) This is our opportunity to lead the way and I hope that we can do it together with our allies in the US and beyond.”

Annalisa Tardino (Italy, ID) stressed the need for clear rules for internet giants, whose “policies have an impact on the real world” and who seem to be the ones deciding which messages are acceptable or not. Decisions on what will be published in the digital realm should not be made based on guidelines created by platforms, but a law that lays down clear procedure and rules, she said. “It’s up to lawmakers (...). The EU has to protect the free and democratic debate on the social media.”

Alexandra Geese (Greens/EFA, Germany) raised the problems created by large companies dealing with personal data and said that asking them to solve them by arbitrarily censoring harmful content themselves is “not an option for democracy”. “But the good news is the remedy is easy: let us ban the surveillance business model starting with a ban on targeted advertising,” she said.

European Commission Vice President Věra Jourová said that the proposed Digital Services Act aims to increase the accountability of online platforms and clarify the rules about taking down illegal content, including hate speech and incitement to violence: “We need to bring order to the digital expression of democracy and to end the digital Wild West.” She committed to proposing rules for online political advertising.

Magdalena Adamowicz (EPP, Poland) focused on the situation in Poland, where many media outlets are currently protesting against government plans to introduce a tax on advertisements. “I call on the entire European community to act, to show solidarity with Polish free media because if it can happen in Poland, it can happen to you as well.”

Dragoș Tudorache (Renew group, Romania) said that there is no online or offline world, “only one world, in which we must protect our citizens’ rights and our democracies in equal measure both online and offline”. He urged closer cooperation between democratic states and social media companies and highlighted the need to collaborate with other states to define rules based on shared values and fight tactics used by China and Russia: “We need to use our entire diplomatic arsenal to protect our citizens’ rights and our way of life online.”

Other speakers were more concerned about the danger to freedom of expression. Geert Bourgeois (ECR, Belgium) warned that the notice and action system will lead to censorship. “Platforms will have to run every notification through their algorithm and the consequence will be overly politically correct censorship,” he said. “Freedom of expression must be our starting point” and restrictions on freedom of speech an exception. “There are countries where censorship is banned in the constitution – let it also be the case for the EU,” he said.

Anne-Sophie Pelletier (The Left, France) stressed the need to protect freedom of expression and opinion. “On the internet, the freedom of one group of people shouldn’t stop where the big platform bosses decide,” she said. “We can’t have content being censored without a decision from a judge...censorship is never the answer.”

Speaking on behalf of the Portuguese Council Presidency, Ana Paula Zacarias said: "We expect online platforms to play their parts in this common fight, but it is up to the democratic institutions, our laws, our courts to set the rules of the game, to define what is illegal and what is not, what must be removed and what should not be."