

# ANNUAL REPORT

of Romanian Digital Services  
Coordinator - ANCOM - pursuant to  
article 55 of the DSA  
- 2024 -



**Annual activity  
report of the National Authority for Management and Regulation in Communications  
pursuant to Article 55 of the Regulation (EU) 2022/2065 of the European Parliament  
and of the Council of 19 October 2022 on a Single Market for Digital Services and  
amending Directive 2000/31/EC (Digital Services Act)**

## **Executive Summary**

In accordance with Article 55 of Regulation (EU) 2022/2065 – Digital Services Act (DSA), ANCOM, as Digital Services Coordinator (DSC), presents its 2024 activity report on the implementation of this European legislative framework in Romania<sup>1</sup>.

### **Key Highlights:**

- **Extended applicability:** As of 17 February 2024, the DSA applies to all providers of intermediary services, including social platforms, marketplaces, search engines, hosting services, and communication networks.
- **DSA objectives:** Protecting users' fundamental rights, combating illegal content and disinformation, increasing transparency and accountability of online platforms.
- **ANCOM's role:** Designated by **Law no. 50/2024** as the national authority responsible for supervising the application of the DSA, coordinating with relevant authorities, and communicating with the European Commission.
- **Types of regulated services:** Mere conduit, caching, and hosting services, each with specific obligations regarding online content.
- **Illegal content:** Any information that violates EU law or national law compliant with EU law, including products, services, or related activities.

This report reflects ANCOM's commitment to ensuring a safe, transparent, and fair digital environment in line with European standards.

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<sup>1</sup>Please note that the actions taken by ANCOM, as DSC, in order to implement the DSA in Romania during 2024 are also reflected in [ANCOM's Annual Activity Report for 2024](#).

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# 1. Introduction

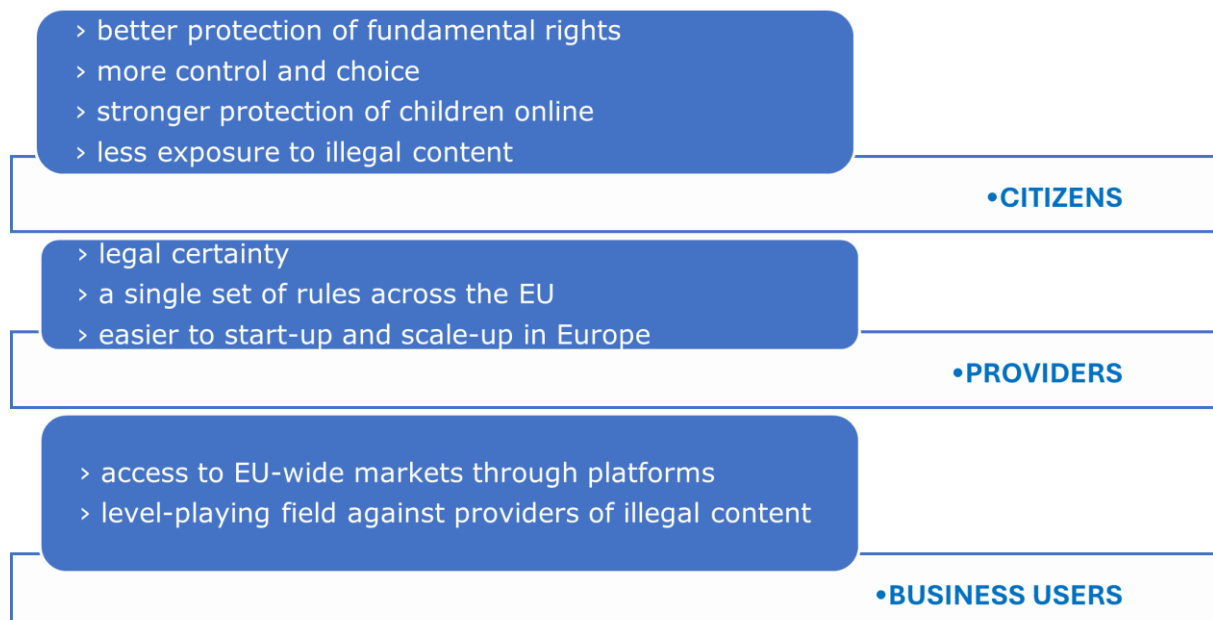
## Application of the Digital Services Act in Romania

