



Principles for a Human Rights- Centered Application of the Digital Services Act

A Global Perspective

Developed by the DSA Human Rights Alliance
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The Principles for a Human Rights-Centred Application of the Digital Services Act: A Global Perspective were developed by the DSA Human Rights Alliance. The Alliance is a global coalition of civil society organisations, researchers, and human rights advocates working to ensure that the Digital Services Act is implemented in ways that respect international human rights standards and reflect perspectives from across regions.

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PRINCIPLES FOR A HUMAN RIGHTS-CENTRED APPLICATION OF THE DIGITAL SERVICES ACT: A GLOBAL PERSPECTIVE

Introduction

The EU Digital Services Act (DSA) is a pioneering legislation on platform governance and accountability that is expected to have a so-called “Brussels Effect,” similar to the EU General Data Protection Regulation (GDPR), shaping regulatory responses worldwide. Many [DSA provisions](#), including those on trusted flaggers, platform due diligence, liability for user-generated content, data access, and content moderation, may have repercussions beyond the EU and are already shaping the discussion on platform regulation among EU Candidate States and beyond.

Some DSA provisions support the protection of fundamental rights, including the right to freedom of expression, strengthen the online safety of marginalised groups, and can serve as tools for civil society and researchers to advocate for proportionate governance standards. At the same time, certain provisions are ambiguous and thus carry the potential for abuse or [politicised enforcement](#), which could undermine the very rights the DSA seeks to protect. Accordingly, replicating the DSA in other regional contexts, without regard for the broader regulatory landscape and rule of law considerations, can be detrimental to online freedoms. This calls for a cautious approach when considering the DSA and its provision for local regulatory frameworks.

Civil society organisations (CSOs) have, therefore, formed a unique alliance of global voices: the [Digital Services Act Human Rights Alliance](#) (DSA Human Rights Alliance). This Alliance represents diverse communities across the globe and works to ensure that the EU follows a human rights-based approach to platform governance, both by integrating a wide range of voices and perspectives to contextualise DSA enforcement and by considering its global impact. This includes examining how the DSA informs regulatory responses in other regions, as well as the potential impact of the EU’s efforts to promote the principles that underpin the DSA in global instruments.

The Principles for a Human Rights-Centred Application of the Digital Services Act: A Global Perspective (DSA Human Rights Principles) were developed by the DSA

Human Rights Alliance and are grounded in the belief that recognising these dynamics is essential for fostering a human rights-respecting enforcement of the DSA that can reduce societal risks online and place public interest above all. They aim to provide global considerations and recommendations for a human rights-respecting application of the DSA.

These DSA Human Rights Principles are intended to guide a range of actors, in particular the European Commission as the main DSA enforcer, as well as national policymakers and regulators who also implement and enforce parts of the DSA. They seek to offer insights for regulators in other regions who look to the DSA as a reference framework and for international bodies and global actors concerned with digital governance and the wider implications of the DSA. The DSA Human Rights Principles further promote meaningful stakeholder engagement, ensuring that CSOs can provide expertise and exercise their role as human rights watchdogs.

Principle 1: Integrate Global Perspectives Into a Human Rights-Centered Implementation of the DSA

For the DSA to be effective and rights-respecting, its practical implementation must take global perspectives into account and be informed by experiences from outside the EU. This requires recognition that marginalised groups, grassroots movements, global majority scholars, and CSOs with relevant regional expertise beyond the EU have first-hand experience and understanding of the human rights risks that need to be addressed by legislation regulating online platforms. These experiences can also help inform DSA enforcement, which will often have an impact outside the EU.

Key actions

- Ensure that the interpretation, implementation, and enforcement of the DSA is grounded in international human rights standards, in particular the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR).
- Enable non-EU-based CSOs to engage on equal footing with EU stakeholders on user-centred and fundamental rights-focused elements of the DSA, which intersect with global and regional human rights frameworks. This includes EU policymakers and regulators considering the contributions of CSOs outside the EU to fundamental rights impact assessments, taking into account their assessments of freedom of expression risks, and recognising their ability to make use of access to justice provisions.
- Create inclusive, transparent, and regionally adapted participatory processes,

supported by adequate resources, that enable marginalised groups, grassroots movements, and CSOs active within the EU and globally to participate effectively and with equal standing in the implementation and enforcement of the DSA. This includes engagement in the negotiation of codes of conduct, creation of delegated and implementing acts, standardisation processes, relevant interpretative guidelines, and future revisions to the platform governance regulatory framework.

Principle 2: Empower Civil Society and Users to Pursue DSA Enforcement Actions

Strengthening and supporting EU and non-EU global user rights groups and human rights defenders in enforcing users' rights under the DSA and in challenging enforcement overreach can help safeguard the protection of fundamental rights in the EU and beyond. Reducing structural barriers to participation is essential, particularly for non-EU groups, whose proximity to affected users in cross-regional cases can support representative enforcement.

