

Implementing the Digital Services Act in the Western Balkans: Risks of Illegal Content Regulation

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List of Abbreviations

Abbreviation	Definition
DSA	Digital Services Act
DSC	Digital Services Coordinators
EU	European Union
ICTY	International Criminal Court for Former Yugoslavia
WB6	Western Balkans Six (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia)
REM	Regulatory Body for Electronic Media (Serbia)
VLOPs	Very Large Online Platforms
CSOs	Civil Society Organizations

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Introduction

The Digital Services Act (DSA) represents a transformative regulatory framework within the European Union (EU), designed to ensure greater accountability for digital platforms while safeguarding the fundamental rights of users. By establishing clear obligations for handling illegal content, including hate speech, the DSA aims to address the challenges of regulating online platforms in a way that balances freedom of expression with the need for a safer digital environment.

The Western Balkans (WB6) — Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia — face specific challenges in aligning their legal frameworks with the DSA. These countries are at different stages of EU integration, and while some have initiated reforms to harmonize their laws with EU standards, significant gaps remain, particularly in the area of defining and regulating illegal content. Inconsistencies in national definitions of hate speech and other forms of illegal content present obstacles not only to regional digital governance but also to DSA compliance.

This study provides an overview of the feasibility of implementing the DSA across the Western Balkans, focusing particularly on the issue of defining illegal content, with an emphasis on hate speech. The DSA's broad definition of illegal content, as outlined in Recital 12 and Article 3(h), leaves room for interpretation. In regions like the WB6, where historical, political, and ethnic conflicts influence legal frameworks, these ambiguities pose significant challenges. Furthermore, issues such as capacity limitations, political interference, and judicial independence complicate the region's ability to implement the DSA effectively.

By analyzing the existing legal frameworks in WB6 countries, this study explores the challenges posed by differing national laws and the DSA, and it offers recommendations for harmonizing legal standards and improving governance practices across the region.

Methodology

This overview, conducted in September 2024, focuses on examining the challenges related to the definition and regulation of illegal content under the DSA in the context of the WB6. The study centers on a comparative analysis of legal frameworks in Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia to identify inconsistencies in the definition of hate speech and other forms of illegal content compared to the DSA's provisions, particularly Recital 12 and Article 3(h).

The analysis reviewed relevant national legislation, exploring how the differing interpretations of illegal content across WB6 countries may present obstacles to the alignment with the DSA. The study also assessed potential practical challenges in implementing these regulations, identifying several critical issues including capacity constraints, political interference, judicial influence, risks of censorship, and limited avenues for legal recourse.

Content Filtering Mechanisms under the Digital Services Act

The DSA aims to modernize the EU's legal framework for addressing illegal content on digital platforms, with a particular focus on very large online platforms (VLOPs).^[1] The DSA introduces several key mechanisms to ensure effective content filtering.

Firstly, platforms must comply with orders issued by Member States' authorities, requiring them to remove illegal content based on decisions from judicial or administrative bodies.^[2] Additionally, the DSA establishes the role of trusted flaggers, who are designated by a country's Digital Services Coordinator to report illegal content.^[3] Platforms are obligated to prioritize these reports and provide dedicated reporting channels.^[4]

Moreover, the DSA mandates that platforms create user-friendly mechanisms for individuals or entities to report illegal content. These mechanisms must be easily accessible and allow for electronic submission.^[5]

Together, these processes ensure that platforms are made aware of illegal activity and can quickly remove or disable access to such content, reinforcing their responsibility in maintaining a safe online environment.

[1] See European Platform of Regulatory Authorities, *DSA Provisions on VLOPs Enter Into Force*, https://www.epra.org/news_items/dsa-provisions-on-vlops-enterinto-force (last visited Sept. 28, 2024).

[2] Regulation (EU) 2022/2065 (Digital Services Act), art. 9.

[3] Regulation (EU) 2022/2065 (Digital Services Act), rec. art. 22.

[4] *Ibid.*

[5] Regulation (EU) 2022/2065 (Digital Services Act), art. 16.

Definition of Illegal Content

The DSA provides a broad yet adaptable definition of illegal content to ensure its applicability across different legal systems within the EU. According to Recital 12, illegal content is defined as any information that, “irrespective of its form,” is illegal under the applicable law.^[6] This can include content that is intrinsically illegal, such as hate speech, terrorist propaganda, or other forms of unlawful discriminatory content.