The *Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a single market for digital services and amending Directive 2000/31/EC* (Digital Services Act) was adopted in October 2022, but – its provisions started to apply from August 2023 only to the providers of intermediary services with more than 45 million users in the EU (10% of the European Union's population), who were designated Very Large Online Platforms (VLOPs) or Very Large Online Search Engines (VLOSEs).

As of 17 February 2024, the provisions of the Digital Services Act apply to all providers of intermediary services.

- The Digital Services Act is directly applicable in the EU Member States and to the providers of intermediary services, such as, for example, online travel and accommodation platforms, online social networks, marketplaces, app stores, search engines, hosting service providers, content sharing platforms, domain name registry operators, etc. The aim of this piece of legislation is to ensure a safe, predictable and trustworthy online environment in which the fundamental rights of all users of digital services are protected, by preventing the dissemination of illegal content online and by taking appropriate measures to reduce the social risks associated with online disinformation.
- The obligations laid down in this Regulation are intended to significantly improve the protection of users and their fundamental rights. It also creates transparency and accountability obligations for online platforms and a single legal framework with a strengthened supervisory structure across the European Union. In addition, the recipients of the service can directly address their provider of intermediary services to report aspects in breach of the provisions of the Digital Services Act.

## KEY-OBJECTIVES OF THE DIGITAL SERVICES ACT



## Specific concepts under the Digital Service Act

Business users, consumers, and other users of intermediary services are considered, within the meaning of the Digital Services Act, to be recipients of the service<sup>2</sup>.

Providers of intermediary services falling in the category of small and micro enterprises, due to their lower impact on the online environment, are exempt from certain obligations, while very large online platforms (VLOPs) and very large online search engines (VLOSEs) have additional obligations.

The types of intermediary services covered by the Digital Services Act are *mère conduit* services, caching services and hosting services.

### MÈRE CONDUIT

consists of the transmission in a communication network of information provided by a recipient of the service, or the provision of access to a communication network

This category includes services such as internet exchange points, wireless access points, virtual private networks, DNS services and resolvers, top-level domain name registries, domain registrars, certification authorities issuing digital certificates, VoIP telephony and other interpersonal communications services.

### CACHING

consists of the transmission in a communication network of information provided by a recipient of the service, involving the automatic, intermediate and temporary storage of that information, performed for the sole purpose of making more efficient the information's onward transmission to other recipients upon their request

This category refers to services related to the provision of content distribution networks, reverse proxies or content adaptation proxies.

### HOSTING

consists of the storage of information provided by, and at the request of, a recipient of the service

They cover categories of services such as 'cloud computing', web page hosting, paid referencing services or services that enable the sharing of information and content online, including file storage and sharing, online marketplaces, social networks, content-sharing platforms, app stores and online travel and accommodation platforms.

'Illegal content' within the meaning of the Digital Services Act means any information which, by itself or in relation to an activity - including the sale of products or the provision of services - is not in compliance with the EU law or the law of any Member State which is in compliance with the EU law, irrespective of the precise subject matter or nature of that law.

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<sup>2</sup> "recipient of the service" is defined in Article 3 (b) of the Digital Services Act.

## The Digital Services Coordinator

The Digital Services Act is implemented through a pan-European supervisory architecture. The European Commission is the authority competent for monitoring very large online platforms and search engines (VLOPs and VLOSEs) and, to this end, works closely with the Member States' authorities designated as Digital Service Coordinators (DSCs). The Digital Services Coordinators are responsible for monitoring the providers of intermediary services (including online platforms and search engines that have not been designated as VLOPs and VLOSEs) whose place of establishment is located or whose legal representative is established in their respective States.

