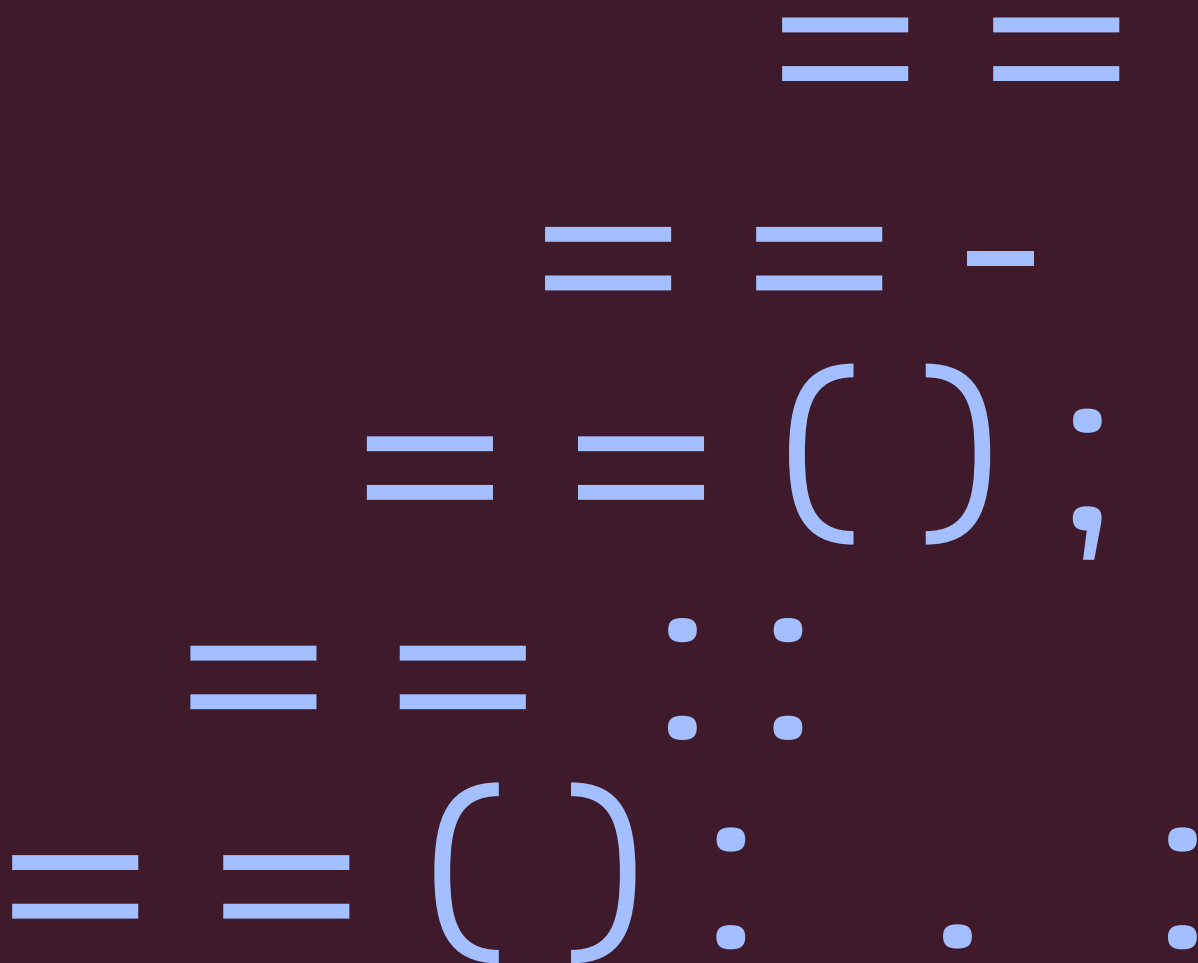


Annual Activity Report

Pursuant to art. 55 of the Digital Services Act



Indhold

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1. Introduction

The Digital Services Act (DSA) came into force for all platforms in February 2024, with the exception of Very Large Online Platforms (VLOPS) and Very Large Online Search Engines (VLOSES), who became subject to the DSA in August 2023. The DSA provides harmonised rules for a safe, predictable and trusted online environment when interacting with so called ‘intermediary services’, which includes e.g. online platforms, hosting services or search engines. Examples of such harmonised rules are (1) additional transparency requirements on how online platforms moderate content, (2) citizens’ access to out-of-court settlements and (3) rules for the status of trusted flaggers and transparency obligations for trusted flaggers. The DSA also aims at preventing illegal content online, protecting minors online as well as preventing the spread of disinformation. Providers of VLOPS and VLOSES face additional scrutiny, such as the obligation to provide transparency on advertisements or the publication of their assessment on systemic risks.