In Article 3(h), illegal content is further defined as “any information that, in itself or in relation to an activity, including the sale of products or the provision of services, is not in compliance with Union law or the law of any Member State that is in compliance with Union law, irrespective of the precise subject matter or nature of that law.”^[7] This flexible definition extends to illegal activities linked to digital platforms, such as selling counterfeit goods, trafficking illicit materials, or spreading disinformation.

However, the definition of illegal content will likely encounter inconsistencies in practice due to the varied interpretations of what constitutes illegality across different EU Member States and non-EU states like those in the WB6. The adaptability of definition presents significant challenges for non-EU states like those in the WB6, where inconsistent laws are exacerbated by issues such as lack of institutional capacity, political influence, judicial interference, and the risk of censorship, as well as limited legal protection mechanisms for those affected by content removals. This is particularly evident in matters like hate speech, which are often tied to historical events, ethnic tensions, and political contexts that differ significantly from country to country. For example, what might be considered hate speech in one country could be defended as political expression in another, especially in societies still dealing with the legacies of conflict, such as in the Western Balkans. The WB6 countries exhibit significant legal differences, with some countries having stricter frameworks for hate speech while others rely more on self-regulation and media codes, complicating efforts to apply uniform DSA standards.

[6] Regulation (EU) 2022/2065 (Digital Services Act), rec. 12.

[7] Regulation (EU) 2022/2065 (Digital Services Act), art. 3(h).

Hate Speech in WB6: Legal and Practical Implications

The legal and practical implications of defining hate speech in the WB6 are complex and varied due to differing legal frameworks, political contexts, and enforcement mechanisms.

Overview of Hate Speech Laws in the Western Balkans

In North Macedonia, the Constitution prohibits incitement to national, racial, or religious hatred but lacks explicit regulation on hate speech.^[8] The Criminal Code addresses hate speech via media and online platforms, with penalties ranging from one to ten years.^[9] The Law on Media prohibits the dissemination of content that incites hatred but lacks strong enforcement mechanisms.^[10] However, weak enforcement and a lack of focus on digital platforms may hinder the implementation of the DSA.^[11]

In Serbia, hate speech is explicitly prohibited by the Constitution.^[12] The Criminal Code provides a detailed framework for criminalizing incitement to hatred, racial superiority, and war crimes denial, with penalties up to eight years.^[13] Additionally, the Law on Electronic Media regulates the Regulatory Body for Electronic Media (REM), ensuring that media service providers do not broadcast content that incites discrimination, hatred, or violence based on personal characteristics such as race, nationality, religion, or sexual orientation.^[14] While Serbia enforces strict penalties in media, historical issues with nationalistic hate speech, and weak institutions heavily influenced by leading parties complicate consistent application.

- [8] Constitution of the Republic of North Macedonia, amended through XXXII, Official Gazette no. 2011 at arts. 9, 16, 20.
- [9] Criminal Code of the Republic of North Macedonia, Official Gazette of the Republic of North Macedonia, no. 36 (2023), at art 394.
- [10] Law on Media of North Macedonia, Official Gazette no. 144/2013; no. 13/2014, art 4.
- [11] *Media Monitoring Report on Hate Speech in North Macedonia*, Reporting Diversity Network, available at <https://www.reportingdiversity.org/resources/media-monitoring-report-on-hate-speech-in-north-macedonia/>.
- [12] Constitution of the Republic of Serbia, Official Gazette of the Republic of Serbia, nos. 98/2006 and 115/2021, arts. 43, 46, 49.
- [13] Criminal Code of the Republic of Serbia, Official Gazette of RS, nos. 85/2005, 88/2005 - ex., 107/2005 - ex., 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016, art. 128, 387.
- [14] Law on Electronic Media, Official Gazette of RS, no. 83/2014, 6/2016, art 51.