The Digital Services Act aims to:

- **better protect consumers** and **their fundamental rights**;
- **define clear responsibilities** for online platforms and social networks;
- **address illegal content (products and services)**, hate speech and disinformation;
- **achieve greater transparency** by improving reporting and supervision, and
- **encourage innovation, growth and competitiveness** in the EU internal market.

In Romania, in order to establish some measures for the application of the Digital Services Act, Law no. 50/2024 was adopted, by which ANCOM was appointed Digital Services Coordinator.

As Digital Services Coordinator, ANCOM is the authority responsible for aspects related to the supervision and enforcement of the Digital Services Act at a national level.

The Authority is the single point of contact for the reporting of data and/or information to the European Commission and/or to the Digital Services Coordinators of the other Member States on the application of the DSA and is a member of the European Board for Digital Services, an independent advisory group composed of the Digital Services Coordinators from EU Member States, which – inter alia – supports joint investigations, issues opinions and recommendations, and promotes the development and implementation of guidelines on the topics covered by the Regulation. ANCOM also develops secondary legislation in order to establish procedural aspects necessary for the application of the national primary legislation.

## Law no. 50/2024 establishing measures for the application of the Digital Services Act, as well as amending and completing Law no. 365/2002 on electronic commerce

Law no. 50/2024, which entered into force in March 2024, sets out the national measures necessary for the application of the Digital Services Act and lays down the sanctioning regime applicable where the national providers of intermediary services fail to comply with the obligations set out in the Digital Services Act. At the same time, the law creates a mechanism through which the public authorities or institutions that have competences in certain sectors or fields of activity (relevant authorities) can issue orders to act against content considered illegal according to the national rules.

The relevant authorities are the public institutions or authorities tasked with the supervision of a particular sector or field of activity, or the judicial authorities that, within the actions, activities or procedures they carry out in accordance with the legal provisions in force, which - on the basis of the applicable Union law or national law in compliance with Union law - may issue orders to the providers of intermediary services requiring them to:

- act against one or more pieces of illegal content;
- provide certain information about one or more individual recipients of the service

**Art. 2 of Law no. 50/2024**

*In the application of this law, the following principles shall be observed:*

- a) the effective and efficient cooperation of all the public authorities and institutions which have attributions in specific sectors or domains of activity, at the request of the digital services coordinator, in view of application of the Regulation;*
- b) the relevant authorities shall rule on the illegal content existing online.*

## 2. Administrative normative acts

In order to efficiently apply the Digital Services Act and the powers conferred by Law no. 50/2024, ANCOM issued three decisions in 2024 – administrative normative acts published in the Romanian Official Journal – establishing the procedures for the settlement of complaints regarding digital services, the certification of trusted flaggers and the certification of out-of-court dispute resolution bodies respectively, as follows:

- ANCOM Decision no. 335/2024 on establishing the procedure for handling complaints regarding the digital services;
- ANCOM Decision no. 336/2024 on the procedure for awarding the status of trusted flagger;
- ANCOM Decision no. 337/2024 on the certification procedure for out-of-court dispute settlement bodies for the disputes initiated against online platform providers.

### 2.1. Handling of complaints against providers of intermediary services

[ANCOM Decision no. 335/2024 on establishing the procedure for handling complaints regarding the digital services](#) contains procedural aspects regarding the application of Article 53 of the Digital Services Act, being necessary to distinguish between complaints that refer to the obligations of the providers of intermediary services in the context of the European act and complaints that would concern illegal content available online and for which the responsibility lies with the content provider or the person who published a certain content online.

Thus, Decision no. 335/2024 aims to establish the procedure for handling complaints under art. 53 of the Digital Services Act, as well as to establish the modalities of communication with the parties involved.

ANCOM, in its capacity as Digital Services Coordinator, receives, analyses, replies and, where appropriate, redirects to the Digital Services Coordinators of other Member States the admissible complaints received that are grounded on Article 53 of the Digital Services Act. Complaints must concern breaches of the Digital Services Act. The complaints thus formulated can be lodged with the Authority by using a dedicated online form, available on ANCOM's website (in the [Digital Services section](#)), by submitting in person to the General Registry Office at the Authority's headquarters or by sending by mail to the same headquarters.