The DSA is enforced by the national Digital Service Coordinators (DSCs), other national regulators designated as competent authorities in their Member States and for VLOPS and VLOSES by the European Commission. The DSA has fully applied in Denmark since 17 February 2024 where also the Competition and Consumer Authority was designated as the DSC. On 29 August 2024, by Royal Resolution, the Agency for Digital Government was appointed as the DSC in Denmark.

It should be noted that two separate authorities held the designation as Denmark’s Digital Services Coordinator during the course of 2024. For the sake of consistency and to avoid unnecessary repetition, this report employs the term *the Danish DSC* when referring to the national Digital Services Coordinator, irrespective of which authority exercised the function at a given point in time – unless it is deemed relevant to distinguish between the actions or responsibilities of the two authorities in specific contexts.

The Agency for Digital Government is publishing this activity report in pursuant to Article 55 of the DSA, which requires each DSC to prepare and publish an annual report outlining its activities from the previous year. The report contains details about complaints received under Article 53, as well as more specific data, such as the number and types of orders issued by national judicial or administrative authorities in the relevant Member State. These orders concern actions against illegal content or requests for information, as stipulated in Articles 9 and 10 of the DSA. The report further includes information on the actions taken in response to these orders, as reported back to the DSCs.

Exclusions

Since the scope of this report is to highlight the Danish DSC activities in 2024, this report will not elaborate further on the subjects certification of out-of-court dispute settlement bodies and vetted researchers as there has not been any activities regarding these subjects.

2. Complaints (Article 53 of the DSA)

Introduction

Article 53 of the DSA establishes the right of recipients of intermediary services, or any mandated organisation or association acting on their behalf, to lodge a complaint against providers of these intermediary services alleging an infringement of the DSA. Complaints should be directed to the DSC in the Member State where the recipient of the service is located or established.

The DSC will assess the complaint and, where appropriate, forward it to the DSC in the Member State where the provider of the intermediary services is established, possibly accompanied by an opinion. If the complaint falls under the responsibility of another competent authority within the same Member State, the DSC will transfer the complaint to the appropriate relevant authority

In February 2024, the Danish DSC began to receive complaints on a national level, as well as forwarding complaints via EU information sharing system, AGORA. The majority of complaints submitted on national level concerns VLOPS and VLOSEs not established in Denmark which means that they will be forwarded to other DSCs .

Complaints in 2024

In 2024, the Danish DSC received 119 complaints. The Danish DSC transmitted 17 complaints to the Irish DSC (Coimisiún na Meán) and one complaint was forwarded to the Dutch DSC (Autoriteit Consument en Markt). The Danish DSC has received two complaints from other DSCs.

Complaints that led to formal investigations in 2024

In 2024, the Danish DSC did not launch a formal investigation stemming from a complaint received under Article 53 of the DSA.

3. Orders (Article 9 and 10 of the DSA)

Introduction

Article 9 of the DSA outlines the obligations of providers of intermediary services when they receive an order from national judicial or administrative authorities to act against illegal content. First, when a provider receives such an order, they must inform the issuing authority (or another specified authority) about any effect given to the order, specifying if and when effect was given to the order. The article also sets conditions for the orders issued by national authorities.

The issuing authority, or another specified authority if this is stated in the order, must share the order and any information about its implementation with the DSC in the Member State of the issuing authority. The DSC will then share this information with all other DSCs.

Article 10 of the DSA obliges providers of intermediary services are obligated to promptly inform the relevant national judicial or administrative authority, or any other authority specified in the order, upon receiving an order to provide specific information about individual recipients of their services. The article also sets conditions for the orders issued by national authorities. Similarly to Article 9 DSA, Art 10 DSA also sets conditions for the orders issued by national authorities. The issuing authority, or another specified authority if this is stated in the order, must also share the order and any information about its implementation with the DSC in the Member State of the issuing authority. The DSC will then share this information with all other DSCs.