Key actions

- Support user rights groups and human rights defenders, including those from outside the EU, in taking enforcement actions to protect individual rights against misuse under the DSA and address enforcement overreach with cross-regional impact.
- Create opportunities for non-EU-based CSOs to use DSA mechanisms, such as the out-of-court dispute settlement processes, by cooperating with their EU counterparts and affected users to benefit the communities they represent, including diaspora, migrants, and temporarily displaced persons. Consider that non-EU CSOs are typically better positioned to reach affected users outside the EU who may wish to utilise these mechanisms.
- Encourage user rights groups and human rights defenders to act as representative entities under the DSA, enabling them to bring legal actions that uphold a human rights-based framework, including by lodging complaints to a digital services coordinator.

Principle 3: Consider Extraterritorial and Cross-Border Effects of DSA Enforcement

The DSA comes with a clear cross-border dimension, whether through its wide territorial scope, the tendency of platforms to harmonise their practices beyond the EU when adapting to EU rules, or the way EU regulatory approaches are taken up in

digital diplomacy and may be emulated by governments elsewhere or incorporated into multilateral partnerships and trade agreements. Understanding these effects requires further research into their human rights impact outside the EU, as well as greater transparency about the role and activities of EU regulators in non-EU contexts. This includes close attention to the pre-accession digital governance processes in the EU Candidate States, countries formally engaged in the EU accession process and obliged to integrate the EU legal framework in the near future.

Key actions

- Invest in expanded research and in-depth analysis to assess the DSA's cross-border impact, especially the impact of risk assessments and crisis response mechanisms on human rights beyond EU borders. Such analysis should be grounded in the situated knowledge and expertise of local communities through CSOs, academic institutions, researchers, and other regional organisations.
- Establish systematic processes for evaluating the cross-border and extraterritorial effects of DSA enforcement. These processes should inform methodologies for risk assessments, with careful consideration of the potential implications for the rights and freedoms of individuals outside the EU.
- Ensure meaningful global stakeholder engagement and transparency in EU digital diplomacy. Engagement should include local actors and provide clarity regarding the intentions, roles, resources, and involvement of EU regulators and officials in non-EU settings.
- Pay attention to local contexts when providing advice to non-EU legislators and policymakers on designing and implementing DSA-like legislation. This is particularly important in situations where the influence of the DSA can be weaponised to weaken local and regional human rights frameworks. Such assessments should include considerations such as the degree of independence and integrity of government institutions and regulatory bodies intended to function as competent authorities, as well as their respect for human rights.
- Incorporate the perspectives of the EU Candidate States stakeholders, including CSOs, into the further development of regulatory frameworks that are likely to shape their local legislation on platform regulation.

Principle 4: Promote Cross-Regional Collaboration Among CSOs on Global Regulatory Issues

The cross-border human rights impact of platform regulation, such as the DSA, makes strong civil society collaboration essential. CSOs face a shrinking civic space

and barriers to participation, which makes cross-regional exchange, shared learning, and joint monitoring efforts increasingly important. Strengthening civil-society-to-civil-society cooperation can help build the capacity needed to engage with global regulatory developments, respond to platform governance challenges, and uphold human rights in diverse contexts.

Key actions

- Support CSOs from the EU and other regions in their efforts to establish and sustain a global community of practice to facilitate a coordinated monitoring of global platform regulatory developments.
- Promote the exchange of best practices and privacy-preserving information sharing to monitor platform governance and respond to human rights risks in diverse regional contexts.
- Assist CSOs to convene the global community of practice regularly and to establish effective mechanisms of knowledge exchange, including joint mapping, shared case studies, and collaborative analysis of developments in platform regulation.
- Encourage and fund initiatives that expand civic space, remove participation barriers for CSOs, and offer sustained capacity building and resourcing to enable meaningful civil society engagement in regional and global digital governance fora.

Principle 5: Establish Institutionalised Dialogues Between EU and Non-EU Stakeholders

Institutionalised dialogues with CSOs, independent experts, academia, foreign regulators, and regional human rights bodies are essential for fostering informed discussions about platform regulation at the EU and global levels. The DSA itself encourages the European Commission to build expertise and cooperate with CSOs. This must be put into practice. These dialogues should draw on the day-to-day experiences of organisations working with the DSA, as well as the insights of stakeholders in regions facing similar regulatory developments. Regular exchange of information and evidence is essential for DSA enforcement, and related regulatory instruments reflect these experiences.

Key actions

- Formalise stakeholder engagement by establishing a structured advisory process that ensures the participation of external stakeholders, including CSOs, in DSA enforcement and the development of guidelines and codes of conduct.

- Integrate the expertise of global and regional human rights bodies, such as the Inter-American Commission of Human Rights and the African Commission of Human Rights, among others, in the DSA implementation within the EU to ensure it is grounded in established international human rights standards and informed by the experiences of communities affected by platform governance.
- Support structured mechanisms for cross-regional evidence exchange, best practices, and lessons learned in DSA enforcement among authorities, non-EU regulators, and civil society, ensuring transparency and clear pathways for stakeholder input on relevant systemic risks and fundamental rights impact assessments.
- Promote the meaningful participation of regional human rights bodies in cross-regional dialogues on designing and developing platform regulation and regulatory approaches that draw on elements of the DSA where relevant, ensuring that their expertise informs these discussions.