In the case of complaints concerning illegal content online (not grounded on the provisions of Article 53 of the Digital Services Act), their resolution lies with *the relevant authorities* responsible for the supervision of a particular sector or field of activity.

Following the receipt of a complaint that meets the minimum admissibility requirements established by the decision, ANCOM may order the initiation of an investigation if the provider of intermediary services in question has its main place of establishment or residence in Romania or if its legal representative is established in Romania. The deadline for solving these complaints is 90 days, with the possibility of extension of further 90 days in case of complex situations.

If the provider of intermediary services complained about has its main place of establishment/residence in another state of the European Union or if its legal representative is not established in Romania, the complaint will be handled by the Digital Services Coordinator in the country of establishment, after ANCOM redirects it to that DSC.

According to the abovementioned Decision, in order for a complaint to be admissible, it must contain:

- identification and contact data of the complainant (name, surname, domicile/residence address, respectively name and registered office, an e-mail address, indication of the chosen means of communication, respectively contact details);
- data necessary to identify the provider of intermediary services in question (e.g. name, address/registered office, URL of the website);



- a description of the subject matter of the complaint, indicating the intermediary services<sup>3</sup> concerned, the electronic location of the information or services that are the subject of the complaint (e.g. the URL);
- the reasons why the complainant considers that the provisions of the Digital Services Act have been breached;
- details of the steps taken by the complainant with the provider of intermediary services in question or with an out-of-court dispute settlement body, if applicable;
- the information available to support the complainant's allegations, with the attachment of conclusive evidence (to the extent that it can be attached);
- the name of the court and the file number, if, prior to filing the complaint, the complainant has brought an action in court on the same subject matter and regarding the same provider.

Anonymous complaints concerning or related to crimes such as child sexual abuse, child sexual exploitation and child pornography, as defined by the legal provisions in force, are exempt from the obligation to provide identification data.

Following the admission of the complaint, ANCOM may decide either to initiate an investigation or to redirect the complaint to the Digital Services Coordinator in the Member State of establishment of the provider of intermediary services concerned. In both situations, the complainant is informed by ANCOM of the outcome of the investigation, including when it is carried out by a Digital Services Coordinator from another EU Member State.

## 2.2. Certification of out-of-court dispute settlement bodies

ANCOM, as the Digital Services Coordinator in Romania, is the authority that certifies, upon request, the out-of-court dispute settlement bodies for digital services, in accordance with the provisions of Article 21 of the Digital Services Act.

Recipients of the services offered by online platform providers, including natural persons or entities that have submitted notices under the Digital Services Act, have the right to turn to a certified dispute settlement body if they do not agree with the decisions taken by online platforms or if their complaints have not been resolved through the internal complaint resolution system.

The certified dispute settlement body may also intervene when it is notified of the following actions taken by online platforms:

- removal of information, disabling of access to, or restriction of the visibility of certain information;
- suspension or termination of the provision of the service to the recipients, in whole or in part;
- suspension or termination of the recipients' accounts;
- suspension, termination or restriction of the ability to monetize the information provided by recipients;
- refusal of the online platform provider to enforce any of the aforementioned measures.

Recipients of the services offered by online platform providers will thus have access to a faster, simpler and less costly alternative complaint resolution process compared to the judicial process.

In order to establish the procedural aspects regarding the certification of out-of-court dispute settlement bodies for disputes initiated against online platform providers, ANCOM issued [Decision](#)

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<sup>3</sup> The term *intermediary services* is defined in Article 3(g) of the Digital Services Act.

[no. 337/2024 on the procedure for the certification of out-of-court dispute resolution bodies for disputes initiated against online platform providers](#), which entered into force in July 2024.

According to the said decision, the legal entities governed by public or private law eligible for certification must be bodies that are independent, including financially, from online platform providers and recipients of the service provided by online platform providers, including from the natural persons or entities that have submitted a notice. They must have the necessary means and knowledge to assess issues related to one or more specific areas of illegal content or to the application and observance of the general terms of use of one or more types of online platforms.

