

Digital Services Act (DSA): Is EU Regulation a Threat to Citizens' Freedom of Expression and the Rule of Law?

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Introduction

While I was working on a new article, I became aware of the EU Digital Services Act (DSA) through a Serbian television programme. Since this regulation could be a threat to citizens' freedom of expression and the rule of law, I would like to pass on the information, but leave the exact evaluation and assessment to legal experts.

In order to understand the connection between the article I have started and the EU regulation, I will briefly recapitulate the topic and the introduction of the article:

We know that we live on the edge of the volcano, but we lull ourselves into the hope that it will not erupt.

Time and again, people complain that few people give independent thought to the future of the world. The comforting self-delusion seems more pleasant than the thought of danger. The majority of people would not wake up, continue to trust the state media and evade the problems at hand. But reality wants to be recognised and understood: anyone who contradicts it will either be harmed or destroyed.

The fact is that even in the age of enlightenment and reason, we are still caught up in the old conservative thinking of the Middle Ages, where people believed that everything happened up in heaven. That is why people thought they could not explore themselves, not their psychic nature, their unconscious emotions and their ways of reacting. For this reason they have not grasped psychology. They want to remain good citizens who do not question the orders of the authorities, but obey unconditionally and do not "step out of line". Some of the things that older citizens have experienced since the Second World War seem to be

repeating themselves.

Since traditional conservative thinking is an unconscious process, we cannot condemn these people or any of us. We should courageously approach our emotional life and get to know ourselves as well as our fellow human beings in order to wake up, become active and revolt against the existing inhuman conditions of society (Albert Camus).

Digital Services Act (DSA)

The Digital Services Act (DSA) is called in French “Règlement sur les Services Numériques (RSN)”. Among other things, it aims to create liability and security rules for digital platforms, services and products and to complete the digital single market.

Since I would like to leave the assessment of the European regulatory framework to legal experts, here are just a few comments according to Wikipedia (1):

“The regulation updates the legal framework for online platforms of the European Union adopted in 2000 and adapts it to the realities of platform capitalism. However, the principles of the free internet are to be taken into account. The regulation was published in the Official Journal of the European Union on 27 October 2022. Core provisions will already be applicable from 16 November 2022, the majority will be applicable on 17 February 2024. (...).

According to the EU Commission, the proposal primarily pursues three goals:

- Better protection of consumers and their fundamental rights on the internet
- Creation of an efficient and clear transparency and accountability framework for online platforms.
- Promoting innovation, growth and competitiveness in the internal market. (...).

Very large online platforms will have to comply with stricter obligations proportionate to the significant societal risks they pose when disseminating illegal and ‘harmful content’, including disinformation. (...).

The civil rights movement European Digital Rights raised substantial concerns in a press release, judging the proposal a threat to freedom of expression and the rule of law.”

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Note

[1] https://de.wikipedia.org/wiki/Gesetz_über_digitale_Dienste

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