

Digital Service Act

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What's in today's article?

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Why in news?

- Recently, the European Union's groundbreaking **Digital Services Act (DSA)** came into effect.

- As the provisions of this act kick in, a number of companies including Meta, Google, and Snap, have been forced to make changes to their platforms.
- These changes include:
 - more disclosures on how they use artificial intelligence (AI) to offer personalised content to users, and
 - allowing the users, the option to opt out of being subjected to digital surveillance by these platforms.

What is Digital Services Act (DSA)?

- The Digital Services Act (DSA) is an EU regulation which came into force in EU law in November 2022 and will be directly applicable across the EU.
- The act aims to address several issues related to digital services, including online safety, content moderation, and the responsibilities of online platforms.
- The legislation includes new rules for large online platforms, such as social media networks and online marketplaces, to ensure **greater accountability and transparency in their operations.**
- **Goals**
 - To create a safer digital space in which the fundamental rights of all users of digital services are protected;
 - To establish a level playing field to foster innovation, growth, and competitiveness, both in the European Single Market and globally.

What are the key features of the Digital Services Act?

- **Faster removals and provisions to challenge**
 - Social media companies will have to add new procedures for faster removal of content deemed illegal or harmful.
 - They will also have to explain to users how their content takedown policy works.
 - The DSA also allows for users to challenge takedown decisions taken by platforms and seek out-of-court settlements.
- **Bigger platforms have greater responsibility**
 - Very Large Online Platforms and Very Large Online Search Engines, that is platforms, having more than 45 million users in the EU, will have more stringent requirements.
 - Hence, the law avoids a one-size fits all approach and places increased accountability on the Big Tech companies.
- **Direct supervision by European Commission**
 - These requirements and their enforcement will be centrally supervised by the European Commission itself.
 - This is to ensure that companies do not sidestep the legislation at the member-state level.
- **More transparency on how algorithms work**

- Very Large Online Platforms (VLOP) and Very Large Online Search Engines will face transparency measures and scrutiny of how their algorithms work.
- They will be required to conduct systemic risk analysis and reduction to drive accountability about the society impacts of their products.
- **Clearer identifiers for ads and who's paying for them**
 - Online platforms must ensure that users can easily identify advertisements and understand who presents or pays for the advertisement.
 - They must not display personalised advertising directed towards minors or based on sensitive personal data.
- **Heavy penalties**
 - The DSA imposes heavy penalties for non-compliance, which can be up to 6 per cent of the company's global annual turnover.
 - Companies that do not wish to abide by the rules cannot function within the EU.

What are the changes big tech has been forced to make?

- Due to the harsh repercussions and the threat of losing a market of around 450 million users, major social media companies have fallen in line.
- These companies have announced they will allow more freedom to users in the way they interact with their platforms.
- **Meta:** The company that operates Facebook and Instagram has said it will introduce non-personalised digital feeds.
- **Google:** The Internet search giant has said it will increase how much information it provides about ads targeted at users in the EU.
 - It will also expand data access to third party researchers studying systemic content risks in the region.
- **Amazon:** The e-commerce giant sued the EU last month over its classification as a VLOP, which would require the company to comply with the DSA's stringent norms.
 - This was the first legal challenge to the law.

How does the EU's DSA compare with India's online laws?

- **Information Technology Rules, 2021**
 - In February 2021, India had notified extensive changes to its social media regulations in the form of the Information Technology Rules, 2021 (IT Rules).
 - These rules placed significant due diligence requirements on large social media platforms such as Meta and Twitter. This included:
 - **Appointing key personnel** to handle law enforcement requests and user grievances,

- Enabling **identification of the first originator** of the information on its platform under certain conditions,
- Deploying technology-based measures on a best-effort basis to **identify certain types of content**.

- **Amendments to the IT Rules**

- In 2023, with a view to make the Internet open, safe and trusted, and accountable, the IT Ministry notified the creation of government-backed grievance appellate committees.
- These committees would have the authority to review and revoke content moderation decisions taken by platforms.

- **Other laws**

- India is also working on a complete overhaul of its technology policies and is expected to soon come out with a replacement of its IT Act, 2000.
- This law is expected to look at ensuring net neutrality and algorithmic accountability of social media platforms, among other things.

Q1) What is European Commission?

The European Commission is the executive branch of the European Union (EU). It is responsible for proposing and enforcing laws, managing the EU's budget, and representing the EU on the international stage. The Commission is made up of 27 commissioners, one from each EU member state, appointed for a five-year term by the Council of the European Union and approved by the European Parliament. The Commission is headquartered in Brussels, Belgium.

Q2) What are social media platforms?

Social media platforms are online platforms that allow users to create, share, and exchange information, content, and opinions with others. They typically provide a variety of tools and features that enable users to connect with others, build networks, and engage in online conversations.

Source: [DSA: How the pioneering EU law is forcing big tech to reduce digital surveillance](#) | [European Commission](#) | [Indian Express](#)

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