The interested legal persons must submit to ANCOM a standard form, available at ANCOM offices or online, together with all the documents and evidence demonstrating that they meet the requirements provided in the Digital Services Act, with the clarifications brought by ANCOM Decision no. 337/2024.

ANCOM certifies the out-of-court dispute resolution bodies for the requested period, which may not exceed, according to the Digital Services Act, five years, with the possibility of renewal upon request, under certain conditions. The decision also provides for cases where the status of an out-of-court dispute resolution body may be terminated or revoked.

Decision no. 337/2024 provides that the out-of-court dispute resolution procedure applied by the certified bodies must be clear, fair and easily accessible to users and online platforms. Moreover, the procedure must be free of charge or available at a token fare for the recipients of the service. For online platform providers, the fare must be a reasonable one, i.e. it cannot exceed the costs incurred by the respective body.

As regards the settlement term, certified bodies must comply with the 90 calendar day deadline for delivering the outcome to the parties, or with a maximum of 180 days in the case of a complex dispute. A certified out-of-court dispute settlement body does not have the power to impose a binding dispute resolution on the parties.

To enable a good knowledge of the entire process of out-of-court dispute resolution, the certified bodies draw up and submit to ANCOM an annual report on the number of disputes received, the average duration of their resolution and any deficiencies or difficulties encountered in solving them.

During 2024, no request for certification of an out-of-court dispute settlement body was submitted to ANCOM pursuant to art. 21 (3) of the Digital Services Act.

### **2.3. Award of the status of trusted flagger**

According to Article 22 of the Digital Services Act, the Digital Services Coordinator awards the status of trusted flagger, upon request, to any entity that demonstrates that it cumulatively meets the following conditions:

- it has particular expertise and competence for the purposes of detecting, identifying and notifying illegal content;
- it is independent from any provider of online platforms;
- it carries out its activities for the purposes of submitting notices diligently, accurately and objectively.

To establish the procedure for granting the status of trusted flagger, ANCOM issued [Decision no. 336/2024 on the procedure for awarding the status of trusted flagger](#), which entered into force in July 2024.

Entities wishing to become trusted flaggers will fill in a [standard form](#) (Application for the awarding of the status of trusted flagger), available on the Authority's website, which they will submit together with all the documents and evidence demonstrating that they meet the

requirements for being awarded the status of trusted flagger as provided for in Art. 22 (2) of the Digital Services Act.

Upon analysing the submitted documentation, ANCOM will communicate its decision to the applicant on the awarding of this status.

Entities that can apply for the Trusted Flagger status can be:

- NGOs, such as: consumer protection organisations, child protection organisations, human rights organisations, environmental organisations, animal rights organisations;
- members of well-known fact-checking networks, such as the International Fact-Checking Network (IFCN);
- public entities such as online content reporting units of national law enforcement authorities or of the European Union Agency for Law Enforcement Cooperation (Europol);
- private or semi-public bodies, e.g. organisations that are part of the INHOPE network of hotlines for reporting abusive sexual material against children and organisations that have committed to reporting illegal, racist and xenophobic speech online;
- networks or alliances of entities at the national or European level.

Taking into account the definition of illegal content under Article 3(h) of the Digital Services Act as any information which, by itself or in connection with an activity, including the sale of products or the provision of services, does not comply with Union law or the law of any Member State that complies with Union law, the types of illegal content that can be detected, identified and notified by a trusted flagger - depending on the area of competence - can be included in categories such as:

- Data protection and privacy violations;
- Illegal speech;
- Infringement of intellectual property and other commercial rights;
- Unauthorized use of personal data and images;
- Online bullying or harassment;
- Pornography or sexual content;
- Acts concerning minors;
- Acts concerning animals;
- Illegal and/or unsafe products, etc.

So far, ANCOM has granted the status of trusted flagger to:

**1. Save the Children Organization**, in the field of competence "Acts concerning minors", with the following subcategories:

- "Failure by persons who create pornographic websites to implement age-specific restrictions on minors (including pornographic content accessible to minors)";
- "Child pornography or the production, possession, procurement, storage, display, promotion, distribution and making available of child sexual abuse material" and
- "Grooming or enticing minors to commit sexual abuse".