Principle 6: Uphold the Rule of Law and Fundamental Rights in DSA Enforcement, Free From Political Influence

A high standard of fundamental rights protection, including freedom of expression, is essential to effective DSA enforcement. Effective enforcement is guided by evidence, rather than politicised agendas. This requires particular care in assessing systemic risks, avoiding overly broad moderation mandates, and considering cross-regional effects.

Key actions

- Integrate inputs from CSOs and other independent voices before and during enforcement actions, including those that have cross-regional relevance, to ensure the DSA addresses societal risks while mitigating the danger that enforcement practices could lead to suppression of public debate and weaken the rule of law.
- Prioritise adequate systemic risk assessments by very large online platforms (VLOPs) and search engines (VLOSEs). The EU made a deliberate choice not to impose broad mandates to combat “harmful content” because such mandates likely lead to violations of freedom of expression, as international experience shows such mandates often result in over-removal of content, especially in crisis or conflict contexts.
- Do not require the use of intrusive automated content moderation tools that amount to general monitoring or otherwise risk infringing fundamental rights. Take into account insights from international experience showing how

algorithmic moderation can lead to enforcement errors and suppression of speech, including the removal of content documenting human rights abuses, often without transparency or accountability.

- Ensure that DSA enforcement respects the DSA's geographical scope, with transparent clarification of how developments outside the EU might be factored into assessments of risks and societal harm affecting EU residents. Guarantee that these assessments follow objective criteria and are not influenced by political considerations.

Principle 7: Consider Global Experiences with Trusted Flaggers and Avoid Enforcement Abuse

Trusted flaggers (TF) have a privileged reporting status under the DSA and can enable CSOs to report human rights abuses and illegal content. CSOs operating as TF may expose themselves to risk and require adequate protection. At the same time, the DSA's mandate to act swiftly on notices received by TF poses risks of rushed or improper decision-making. Involving law enforcement authorities in this process or appointing them as TF also raises serious human rights concerns, particularly in international contexts.

Key actions

- Facilitate the award of the TF status to CSOs and other community groups by clearly communicating and, where necessary, simplifying local procedures to ensure more effective participation of civil society in DSA implementation. This could include the creation of protection mechanisms to shield these organisations from abusive campaigns that risk undermining their independence and ability to act within their areas of expertise.
- Ensure that the extension of the TF privilege to CSOs complements rather than undermines existing trusted partnership programs maintained by online platforms, ensuring that CSOs without TF status and non-EU groups with global and regional experiences are not sidelined.
- Refrain from granting law enforcement agencies the status of TFs. Where such status is nonetheless conferred, ensure that any cooperation upholds user privacy and data protection rights.
- Observe global experiences with law enforcement requests to inform best practices and mitigate risks associated with enforcement overreach.
- Investigate to what extent platforms act on illegal content notices submitted through EU based TF in cross border contexts, particularly when such notices rely

- on information from non-EU-based individuals or organizations.

Principle 8: Recognize the International Relevance of DSA Data Access and Transparency Provisions for Human Rights Monitoring

One of the main pillars of the DSA is transparency, in particular through transparency reporting, audits, and data access by researchers. Transparency requirements for recommender systems, in particular, can shed light on their influence on public debate and human rights in cross-border settings. Yet, some of these provisions were developed with limited attention to international and crisis contexts, as well as to meaningful participation by non-EU researchers.

Key actions

- Safeguard access to sufficiently detailed and structured information on content moderation in transparency reporting, particularly in times of crisis and where automated tools are used. Pay specific attention to cases with cross-border impact, such as armed conflicts occurring outside the EU.
- Encourage the inclusion of non-EU researchers and CSOs in DSA data access processes when they meet the required standards and necessary safeguards are in place, particularly when researching human rights violations.
- Ensure that researcher-identifiable information is only collected to the extent deemed necessary for data access processes, with safeguards in place to prevent security risks.
- Be mindful of the risk of government misuse and overreach, including surveillance and the security implications that access to this type of data may have on communities affected by violence or those creating the content. Conditions for access must be clear, and effective remedies must be available in case of abuse.
- Urge VLOPs and VLOSEs to clarify their data retention and preservation policies in situations of crises and armed conflict as a prerequisite for data access, including data retention and preservation timeframes, types of entities permitted to request data preservation, and types of preserved data.

Supporters

Organisations

Electronic Frontier Foundation (EFF)

Access Now

DAHRD - Diaspora in Action for Human Rights and Democracy

R3D - Red en Defensa de los Derechos Digitales

Civil Liberties Union for Europe (Liberties)

EngageMedia

European Center for Not-for-Profit Law Stichting (ECNL)

Social Media Exchange (SMEX)

Centre for Independent Journalism (CIJ - Malaysia)

Mnemonic

SHARE Foundation

7amleh

BIRN Serbia

Digital Security Lab Ukraine (DSLUI)

International Media Support (IMS)

Center for Studies on Freedom of Expression (CELE)

Global Forum for Media Development (GFMD)

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WHAT TO FIX

Centre for Democracy & Technology Europe (CDT Europe)

UG Zašto ne

Jordan Open Source Association (JOSA)

CIPESA

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