Albania focuses on non-discrimination in its Constitution but does not explicitly address hate speech. The Criminal Code handles hate speech through broader categories like insult and defamation, with penalties up to eight years. Law on Media Services prohibits broadcasting hate speech.^[15] However, the reliance on self-regulation could limit effective enforcement under the DSA.^[16]

In Kosovo, the Constitution prohibits discrimination but lacks explicit hate speech definitions.^[17] The Criminal Code criminalizes incitement to hatred, with penalties up to 10 years.^[18] The Law on Independent Media Commission and impose fines and other penalties for hate speech violations in media.^[19] As a relatively young country still grappling with the legacy of conflict, Kosovo faces unique obstacles in implementing regulatory frameworks like the DSA. These challenges stem from limited institutional capacity and a lack of dedicated political will, both of which hinder efforts to prioritize and enforce digital service regulations.^[20]

Montenegro's Constitution emphasizes equality but lacks explicit hate speech provisions.^[21] The Criminal Code addresses hate speech in cases of incitement to national and racial hatred.^[22] Montenegro's Law on Media prohibits media outlets from spreading hatred, and there are provisions for self-regulation.^[23] In practice, while inconsistent

[15] Law No. 97/2013, amended by law no. 91/2019 from 18.12.2019 "Law on media services", arts 4, 32, 33;

[16] *National Regulatory and Self-Regulatory Framework Against Hate Speech*, Anna Lindh Foundation, available at <https://www.annalindhfoundation.org/resources/publications/national-regulatory-and-self-regulatory-framework-against-hate-speech-and>.

[17] Constitution of the Republic of Kosovo, Official Gazette of the Republic of Kosovo, nos. 2008 and amendments through 2020.

[18] Law no. 06/L-074, Criminal Code of the Republic of Kosovo, Official Gazette of the Republic of Kosovo/ no. 2/ January 14, 2019, art 141.

[19] Law No. 04/L-044 of the Independent Media Commission, Official Gazette of the Republic of Kosovo / No. 5 / 05 April 2012, arts 1, 2, 27.

[20] See European Commission. Directorate-General for Neighbourhood and Enlargement Negotiations, Kosovo Report 2023. November 8. 2023, https://neighbourhood-enlargement.ec.europa.eu/document/download/760aacca-4e88-4667-8792-3ed08cdd65c3_en?filename=SWD_2023_692%20Kosovo%20report_0.pdf.

[21] Constitution of Montenegro, Official Gazette of Montenegro, no. 001/07 (25 October 2007), amended by no. 038/13 (2 August 2013), art. 47.

[22] Criminal Code of Montenegro, Official Gazette of Montenegro, no. 070/03 (25 December 2003), last amended by no. 026/21 (8 March 2021), art. 42.

[23] Law on Media, Official Gazette of Montenegro, nos. 46/2010, 40/2011 – other law, 53/2011, 6/2013, 55/2016, 92/2017, 82/2020 – other law, arts. 26, 36.

Montenegro has been the most successful WB6 country in implementing anti-hate speech provisions so far, as well as in enforcing measures to limit broadcasting for television stations that violate the laws.^[24]

In Bosnia and Herzegovina, the Constitution prohibits incitement to hatred, but the legal framework is fragmented. Hate speech is criminalized, but prosecutions are rare, and enforcement is weak.^[25] Such a fragmented system will be a heavy burden for efforts to align with DSA standards.

Historical Context and National Narratives Impacting Hate Speech Regulation

The Yugoslav Wars have left a deep and enduring impact on how hate speech is interpreted and enforced across the Western Balkans, with significant differences in approach based on political and ethnic contexts. In Bosnia and Herzegovina, for example, the denial of genocide, specifically the Srebrenica genocide, is criminalized.^[26] However, despite its criminalization, genocide denial remains widespread in the media and is even propagated by some of the highest state officials in Serbia and the Republic of Srpska, creating a disconnect between the legal framework and its enforcement.^[27] This divergence between legal norms and actual practices presents a serious challenge to the effective implementation of the DSA, which demands swift action against illegal content.

[24] Dragaš, Nikola, Happy TV on fire, AEM fails to react, Vijesti Online, 2021. Available at: <https://bitly.cx/Mz1TW>. Accessed on: 27 September 2024.

[25] Criminal Code of Bosnia and Herzegovina, Official Gazette of Bosnia and Herzegovina, art. 145.

[26] Criminal Code of the Republic of Serbia, art. 387(5), “Whoever publicly approves, denies, or significantly minimizes the gravity of genocide, crimes against humanity, and war crimes committed against a group of persons or a member of a group identified by race, skin color, religion, origin, state, national, or ethnic affiliation, in a manner that may lead to violence or incite hatred against such a group or member, if these criminal acts are established by a final court judgment in Serbia or by the International Criminal Court, shall be punished with imprisonment from six months to five years.”