**2. The "Elie Wiesel" National Institute for the Study of the Holocaust in Romania**, in the field of competence "Illegal speech", with the following subcategories:

- "Hate speech";
- "Historical denial, apology for crimes against humanity or denial of war crimes".

The list of trusted flaggers certified in Romania, as well as the list put together by the European Commission with the trusted flaggers certified at the level of the European Union can be consulted on [the ANCOM website](#).

### 3. Orders issued in accordance with Articles 9 and 10 of the Digital Services Act

According to Art. 9 (1) of the Digital Services Act, upon receipt of an order to act against one or more specific items of illegal content, issued by the relevant national judicial or administrative authorities on the basis of the applicable Union law or the applicable national law in compliance with the Union law, the providers of intermediary services must inform the authority issuing the order or any other authority specified in the order of any effect given to the order without undue delay, specifying if and when effect was given to the order. Also, Art. 9 (2) of the Digital Services Act sets out the requirements that the orders issued by national authorities must meet.

According to Art. 9 (3) of the Digital Services Act, the authority issuing the order or, where applicable, the authority specified in the order shall transmit the order to the DSC, together with any information received from the provider of intermediary services concerning the effect given to the order. The DSC will transmit a copy of the order to all other DSCs.

According to Art. 10 (1) of the Digital Services Act, upon receipt of an order to provide certain information about one or more specific individual recipients of the service, issued by the relevant national judicial or administrative authorities pursuant to the applicable Union and national law that is consistent with Union law, the provider of intermediary services shall without undue delay inform the authority issuing the order or any other authority specified in the order of its receipt and of the effect given to the order, specifying if and when effect was given to the order. Also, Art. 10 (2) of the Digital Services Act sets out the requirements that the orders issued by national authorities must meet.

According to Art. 10 (3) of the Digital Services Act, the authority issuing the order or, where applicable, the authority specified in the order shall transmit the order to the DSC, together with any information received from the provider of intermediary services on the effect given to the. The DSC shall transmit a copy of the order to all other DSCs.

The legal basis for issuing orders must be the national law. In Romania, Law no. 50/2024 lays down, through art. 7, the competence of public authorities or institutions holding responsibilities in certain sectors or fields of activity (relevant authorities) to issue orders to act against illegal content or orders to provide information.

In 2024, ANCOM received from the relevant authorities **4 orders** to act against illegal content in accordance with Art. 9 of the Digital Services Act and **2 orders** to provide certain information regarding one or more specific individual recipients of the service in accordance with Art. 10 of the Digital Services Act.

The actions taken to comply with those orders, as communicated to ANCOM pursuant to Articles 9 and 10:

- for 3 out of the 4 orders to act against illegal content, the respective providers blocked access, on the territory of Romania, to the illegal content indicated in the order, and no action was taken regarding one order;
- for the two orders to provide certain information on one or more specific individual recipients of the service, those providers complied with the respective orders.

## 4. Coordination activities at the national level for the application of the Digital Services Act

Effective cooperation at the national level to address all issues regarding digital services at the level of a society can only be ensured if all actors involved act in good faith. There is no administrative subordination between the Digital Services Coordinator – ANCOM – and the other Romanian authorities, which are responsible for taking the necessary measures to combat illegal content in the online environment, and the DSC cannot replace them in issuing decisions regarding illegal content. Collaboration is based on the legal attributions and responsibilities conferred on each institution. Under these circumstances, ANCOM's role is and will be to provide assistance (constant and consistent support) for understanding the concepts and mechanisms within the *Digital Services Act* (which can be understood as coordination) and to formulate recommendations to these authorities (through direct bilateral communications, multi-party roundtables, letters, presentations, communications, etc.). We mention that ANCOM has provided constant and consistent support to the relevant authorities since its official designation as DSC, and will continue to do so.

We emphasize the importance of having a very clear distinction between coordination and its limits (where it begins and where it ends) and subordination, which is essential in understanding and analysing the ecosystem of public authorities in any Member State, all the more so as the European Commission has consistently stressed that the Digital Services Act is a horizontal instrument.

