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RESEARCH EUROPE

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Can Europe force social media giants to give researchers data?

By Sophie Hogan

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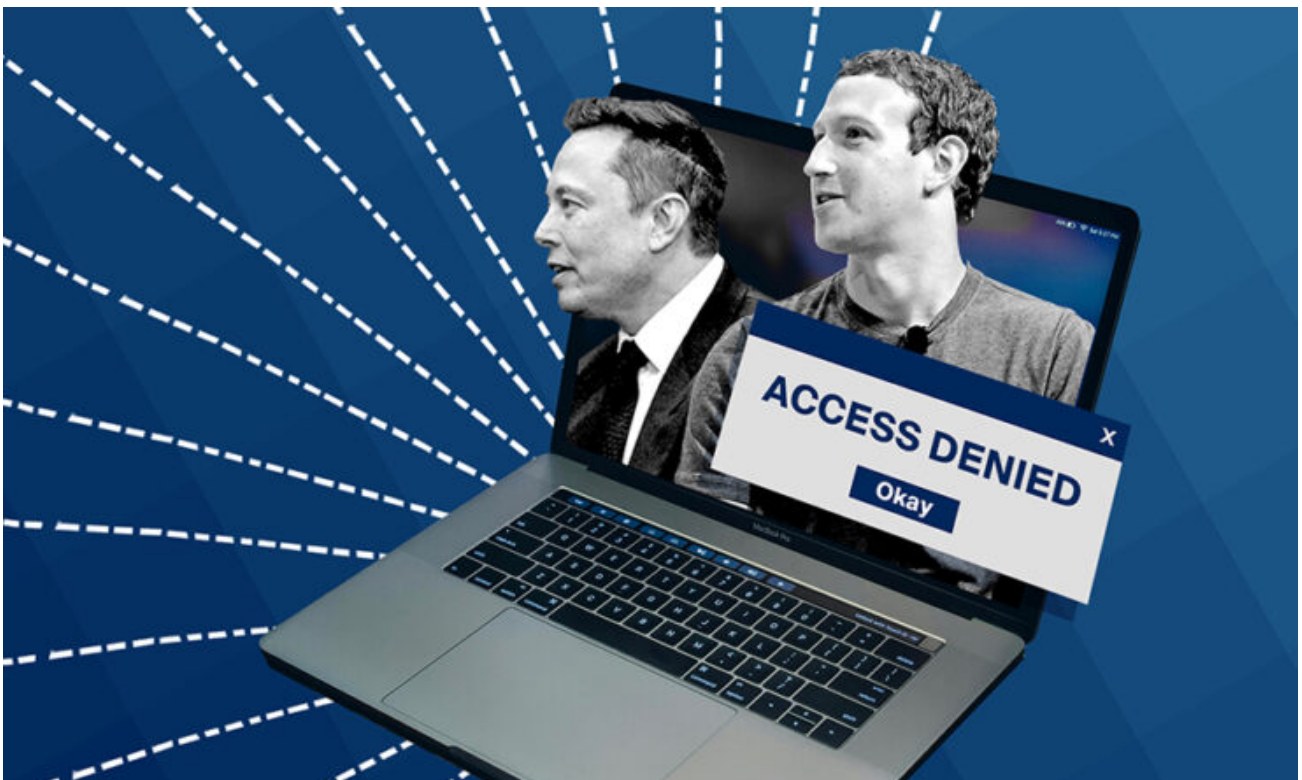


Image: Grace Gay for Research Professional News

Despite ongoing action under the Digital Services Act, researchers are struggling for access

This week began with Donald Trump's triumphant return to the White House for a second run as US president.

Many are worried that Trump's re-election will herald—or accelerate—a rise in misinformation, particularly through social media. Earlier this month, Meta, which owns the social media giants Facebook, Instagram and Threads, announced it was scrapping its third-party fact-checking programme and instead moving to a “community notes” model, where users decide whether or not content is correct—although this will initially only apply in the US.

Even with the fact-checking programme in place, there were fears that users were facing misinformation in the run-up to the US election on 5 November.

But researchers who study social media's influence struggled to track just how prevalent that misinformation was. Meta had already discontinued its public insights tool CrowdTangle, despite pleas from civil society groups to keep the tool running throughout the election and until the inauguration.

CrowdTangle was used by researchers, journalists and others in the US and abroad to access public content on Meta platforms, allowing them to scrutinise social media posts and see how misinformation spreads—particularly during elections.

‘Serious about compliance’

The decision to pull CrowdTangle turned heads in Europe. Under the Digital Services Act (DSA), which came into force in November 2022 and includes a wide range of rules on issues from illegal content to advertising, “vetted” academics must be allowed to access certain data for research purposes from very large social media companies.

As shutting down CrowdTangle threatened that access, the European Commission took action in April last year by opening formal proceedings against Meta when it announced its plans to scrap the platform. At the time, Commission president Ursula von der Leyen said the decision “shows that we are serious about compliance”.

“If we suspect a violation of the rules, we act,” she added.

Despite Meta's insistence that its replacement for CrowdTangle, known as the Meta Content Library (MCL), offers “useful, high-quality data to researchers”, the Commission was not satisfied. Days after CrowdTangle was closed down in August, the Commission demanded more information from Meta on exactly how it was complying with its duty under the DSA to make sure researchers can access its data.

The Commission warned that it would “determine the next steps”—which could include fines—based on Meta's answer.