[27] See Jovana Kolarić, *State of Denial / Serbia 2022 / Time of Silent Pride*, ed. Sofija Todorović (Belgrade: Youth Initiative for Human Rights, 2023).

Another example of these historical sensitivities is the differing perspectives on Operation Oluja (Storm). In Croatia, the operation is celebrated as one of the most important national holidays, marking the country’s military success and sovereignty.^[28] Conversely, in Serbia, it is commemorated as a day of mourning for the victims of war crimes, specifically for the Serbs displaced and killed during the operation. This divergence in national narratives complicates efforts to regulate hate speech uniformly, as content seen as patriotic in Croatia might be considered incitement to ethnic hatred in Serbia.

The International Criminal Tribunal for the former Yugoslavia (ICTY) has determined that genocide occurred in Srebrenica, and it has also found that Operation Oluja resulted in a series of war crimes.^[29] Despite these rulings, citizens, state officials, and state institutions in the region continue to interpret these events through the lens of their national narratives.^[30]

In Kosovo, the lasting impacts of the conflict continue to shape the regulation of hate speech. Although the government is committed to curbing incitement to hatred, persistent sensitivities related to the Kosovo War—particularly around narratives of military actions and ethnic displacement—pose challenges to establishing a neutral and consistent approach.^[31] This complexity is intensified by contrasting perspectives in Serbia, where both official and public narratives often conflict with those in Kosovo, adding further obstacles to achieving cross-border regulatory alignment on hate speech policies.^[32]

[28] Croatian Parliament, *5 August - Victory and Homeland Thanksgiving Day and the Day of Croatian Defenders*, <https://www.sabor.hr/en/about-parliament/history/important-dates/5-august-victory-and-homeland-thanksgiving-day-and-day>.

[29] International Residual Mechanism for Criminal Tribunals, *Srebrenica*, <https://www.irmct.org/en/mip/features/srebrenica>; International Criminal Tribunal for the Former Yugoslavia, *Judgement*, 15 April 2011, *Prosecutor v. Ante Gotovina, Ivan Čermak, and Mladen Markač*, Case No. IT-06-90-A (The Hague, Netherlands: ICTY, 2012).

[30] See “We will Continue to Celebrate Success of the Operation Storm and Our Victory in Homeland War with Dignity,” Government of the Republic of Croatia, <https://vlada.gov.hr/news/we-will-continue-to-celebrate-success-of-the-operation-storm-and-our-victory-in-homeland-war-with-dignity/32714>.

[31] Media Diversity Institute and Kosovo 2.0, *Media Monitoring Report: Kosovo*, 2023, “Most of the aforementioned incidents of hate speech and negative narratives exhibited an ethnic focus, constituting 44.64% of such cases in 2023.” Available at: https://www.reportingdiversity.org/wp-content/uploads/2024/04/Media-Monitoring-Report_Kosovo_ENG-1.pdf.

[32] Peaceful Change Initiative, *Media Analysis: Key Findings – Kosovo and Serbia*, November 2020. <https://peacefulchange.org/wp-content/uploads/2020/11/PCI-Media-Analysis-Key-Findings-Kosovo-Serbia-final.pdf>.

Practical Challenges in DSA Enforcement

The enforcement of the DSA, particularly in sensitive cases like hate speech or genocide denial in the Western Balkans, presents significant challenges due to the absence of clear regulatory frameworks in the region. Unlike in the European Union, where the DSCs play a key role in ensuring that large platforms like social media companies and search engines adhere to the DSA's due diligence and liability requirements, the Western Balkans fall outside the jurisdiction of the DSA. The European Commission (EC) does not hold regulatory authority over VLOPs (Very Large Online Platforms) and VLOSEs (Very Large Online Search Engines) in non-EU countries, including the WB6. This leaves WB6 countries to decide whether and how to regulate these platforms through their own national frameworks.