Art. 7-9 of Law no. 50/2024 creates an ecosystem in which each authority, within the limits of its powers, can resort to the mechanism established by Law no. 50/2024, but they also must take into account the provisions of art. 9 and 10 of the Digital Services Act, a mandatory legislative act for the Romanian state authorities.

In order for the national authorities to take on their roles regarding the application of Law no. 365/2002 on electronic commerce, ANCOM has started, since the beginning of 2024, a campaign of bilateral or multilateral discussions with several public authorities or institutions. On these occasions, the particularly important role of the *relevant authorities*<sup>4</sup> in combating illegal content in the online environment was signalled and ANCOM showed its permanent willingness to support these authorities, while emphasizing it cannot however supplant them.

The role of the DSC is not, however, to issue orders to act against illegal content in the online space instead of the relevant authorities, a role conferred by the legislator on the latter according to Articles 7 and 8 of Law no. 50/2024 and according with other legal provisions in force in specific areas, or to take over the tasks of the relevant authorities with regard to the supervision which these authorities need to carry out in the online environment.

ANCOM has sent several letters containing explanations and clarifications regarding the application of the Digital Services Act and Law no. 50/2024 to a significant number of public authorities and institutions from various sectors of activity. Additionally, it had numerous meetings with the relevant authorities, providing information and support, including in identifying their own working methods, given their role in combating illegal content in the online environment specific to the field of activity they manage. The discussions revealed a more extensive timeframe of these institutions' adapting to the implementation of the specific measures in the online environment, given the perspective of budgetary and organizational restrictions during this period. Still, some public authorities will need to adapt their own procedures to fulfil this role – *issuing orders against illegal content* – as it is not within the remit of the digital services coordinator to take those measures.

Regarding the concrete actions arising from the exercise of the DSC's role of coordination at national level in the context of the electoral processes in Romania and in line with the recommendations made within the European Board for Digital Services, we recall the dialogue

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<sup>4</sup> The phrase *relevant authority* is defined in Art. 4 (1) letter a) of Law no. 50/2024.

carried out by ANCOM and other national authorities involved (The Permanent Electoral Authority, the National Audiovisual Council of Romania, the Romanian National Cybersecurity Directorate, the Ministry of Internal Affairs, the Ministry of Research, Innovation, and Digitalization and others). The Digital Services Coordinator organized bilateral meetings with some of the very large online platforms, highlighting the importance of their applying as widely as possible the measures established by the [Commission Guidelines for providers of Very Large Online Platforms and very Large Online Search Engines on the mitigation of systemic risks for electoral processes](#). We emphasize once again that such steps have pursued facilitating the dialogue and raising awareness of the obligations and responsibilities provided for in the Digital Services Act for both national authorities and providers of intermediary services, in line with the good practices recommended in the Commission Guidelines - which highlight the importance of dialogue and exploratory consultations.

As regards ANCOM's cooperation with the Permanent Electoral Authority (AEP) and the Central Electoral Bureau (BEC), the following should be noted:

Following correspondence exchanged with the AEP since February 2024, a first meeting took place on 29.04.2024, at the AEP headquarters, three days after the publication of the above-mentioned Commission Guidelines and before the organisation of the European and local elections. On that occasion, the objectives of the Digital Services Act and the role of the DSC were presented. Furthermore, the participating parties (ANCOM and AEP) confirmed that the electoral legislation confers extended powers to AEP, as well as to BEC, and that, in the context of Art. 7 and Art. 8 of Law no. 50/2024, the two entities – according to their role during the elections – must consider compliance with Art. 9 upon the issuance of possible orders<sup>5</sup> to act against illegal content defined as such according to the electoral legislation.

The second meeting in the vein of this cooperation took place on 30.04.2024, at the BEC headquarters chosen for the European local elections. On this occasion, ANCOM representatives underlined the objectives of the Digital Services Act and the role of the DSC and reiterated their openness for cooperation in any format.