But the proceedings are still ongoing. A spokesperson for the Commission confirmed to Research Professional News that Meta responded to the request and that the Commission is “currently assessing the reply”.

Proceedings against several other large social media companies are also yet to be resolved. Can Europe really regulate to protect researchers' access to tech giants' data?

What's the problem?

Part of the Commission's argument against Meta centres on whether researchers have sufficient access to the data they need to analyse misinformation on social media through the MCL. Back in November 2023, Meta said its MCL and associated application programming interface would "provide the most comprehensive access to publicly available content across Facebook and Instagram of any research tool we have built to date".

Not everyone would agree. Johannes Breuer, a senior researcher specialising in social media at the Gesis institute in Mannheim, Germany, tells RPN that while some things are "working quite well", the software does not offer the same quality for researchers as CrowdTangle did.

"The big difference at the moment is getting access [to the data]...It is much more tedious and complicated," he says.

Zoltán Kmetty, a senior researcher at Hungary's HUN-REN Centre for Social Sciences who has worked with Facebook data, says that while he thinks the replacement for CrowdTangle "will be more usable for research" as it is a "more complex tool", he cautions that "not all CrowdTangle features have been translated into [the] MCL and access seems a bit more cumbersome".

Meta told RPN that it is periodically updating a blog with new features it has been adding to the MCL, and it "will keep gathering feedback in order to make the tools better for researchers".

'Suspected shortcomings'

When it comes to allowing researchers to access data, Meta is not the only social media firm to face scrutiny under Europe's digital regulations. The Chinese-owned platform TikTok is being investigated by the Commission for a potential breach of the DSA over, among other issues, "suspected shortcomings in giving researchers access to TikTok's publicly accessible data". TikTok's Research Tools platform is available to approved researchers in the US and Europe, allowing them to use TikTok data for their academic work.

Of three proceedings that the Commission has opened into TikTok, one—which does not relate to data access for researchers—has been closed after the platform agreed to permanently close a rewards programme that it was operating in the EU.

The platform X—owned by billionaire Elon Musk, who has been chosen by Trump to lead a new Department of Government Efficiency in the US—is also in hot water with the Commission, which opened formal proceedings against it in December 2023 over concerns around similar "suspected shortcomings" in data access for researchers.

In July 2024, the Commission sent preliminary findings to X arguing that the firm was **in breach of the DSA**, partly over its patchy provision of data for researchers.

At the time, Margrethe Vestager, executive vice-president for digital, said the Commission felt that “X does not comply with the DSA in key transparency areas”, including “by blocking access to data for researchers”.

“The DSA has transparency at its very core, and we are determined to ensure that all platforms, including X, comply with EU legislation,” she said.

Over six months on from the publication of the preliminary findings, the Commission’s investigation is still ongoing. If it ultimately rules that X is in breach of the DSA, it could impose fines of “up to 6 per cent of the total worldwide annual turnover” of the social media platform.

Scale of the challenge

A spokesperson for the Commission told RPN that “enforcement work ongoing under the DSA has already had a concrete positive impact”.

The spokesperson pointed out that after the Commission **sent a request for information** to the social networking site LinkedIn in March last year on what it believed could be targeted advertising using sensitive data, LinkedIn **voluntarily fully disabled the functionality** in June.

“While we will remain vigilant, it is positive to see the DSA delivering change that no other law has attained so far, in Europe and beyond,” said EU internal market commissioner Thierry Breton at the time.

But some worry that imposing punishments on large social media companies under the DSA will prove to be complicated. Alvaro Oleart, a postdoctoral researcher in the political science department at the Université Libre de Bruxelles, tells RPN that despite some “veiled threats towards some companies”, the Commission is quite close to tech giants.

Oleart argues that “lobbyists are very successful in Brussels”, adding that although the DSA has rules around “transparency in algorithms”, for example, he feels “it’s mostly about transparency reporting, and nothing that really threatens their advertisement-oriented business model”.

He says there is a wariness in Europe about the scale of the challenge. “There is the assumption inside the Commission, and the EU more broadly, that we cannot really regulate these companies, because they have the data and expertise,” he says. “So you will find that people in the Commission often say, well, we don’t really know what to regulate—because the people who do know are on [the companies’] side.” The Commission has been approached for comment.

Breuer says he was “very optimistic” when he heard about the DSA, but he and other researchers have since realised that “at the very least, it takes time and there will be a back-

and-forth” between social media firms and the Commission before any action is taken to improve data access.

He stresses that major platforms have “all done something” to enhance access thanks to the DSA, “so that is clearly an improvement [on] having no data access”. But, taking X as an example, he adds that while “in theory those DSA [enabled] data access [methods] exist... very often you cannot make use of them”.

“You can apply, but you don’t get access,” he says.

RPN has approached X for comment.

What’s next?

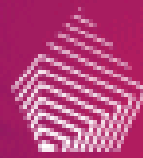
Unless the Commission proves that the DSA has teeth, researchers will continue to struggle to access the data they need from the tech giants.

Kmetty says researchers have a responsibility to help those with political power to tackle the problem, as they “can report any problems to the relevant EU bodies” and therefore provide examples of where there is pressure on data access.

But how far does that go? Oleart wonders if regulation is even the best solution.

“There’s a more fundamental problem, which is the position these companies have in society,” he says. “I don’t know how you solve that with regulation. You solve it by breaking them up or creating alternatives that are public and democratic.”

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