

# From Legal Text to Operational Policies

- The Digital Services Act represents a paradigm shift in EU digital regulation.
- It moves from reactive liability models to a **governance-based framework**, grounded in transparency, due diligence, risk prevention and accountability.
- About SMEs, :  
How do you translate complex regulatory obligations into day-to-day operational practices?
- Our methodology was designed precisely to answer this question.
- Instead of reproducing the legal provisions of the DSA, we focused on “**functional compliance**”.

**Functional compliance means the ability of a digital service provider to internalise regulatory objectives into:**

- organisational processes;
- technical design choices;
- and decision-making workflows;

## **Workflow:**

- identifying stakeholder categories;
- defining policy objectives;
- translating DSA obligations and soft law instruments into practical scenarios;
- distinguishing between general and stakeholder-specific measures;
- and finally, defining indicators and do's and don'ts for validation and monitoring.

The policies are:

- principle-based,
- scalable,
- proportionate,
- and implementable even by organisations with limited legal or technical resources.

# The Core Policy Set for DSA Compliance

## Policy 1 – Content Moderation and Notice-and-Action Mechanisms

- Content moderation is one of the pillars of the DSA but, under the DSA, moderation is not simply about removing illegal content, it is about creating a **structured, accessible and accountable process**.

Policy 1 emphasises:

- user-friendly notice-and-action mechanisms;
  - internal workflows distinguishing manifestly illegal content from context-dependent cases;
  - human oversight over automated systems;
  - documentation and traceability of decisions.
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- For SMEs, this does not mean building complex AI systems. It means defining clear internal criteria and ensuring consistency in decision-making.
  - Measurable indicators, such as response times and the ratio between automated and human-reviewed decisions.

## **Policy 2 – Transparency of Terms and Conditions**

- Transparency is a cornerstone of the DSA.
- However, transparency is not achieved through longer legal texts; it is achieved through clarity.

Policy 2 promotes:

- plain-language drafting;
  - summaries of key rules;
  - coherence between written policies and actual practices;
  - and periodic updates.
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- This policy reduces information asymmetries and strengthens user trust.

## **Policy 3 – Internal Complaint Handling and Redress**

- The DSA strengthens procedural safeguards for users.
- Internal complaint-handling mechanisms serve two functions:
  - protecting users' rights;
  - and acting as internal quality-control tools for providers.
- For SMEs, this can be implemented through:
  - a separate review phase;
  - reasoned decisions;
  - and documented outcomes.
- Complaint mechanisms should not be discouraging or overly complex.
- They must be effective and accessible.

## Policy 4 – Risk Prevention and Platform Integrity

- One of the most innovative aspects of the DSA is its shift towards **risk-based governance**.
- While systemic risk assessments are mandatory only for very large platforms, SMEs should adopt proportionate risk prevention practices.
- This includes:
  - periodic internal reviews;
  - identification of recurring abuse patterns;
  - adaptation of platform features to emerging risks.
- Risk prevention should not be a one-off exercise. It should be iterative and integrated into ordinary governance.

## **Policy 5 – Marketplace Obligations and Trader Traceability**

- Online marketplaces have specific obligations under the DSA.
- Traceability of traders is not only a compliance duty, It is a trust-building mechanism

Policy 5 focuses on:

- proportionate onboarding and verification;
- documentation of trader information;
- graduated enforcement in case of violations.
- Again, the key is proportionality.



# Beyond Providers: A User-Centred Perspective

- A distinctive feature of policies is that it does not address only service providers.
- The DSA recognises that a safe digital environment also depends on **users' awareness and empowerment**.
- We therefore developed a dedicated section of user-centred policy guidelines.
- These guidelines are not meant to shift responsibility from platforms to users; rather, they aim to support informed participation.
- We structured them into:
  - general guidelines for all users;
  - and tailored measures for specific vulnerable groups.

## **General Users**

- For all users:
  - awareness of platform rules;
  - responsible use of reporting mechanisms;
  - exercise of redress rights.
- User empowerment reinforces transparency and accountability.

## **Vulnerable Users**

- Particular attention was devoted to vulnerable users, including:
  - consumers in online marketplaces;
  - users with low digital literacy;
  - content creators and small online sellers;
  - and especially minors.

# Protection of Minors and Vulnerable Users

- The DSA grants protection to minors.
- In this area, the European Commission has also adopted tailored guidelines under Article 28.
- Policies reflect this regulatory direction and promote:
  - privacy-friendly default settings for minors;
  - avoidance of profiling-based recommendations;
  - age-appropriate explanations of risks and features;
  - periodic review of design choices affecting vulnerable users.

Protection of minors is not a formal compliance requirement; It is an ongoing governance responsibility.

- Indicators to measure implementation, such as:
  - availability of age-appropriate defaults;
  - frequency of safety reviews;
  - presence of profiling-based features affecting minors.

# **Learning from industry practices: the policies inspired by industry practices.**

- Preventive and remedial mechanisms adopted by large platforms and abstracted them into scalable solutions for SMEs.
- Examples include:
  - friction-based measures, such as confirmation prompts;
  - sector-based risk signals;
  - graduated enforcement systems;
  - simplified transparency reporting;
  - internal documentation and escalation pathways.
- The objective was not to replicate complex structures of large platforms but to extract functional principles adaptable to smaller actors.

# Governance and the SME Compliance Toolkit

- Expanded SME Compliance Toolkit: toolkit translates policies into a practical checklist.

It covers:

- governance and responsibility allocation;
  - notice-and-action procedures;
  - enforcement frameworks;
  - complaint handling;
  - transparency measures;
  - risk prevention;
  - protection of minors;
  - documentation and periodic review.
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- The idea is simple: compliance should not be overwhelming, it should be modular and operational.

# Concluding Remarks

- **Concluding Remarks**
- The SNIP policy framework aims to bridge the gap between:
  - regulatory complexity and
  - operational reality.
- It does so by:
  - translating legal obligations into practical measures;
  - integrating provider and user perspectives;
  - focusing on SMEs;
  - and embedding vulnerability awareness into digital governance.

**Thank you very much for your attention**