For EU member states, the DSA provides a clear mechanism for cross-border cooperation through the DSCs. When illegal content is not addressed by a platform within one member state, the DSC from another member state can request action. If the issue remains unresolved, the matter can be escalated to the European Commission, which holds the authority to intervene. However, in cases such as the widespread denial of the Srebrenica genocide in Serbia^[33], if a platform fails to act on illegal content, it is uncertain whether Bosnia and Herzegovina's DSC would have any real recourse to request action from Serbia's DSC. The deep-seated political and ethnic tensions stemming from different interpretations of the Yugoslav Wars further complicate such cooperation. In Serbia, where genocide denial is prevalent and sometimes backed by official narratives^[34], enforcement could face significant delays or outright resistance, creating a wide gap between the legal frameworks and actual enforcement.

Even if a cross-border mechanism exists, it is questionable whether Serbia's DSC would be willing to cooperate in such cases. On the other hand, the DSA has not provided any mechanisms for penalizing non-cooperative DSCs. Without clear cross-border frameworks or external oversight, unresolved issues may languish, complicating efforts to align with European standards in regulating illegal content.

Another problematic issue is the likely response of local institutions in Serbia in a scenario where a platform takes action against content denying the genocide. In Serbia, the removal of such content by a platform could provoke significant backlash. Local institutions may challenge the platform's decision, potentially framing it as an attack on freedom of speech or national interests.

[33] See supra note 26.

[34] See Milica Stojanovic, *Serbian Officials Launch Video Campaign Against UN Srebrenica Resolution*, Balkan Insight. May 22, 2024. <https://balkaninsight.com/2024/05/22/serbian-officials-launch-video-campaign-against-un-srebrenica-resolution/>.

Ultimately, while the DSA provides a framework for regulating illegal content across Europe and potentially in the Western Balkans, the practical application is likely to be slow and fraught with resistance, especially in politically sensitive contexts.

Barriers to Effective DSA Implementation in the Western Balkans

The implementation of the DSA in the WB6 faces several critical challenges, including capacity constraints, political interference, judiciary influence, censorship risks, and the lack of legal recourse. These issues, compounded by existing political and structural weaknesses, make enforcing the DSA a significant hurdle for the region.

1. Absence from the EU Digital Space and Single Digital Market

A critical challenge for WB6 countries is that they are not part of the EU digital space, which raises significant uncertainties about how conflicts in DSA implementation would be resolved. Unlike EU Member States, where the European Commission holds authority over large platforms (VLOPs and VLOSEs), the WB6 lacks a clear regulatory mechanism to oversee these entities. If national DSCs are not granted authority over VLOPs and VLOSEs, it remains unclear which body would handle the regulation and enforcement of these platforms in the region. This regulatory gap could lead to inconsistencies and conflicts in addressing illegal content, as there is no clear line of responsibility nor dispute resolution mechanism.

2. Capacity Constraints

A major obstacle in the WB6 is the lack of institutional and technical capacity to enforce DSA provisions effectively. Countries like Bosnia and Herzegovina, Albania, and North Macedonia struggle with underfunded regulatory bodies and outdated infrastructure, making it difficult to monitor illegal content online. In Bosnia and Herzegovina, reforms are often donor-driven, with limited domestic budgetary contributions, reflecting the broader issue of dependency on external funding.^[35] Similarly, Albania faces challenges with public administration reform efforts remaining under-resourced, particularly in terms of ensuring equitable access to digital

[35] See European Commission. Directorate-General for Neighbourhood and Enlargement Negotiations, *Bosnia and Herzegovina Report 2023*. November 8, 2023, https://neighbourhood-enlargement.ec.europa.eu/bosnia-and-herzegovina-report-2023_en.

services.^[36] These constraints hinder the creation of effective Digital Services Coordinators, which are essential for DSA implementation.

3. Political Interference

Political influence over regulatory and media bodies further complicates DSA enforcement. For example, in countries like Serbia and Albania, political actors exert significant control over the media, potentially distorting the impartial application of the DSA. In Serbia, the independence of the Regulatory Body for Electronic Media (REM) is undermined by political interference, affecting its ability to safeguard media pluralism.^[37] In Albania, concerns arise over the appointment of government allies to key media regulatory positions, raising the risk of politically motivated censorship under DSA provisions.^[38]

4. Undue Influence on the Judiciary

The lack of judiciary independence in the Western Balkans poses another significant challenge. Without independent courts, decisions related to content removal under the DSA could be biased or politically influenced. In North Macedonia for example, ongoing concerns about political pressure on the judiciary are evident, specifically with the controversial dismissal of the President of the Judicial Council.^[39] Similar concerns are raised in Albania, where the vetting process for judges has progressed, but the judiciary remains plagued by a high backlog of cases and long delays.^[40] This undermines the ability to provide fair legal recourse for individuals whose content is wrongly removed.

