

**Question for written answer E-002762/2024/rev.1
to the Commission**
Rule 144
Kim Van Sparrentak (Verts/ALE)

Subject: Applicability of the Digital Services Act to platforms such as Telegram

Telegram is a service offering direct messaging, messaging to small groups, and messaging to large, publicly findable groups, as well as to very large ‘private’ groups, including those anyone can join via a shared link. Direct messaging and small-group messaging rightly do not fall under the Digital Services Act (DSA)¹. Large Telegram groups, however, whether public or ‘private’ groups, which may be publicly accessible via a link, can reach thousands or even hundreds of thousands of users. In such cases Telegram enables users to broadcast messages to very large audiences.

1. Could the Commission clarify whether (a) public groups and (b) large ‘private’ groups that people with a link can access and (c) private groups with thousands of users are information society services under the DSA?
2. If so, could the Commission specify for each of these types of group whether they are covered by Article 5 or Article 6 and may contribute to Telegram being classified as a very large online platform (VLOP) under Article 33, and if not, why not?
3. How does the Commission intend to ensure there are no loopholes in these classifications, such as by simply adding access via a link as a means of evading obligations?

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¹ Regulation (EU) 2022/2065 of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act), OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>.