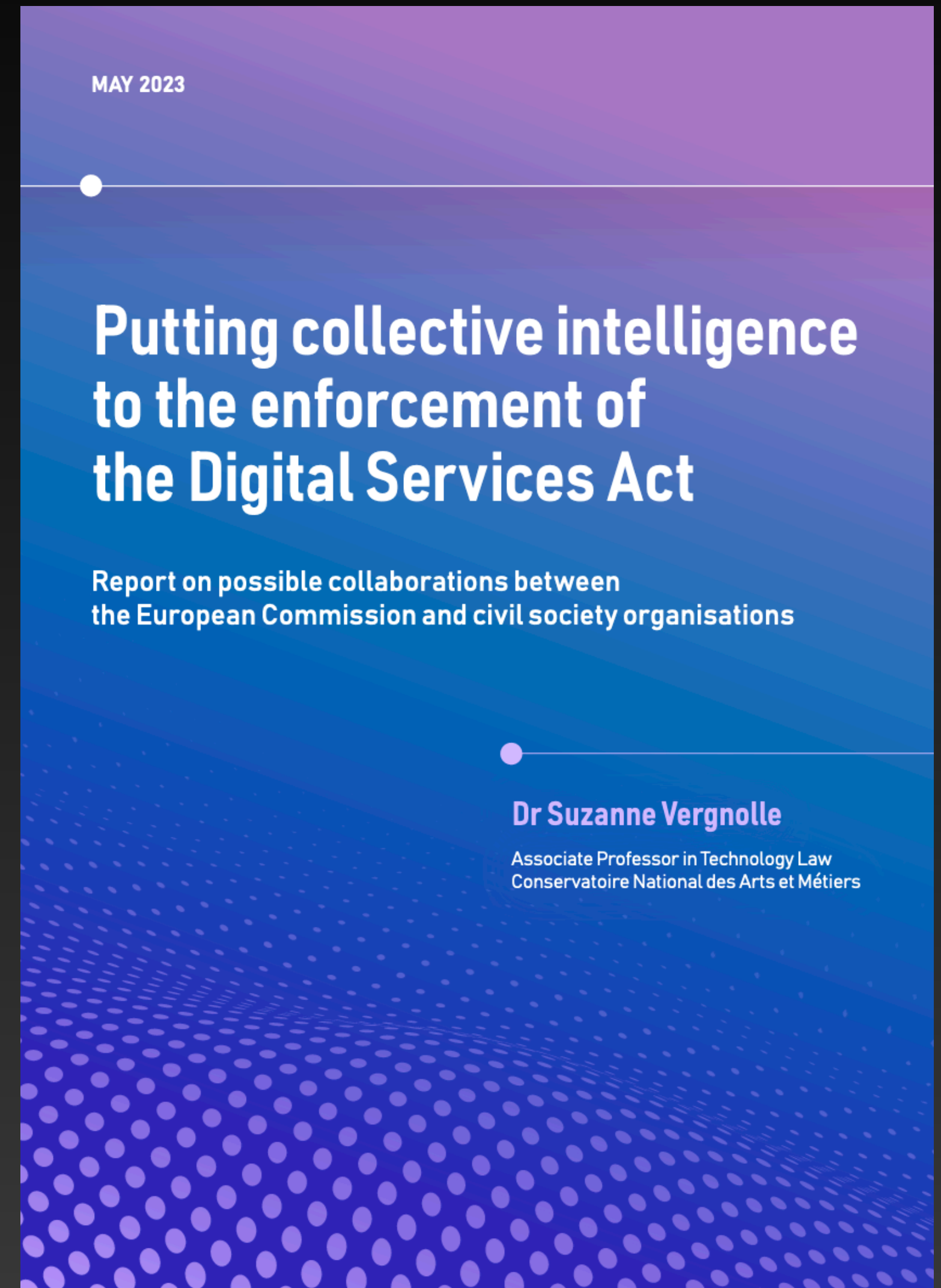


Putting collective intelligence to the enforcement of the DSA

Report on possible collaborations between
the European Commission and civil society organisations

Agenda

- Objectives of the Report
- Methodology
- Brief presentation of the DSA's enforcement system
- Recommendations



Objectives

Key needs

- Report needed to be based on experience and learn from previous malfunctions
- Report needed to provide concrete and operational recommendations

Methodology

Methodology

- Four steps method
 - Step 1: broad research
 - Step 2: analyze the models for advisory bodies
 - Step 3: interviews with members of various advisory bodies, experts in the fields of participation, democracy and digital policies, & public officials involved in the enforcement of the DSA
 - Four topics were covered: legitimacy, administration, impact and role
 - Step 4: find common ground on which to base recommendations

DSA's enforcement system

DSA's enforcement system

Intricate interaction between national enforcement and European authorities

- ▶ Regulators :
 - ✓ National authorities
 - Digital Services Coordinator **NEW**
 - Other competent authorities
 - ✓ Board **NEW**
 - ✓ EU Commission **NEW**
- ▶ Potential role for Civil Society Organizations?

Key recommendations

Recommendations - Creation of expert groups

- Creation of expert groups at the national and European level
- Composition of the expert group
 - Reasonable size (~30 experts)
 - Independent experts, civil society organisations, the Board, and the Commission. Industry and any indirect representatives should not be represented in the group

Recommendations - Expert group

- Mandate
 - Define mandate broadly
 - Should notably include the support in the preparation of delegated acts and the implementation of Union legislation, programmes, and policies
- Secretariat
 - The expert group's Secretariat and Chairpersonship should involve representatives of the Commission and representatives of civil society organisations
 - The secretariat should involve experts in the drafting process of the agenda and documentation

Recommendations - Expert group

- Meetings
 - The expert group should hold regular meetings (in person and remote)
 - The Commission should offer the experts working in the group the possibility of being compensated for their work
- Funding
 - The Commission can fund the group with the supervisory fees paid by VLOPs and VLOSEs

Recommendation - Complaint mechanism

- Regulators should put in place efficient mechanisms to receive information and process complaints
 - Work should be done by Digital Services Coordinators to have some harmonization

Recommendation - Crowdsourcing events

- Civil society organisations should organise regular crowdsourcing events to offer analysis of the documentation made available under the DSA
 - Who analyzed the first transparency Reports?
 - The first analysis show a lack of consistencies in the reports making it difficult to compare content moderation's practices

Thank you!

 Report : <https://dsa-enforcement.vergnolle.org/>

 suzanne.vergnolle@lecnam.net

 [@SuVergnolle@eupolicy.social](https://twitter.com/SuVergnolle)

MAY 2023

Putting collective intelligence to the enforcement of the Digital Services Act

Report on possible collaborations between the European Commission and civil society organisations

Dr Suzanne Vergnolle

Associate Professor in Technology Law
Conservatoire National des Arts et Métiers