

Brussels, 23 September 2021

Dear Minister Högberg,

I am reaching out to you on behalf of the People Vs Big Tech - an open network of NGOs advocating for a safer and more transparent online environment, in which human rights are effectively protected.

The European Commission's proposal for a Digital Services Act (DSA) crucially addresses the pressing need for a safer and more transparent online environment but the current text can and must go further if we are to protect people's fundamental rights online and set the terms for a fairer future for the European digital public sphere. The business model of the Big Tech companies - engineered for maximum user engagement - is threatening the integrity of our democracies and our media. As you continue engaging in negotiations on the Council's position, we call on you to address the power imbalance at the heart of the Internet, and urge you to champion the following recommendations:

1. Turn off the manipulation machine

It has been widely documented that the recommender systems and algorithms of the world's dominant social media platforms amplify toxic content. We therefore greatly welcome the introduction of obligations on very large online platforms (VLOPs) to **assess and mitigate systemic risks** together with measures that provide **greater transparency and user control on recommender systems**. Yet, important gaps remain and the proposed text should be improved by **making risk assessments comprehensive** enough to take into account the real and potential impacts of tech companies' services and business models on all fundamental rights. The DSA should additionally mandate recommender systems not to be based on data profiling by default, **with a user option to opt-in rather than opt-out**.

2. Stop surveillance for profit

The DSA must put an end to surveillance advertising that people never asked for. It must bolster existing legislation to **ensure that people are not tricked or forced into providing consent for tracking/surveillance advertising**. The DSA must **turn off tracking/surveillance ads for users by default** and also provide **stronger protections to prevent tracking/surveillance of minors and special categories of data**, as well as protections against "dark patterns". Much **stronger ad transparency requirements** and **strict limits to prevent the combining of people's data** (DMA) are needed.

3. Put people back in charge

The DSA must create stronger powers for regulators to hold Big Tech to account. One effective way to do this would be by **establishing independent, technically-capable oversight at the EU level [in the form of a European Platform Agency]**. Whether it is the Commission, or an independent Agency, we must ensure an appropriately expert body oversees the implementation of risk assessment processes, transparency measures and audit powers. For audits to be meaningful, **auditors must be independent**, with expertise on platform design and

be mandated to see the necessary information and data for them to do their job – including access to the platforms’ algorithms.

The DSA offers a unique chance to shape the rules that will govern our digital lives for decades to come. We count on Member States to stand with European citizens in pushing for a strong, ambitious piece of legislation that puts people’s rights before Big Tech’s profits.

We would be happy to discuss the above recommendations with you or a member of your team at the earliest opportunity. Thanks for your consideration.

Your sincerely,

Emma Ruby Sachs
Executive Director, SumofUs

Amnesty International
Defend Democracy
Global Witness
SumofUs
The Signals Network