Effects given to the orders

In 2024, the Danish DSC received four orders pursuant to Article 9 of the DSA. The Danish DSC received the orders in late December and has submitted them in Agora accordingly. The Danish DSC did not receive any orders in pursuant to Article 10 of the DSA in 2024.

4. Trusted Flaggers (Article 22 of the DSA)

Introduction

Under the DSA, Trusted Flaggers are responsible for detecting potentially illegal content and alert online platforms. They are experts at detecting certain types of illegal content online, such as hate speech or terrorist content, and notifying it to the online platforms. The notices submitted by them must be treated with priority by online platforms as they are expected to be more accurate than notices submitted by an average user. The DSC of the Member State of establishment of the applicant entity awards the Trusted Flagger status. DSCs oversee the application process, ensuring entities meet the criteria laid down in Article 22 of the DSA, such as independence from any online platform or specific expertise. Pursuant to Article 22 (8) of the DSA, the Commission, after consulting the Board, shall, where necessary, issue guidelines to assist providers of online platforms and Digital Services Coordinators in the application of these criteria. The guidelines are scheduled to be adopted in Q4 2025.

Trusted Flaggers in 2024

In 2024, the Danish DSC received seven Trusted Flaggers applications and awarded Trusted Flagger status to one entity. The awarded Trusted Flagger is *The Danish Rights Alliance* (RettighedsAlliancen) which focuses on intellectual property violations and combating online piracy. The Danish DSC did not reject any Trusted Flaggers applications in 2024.

5. Other national and international activities

Introduction

In 2024, DSCs and other competent authorities engaged in various national and international initiatives, both formal and informal, aimed at fostering compliance, enhancing cooperation, and ensuring the effective implementation of the DSA.

Enforcement activities in 2024

- The Danish DSC started processing onboarding applications for the DSA Transparency Database.
- The Danish DSC started processing received complaints.
- The Danish DSC started processing Trusted Flagger application.

National activities in 2024

In 2024, a cross-sector national task force on online marketplaces was established. The aim of the task force is to strengthen consumer safety and ensure fair competition for European and Danish businesses in relation to the challenges posed by online marketplaces. The Danish DSC is participating in the task force's high-level meetings and in relevant working groups under its remit.

The task force will focus, among other things, on strengthen and coordinate the efforts of authorities and organizations against online marketplaces, and identify opportunities and limitations for enforcement by mapping and analysing existing rules and regulations relevant for online marketplaces. The task force will also discuss how ongoing enforcement can be strengthened within existing legislative frameworks and share experiences about the possibilities for enforcing current obligations and upcoming regulations concerning online marketplaces. The task force is aiming to develop joint proposals for new initiatives, including potential new legislation, that can help address the challenges related to online marketplaces.

International activities

European Board for Digital Services

The European Board for Digital Services (the "Board") aims to contribute to a safe, predictable, and trusted online environment that promotes innovation while safeguarding the protection of fundamental rights. Through the Board, the European Commission and the Digital Services Coordinators work together as a cohesive team, adopting a European approach to the enforcement of the DSA. The Board thus plays a vital role in ensuring the consistent application of the DSA across the European Union, benefiting all European citizens, society, and the economy.

In 2024, the European Board for Digital Services held 12 meetings.¹ These meetings served as a critical platform for discussing the ongoing implementation and enforcement of the Digital Services Act (DSA) across the European Union. The meetings provided an opportunity for Board members to engage in in-depth deliberations on a variety of issues and priorities related to the digital services landscape. Each meeting played a significant role in advancing the collective goals of ensuring a safe, transparent, and innovative digital environment across the EU.

The Danish DSC has attended all Board meetings. However, due to limited resources, it has not been able to participate in all Working Groups established under the Board. In 2024, the Danish DSC has prioritised its participation based on the agendas received for each Working Group meeting. The Danish DSC also participated in the DSA training organised by the European Commission.

¹ <https://digital-strategy.ec.europa.eu/en/policies/dsa-board> - European Board for Digital Services