5. Censorship Risks

The broad definitions of “illegal content” in the DSA present risks of censorship, especially in politically sensitive environments like the WB6. In Bosnia and Herzegovina, concerns over the misuse of defamation laws in Republika Srpska to suppress dissenting voices illustrate how DSA provisions could be similarly abused.^[41] In Albania and Serbia, the concentration of media ownership and political ties further heightens the risk of media suppression.^[42]

[36] European Commission. Directorate-General for Neighbourhood and Enlargement Negotiations. *Albania Report 2023*. November 8, 2023. https://neighbourhood-enlargement.ec.europa.eu/albania-report-2023_en

[37] European Commission. Directorate-General for Neighbourhood and Enlargement Negotiations, *Serbia Report 2023*. November 8, 2023. https://neighbourhood-enlargement.ec.europa.eu/serbia-report-2023_en.

[38] *Albania 2023 Report*, supra note 34.

[39] European Commission. Directorate-General for Neighbourhood and Enlargement Negotiations, *North Macedonia Report 2023*. November 8, 2023. https://neighbourhood-enlargement.ec.europa.eu/north-macedonia-report-2023_en.

[40] *Albania 2023 Report*, supra note 34.

[41] *Bosnia and Herzegovina 2023 Report*, supra note 33.

[42] *Albania 2023 Report*, supra note 34; *Serbia 2023 Report*, supra note 35.

Recommendations

The effective implementation of the DSA in the WB6 hinges on several critical recommendations, including strengthening institutional capacity, ensuring the independence of regulatory bodies, and promoting regional collaboration. However, the success of these initiatives largely depends on political will, which is often lacking in the region. Political interference, weak institutions, and a reluctance to enforce transparency and accountability present significant barriers to reform. Without a genuine commitment from WB6 governments, the necessary changes may face delays or inconsistent enforcement, undermining efforts to align with EU standards and fully realize the DSA's potential in the region.

Key Recommendations

1. Integrate the Western Balkans into the EU Digital Market

To address the challenges related to jurisdiction and oversight, it is essential for the WB6 to be integrated into the EU digital market, even before full EU accession. This would ensure that DSCs in WB6 countries have the authority and legal framework to effectively oversee Very Large Online Platforms (VLOPs) and Very Large Online Search Engines (VLOSEs). By aligning WB6 with the EU's digital market regulations, any gaps in jurisdiction or accountability, particularly over VLOPs and VLOSEs, can be addressed, ensuring consistent application of the DSA across both EU member states and the WB6 region.

2. Strengthening Institutional Capacity and DSC Independence

To effectively implement the DSA, it is essential that Digital Services Coordinators in WB6 are provided with adequate financial, human, and technological resources. Consistent investment in capacity building, alongside efforts to secure their independence from political influence, will ensure that DSCs can handle cross-border digital governance challenges and enforce DSA provisions fairly.

3. Strengthening Civil Society Involvement and DSC Independence

The involvement of civil society organizations (CSOs) in the oversight of DSA implementation is critical for maintaining DSC independence and ensuring transparency. Establishing a system of checks and balances through transparency obligations, accountability mechanisms, and citizen participation will bolster public trust and prevent political interference in regulatory activities.

4. Harmonize National Hate Speech Laws for Consistent DSA Enforcement

Governments in the WB6 must work towards harmonizing their hate speech laws. To address illegal content consistently, national laws must be aligned with both DSA standards and one another, ensuring that content considered illegal in one country is recognized and acted upon similarly across all WB6 states. This harmonization is crucial to preventing cross-border contradictions in enforcement and ensuring that illegal content is addressed uniformly across service providers operating in multiple countries.

5. Address Non-Cooperative DSCs

Establish accountability mechanisms for DSCs that fail to cooperate or delay enforcement. The European Commission should set clear standards for timely responses to illegal content and introduce a reporting mechanism to track non-compliance. In cases where DSCs obstruct or fail to act, there should be clear and concrete consequences in place to prevent non-compliance and non-cooperation.

