



TRUSTED FLAGGERS RAISE A RED FLAG: DON'T PREVENT NGOS FROM BECOMING TRUSTED FLAGGERS DUE TO DISPROPORTIONATE REPORTING OBLIGATIONS

Media Diversity Institute and other NGOs in the EU call MEPs and governments to not prevent NGOs from becoming Trusted Flaggers on social media.

April 1, 2022

Statement from Trusted Flaggers on the Digital Services Act negotiations

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We are **21** civil society organisations who are Trusted Flaggers with several different social media platforms, some for many years already. As experts, we are doing this work diligently and, in most cases, our Trusted Flagger activity is complementary to the core activities of our organisations: defending human rights and supporting people affected by online harms.

No longer being
a trusted flagger

Loosing independence

Lack of capacities

Not becoming
a trusted flagger

Higher workload

Not enough resources

"What consequences would extensive reporting obligations for Trusted Flaggers have on your organisation?"

Extra effort

Impossible to meet requirements

Lack of independence
from government

Lack of staff

Won't be able to help victims

Not manageable workload

However, we are deeply concerned with the tabled Digital Services Act (DSA) compromise proposals that outline the functioning and obligations for Trusted Flaggers, under Article 19. It could prevent NGOs from becoming Trusted Flaggers.

Therefore, we urge lawmakers to:

1. Remove reporting obligations for Trusted Flaggers under point cb of Article 19(2).

The majority of our organisations would not be able to fulfill these obligations, as they would require significant additional resources, including staff and technological equipment. Do not prevent organisations that are experts and that use these channels to support victims of hate attacks, to obtain Trusted Flagger status just because of disproportionate reporting obligations. Alternatively, NGOs could be supported by establishing a fund that Trusted Flaggers could access to cover reporting costs.

- **Enable the European Commission to award Trusted Flagger status independently from Digital Services Coordinators** under the introductory part of Article 19(2).

We urge you to enable the European Commission to award Trusted Flagger status to organisations, allowing NGOs to maintain independence, protecting them from retribution and ensuring that diverse organisations can become Trusted Flaggers, in line with common European values. It would be a logical step to enable the European Commission to award Trusted Flagger status independently from the DSCs, considering ongoing cooperation with a network of Trusted Flaggers for monitoring the implementation of the Code of Conduct against Illegal Hate Speech online since 2016.

Furthermore, prospective coordination and cooperation between the Trusted Flaggers and DSCs in various national and international contexts, might be perceived as “state interference” and might compromise the entire process. The European Commission’s

commitment to independently monitor, assess and award Trusted Flagger status would strengthen the credibility of the entire process.

This is the only way the Trusted Flagger programme under the DSA can guarantee participation of diverse, competent, and independent non-governmental organisations.

We hope to count on your support!

Yours Sincerely,

ActiveWatch (Romania)

Centre for Peace Studies (Croatia)

CESIE (Italy)

digiQ (Slovakia)

Estonian Human Rights Centre (Estonia)

FSM (Association for Voluntary Self-Regulation of Digital Media Service Providers, Germany)

Greek Helsinki Monitor (Greece)

Háttér Society (Hungary)

HateAid (Germany)

Human Rights House Zagreb (Croatia)

Integro Association (Bulgaria)

International Network Against Cyber Hate (INACH)

In IUSTITIA (Czech Republic)

Latvian Centre for Human Rights (Latvia)

Media Diversity Institute Global

Media Diversity Institute UK

'NEVER AGAIN' Association (Poland)

Plataforma Khetane (Spain)

ROMEA (Czech Republic)

The Swedish law and internet institute (Sweden)

ZARA – Zivilcourage und Anti-Rassismus-Arbeit (Austria)

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<https://www.media-diversity.org/trusted-flaggers-raise-a-red-flag-dont-prevent-ngos-from-becoming-trusted-flaggers-due-to-disproportionate-reporting-obligations/>