DSA: Very large online platforms and search engines

The DSA classifies platforms or search engines that have more than 45 million users per month in the EU as very large online platforms (VLOPs) or very large online search engines (VLOSEs). The Commission has begun to designate VLOPs or VLOSEs based on user numbers provided by platforms and search engines, which regardless of size, they were required to publish by 17 February 2023

(https://digital-strategy.ec.europa.eu/en/news/digital-services-act-commission-starts-collecting-platforms-user-numbers-and-consults-its).

Platforms and search engines will need to update these figures at least every 6 months as explained on <u>DSA</u>: <u>Guidance on the requirement to publish user numbers</u>

(https://digital-strategy.ec.europa.eu/en/library/dsa-guidance-requirement-publish-user-numbers).

Once the Commission designates a platform as a VLOP or a search engine as a VLOSE, the designated online service has 4 months to comply with the DSA. The designation triggers specific rules that tackle the particular risks such large services pose to Europeans and society when it comes to illegal content, and their impact on fundamental rights, public security, and wellbeing.

The Commission will revoke its decision if the platform or search engine does not reach the threshold of 45 million monthly users anymore during one full year.

Obligations for VLOPs and VLOSEs

Once the Commission has designated a platform or a search engine, it has four months to comply with the DSA.

For example it needs to:

- establish a point of contact for authorities and users
- report criminal offenses
- have user-friendly terms and conditions
- be transparent as regards advertising, recommender systems or content moderation decisions

They also must follow the rules that focus only on VLOPs and VLOSEs due to their size and the potential impact they can have on society. This means that they must identify, analyse, and assess systemic risks that are linked to their services. They should look, in particular, to risks related to:

- illegal content
- fundamental rights, such as freedom of expression, media freedom and pluralism, discrimination, consumer protection and children's rights
- public security and electoral processes
- gender-based violence, public health, protection of minors, and mental and physical wellbeing

Once the risks are identified and reported to the Commission for oversight, VLOPs and VLOSEs are obliged to put measures in place that mitigate these risks. This could mean adapting the design or functioning of their services or changing their recommender systems. They could also consist of reinforcing the platform internally with more resources to better identify systemic risks.

Those designated as VLOPs or VLOSEs will also have to:

- establish an internal compliance function that ensures that the risks identified are mitigated
- be audited by an independent auditor at least once a year and adopt measures that respond to the auditor's recommendations
- share their data with the Commission and national authorities so that they can monitor and assess compliance with the DSA
- allow vetted researchers to access platform data when the research contributes to the detection, identification and understanding of systemic risks in the EU
- provide an option in their recommender systems that is not based on user profiling
- have a publicly available repository of advertisements

Source URL: https://digital-strategy.ec.europa.eu/policies/dsa-vlops

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