In this context, also considering the infra-legal nature of the Commission Guidelines for providers of Very Large Online Platforms and Very Large Online Search Engines on the mitigation of systemic risks for electoral processes (which does not have the force of law), a document that is addressed<sup>6</sup> to large online platforms, ANCOM recommended that the actors involved (political parties, candidates, relevant actors) be made aware of the content and role of the Guidelines, as well as of the content of the Code of Good Practice on Disinformation (2022 version).

The discussions on the electoral campaigns also included representatives of the Ministry of Internal Affairs (MAI) and the National Audiovisual Council (CNA), given that the structures of this ministry, as well as the audiovisual regulatory authority have a significant role in addressing the irregularities in the conduct of the electoral campaign, including in explaining the implementation of the Code of Good Practice on Disinformation, as specified in the text of the Code.

ANCOM recommended to the relevant actors (AEP/BEC and MAI), as indicated above, to strengthen the resources available for addressing illegal content in the online environment during the electoral campaign or during the silence period.

As a conclusion, several pieces of national legislation should be upgraded to achieve specific objectives and to address concerns coming from different stakeholders, especially the Romanian citizens.

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<sup>5</sup> This term – *order* – has a general meaning and can take various forms such as order, decision, decision, etc. (depending on the normative specificity of each institution).

<sup>6</sup> See point 12 of the Commission's Guide, available here: [https://eur-lex.europa.eu/legal-content/RO/TXT/HTML/?uri=OJ:C\\_202403014](https://eur-lex.europa.eu/legal-content/RO/TXT/HTML/?uri=OJ:C_202403014).



## 5. ANCOM's international activity as DSC

In its capacity as DSC, ANCOM is part of the European Board for Digital Services, a body referred to in Section 3 Articles 61-63 of the Digital Services Act. It is an independent advisory group composed of Digital Service Coordinators, which provides advice to Digital Service Coordinators and the European Commission in accordance with the Digital Services Act, with a view to achieving the following objectives: to contribute to the consistent application of the Digital Services Act and to an effective cooperation between Digital Service Coordinators and the European Commission, to coordinate and contribute to the guidelines and analyses of the European Commission and of the Digital Service Coordinators, as well as of other competent authorities, and to provide support to Digital Service Coordinators and the European Commission in the supervision of very large online platforms.

The European Board for Digital Services is a platform for discussing relevant issues and priorities regarding the application of the Digital Services Act. The members of the European Board for Digital Services shall support, advise and assist the European Commission and the other DSCs in their supervisory tasks. They provide each other with information and expertise, consult external experts when necessary, and contribute to the analysis of emerging issues related to digital services within the internal market. Therefore, participation in the European Board for Digital Services requires an active role in collaborating and working together to ensure the application of the Digital Services Act, with due consideration of the specific context of each Member State.

The meetings provided an opportunity for the members to engage in in-depth debates on a variety of topics and priorities related to the digital services landscape. Each meeting played a significant role in promoting the collective goals of ensuring a safe, transparent and innovative digital environment across the EU.

ANCOM participated in the meetings of the European Board for Digital Services. In addition, ANCOM experts participated in the meetings of the 8 working groups that were set up within the European Board for Digital Services.

Throughout the year, ANCOM informed the representatives of the European Commission's DG CNECT about the relevant steps taken in the context of the DSA, including on the problematic situations noted within the very large online platforms and ensured DG CNECT's participation to the meetings it organised, as applicable. Moreover, in 2024, ANCOM engaged in discussions and meetings (including bilateral meetings) with representatives of TikTok, META, Google, X (former Twitter) and other relevant platforms to ensure compliance with the transparency and digital safety standards in the context of the obligations imposed by the DSA, especially in view of the elections that were to be held during the year. However, it should be noted that although the terms of use for the services are in force, their application as soon as possible is essential for a safe online environment.

Punctually, in the period 31.10.2024-03.12.2024, ANCOM facilitated discussions with national authorities, but also with representatives of very large online platforms relevant to our country and provided support for understanding the mechanisms established by Regulation (EU) 2022/2065, as well as for presenting the recommendations in the [Commission Guidelines for providers of Very Large Online Platforms and very Large Online Search Engines on the mitigation of systemic risks for electoral processes](#).





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