



Annual activity report of the Authority for Consumers and Markets (ACM) pursuant to Article 55 of the Digital Services Act (DSA) 01 January 2024 – 31 December 2024

Executive summary

The DSA provides harmonised rules for a safe, predictable and trusted online environment when interacting with so-called ‘intermediary services’, which include e.g. online platforms, hosting services or search engines. The DSA is an important instrument for establishing the responsibilities of providers of intermediary services. The DSA has been fully in effect since 17 February 2024. The Netherlands Authority for Consumers and Markets (ACM) is the Digital Service Coordinator for the Netherlands. However, in 2024, the ACM was not fully designated as the DSC, and the Dutch Data Protection Authority (AP) was not designated as competent authority to enforce the DSA. Therefore, the ACM was legally not allowed to grant the statuses of out-of-court dispute settlement bodies, trusted flaggers or vetted researchers. The ACM was also legally not able to receive orders or engage in enforcement activities. The ACM was able to accept complaints and share these with other EU regulators. In 2024, the ACM received 256 complaints. Despite the legal constraints, the ACM has carried out a range of activities regarding the DSA, which had as their main focus creating awareness of the DSA and creating a partnership with other relevant authorities. The ACM has, for instance, published guidelines regarding the DSA to help parties that must comply with the DSA.

1.	Introduction	3
2.	Complaints (Article 53 of the DSA)	4
3.	Orders (Article 9 and 10 of the DSA)	5
4.	Out-of-court dispute settlement bodies (Article 21 of the DSA)	6
5.	Trusted Flaggers (Article 22 of the DSA)	7
6.	Vetted researchers (Article 40 of the DSA)	7
7.	Enforcement and (inter)national activities	8
8.	Conclusions	10

1. Introduction

1.1. General introduction DSA

The Digital Services Act (“DSA”) provides harmonised rules for a safe, predictable and trusted online environment when interacting with so called ‘intermediary services’, which includes e.g. online platforms, hosting services or search engines. Examples of such harmonised rules are (1) additional transparency requirements on how online platforms moderate content, (2) citizens’ access to out-of-court settlements and (3) rules for the status of trusted flaggers and transparency obligations for trusted flaggers. The DSA also aims at preventing illegal content online, protecting minors online as well as preventing the spread of disinformation. Providers of Very Large Online Platforms (“VLOPS”) and Very Large Online Search Engines (“VLOSES”) face additional scrutiny, such as the obligation to provide transparency on advertisements or the publication of their assessment on systemic risks.

The DSA is enforced by the national Digital Service Coordinators (“DSCs”), other national regulators designated as competent authorities in their Member States and for VLOPS and VLOSES by the European Commission. The Authority for Consumers and Markets (ACM) is the Digital Service Coordinator for The Netherlands. The DSA has fully applied since 17 February 2024.’

However, in 2024, the Dutch Digital Services Act Implementation Act, transposing the DSA into law in the Netherlands and thereby designating the DSC and other competent authorities, did not enter into force yet. Consequently, in 2024, the ACM was not fully designated as the DSC and the Dutch Data Protection Authority (in Dutch: ‘Autoriteit Persoonsgegevens’, or AP) was not designated as competent authority to enforce the DSA. The Dutch Minister of Economic Affairs and Climate Policy did put in place a temporary scheme (in Dutch: ‘Besluit voorlopige aanwijzing ACM als bevoegde autoriteit en digitaledienstencoördinator digitaledienstenverordening’), which allowed ACM to accept complaints and share these with other EU regulators.

1.2. Background information

Article 55 of the DSA requires every DSC to prepare and publish an annual report detailing its activities during the past year. The report must include information on complaints received under Article 53 of the DSA and more specific information such as the number and types of orders to act against illegal content or orders to provide information that were issued by national judicial or administrative authorities in the relevant Member State, according to Articles 9 and 10 of the DSA. The report should also include information on the actions taken in response to these orders, as communicated back to the DSCs. The DSC will also share this report with the European Commission and the European Board of Digital Services.

For Member States that have designated several competent authorities to be responsible for the supervision and enforcement of the DSA, the DSC is required to consolidate the activities of all competent authorities into one comprehensive annual activity report.

In the Netherlands, the other competent authority for the supervision and enforcement of the DSA is the Dutch Data Protection Authority (AP). Upon designation, the AP will be responsible for the supervision and enforcement of Article 26, paragraph 3, Article 27, and Article 28, paragraph 2 of the DSA. This report incorporates all relevant information and data as provided by this other competent authority, ensuring full compliance with the obligations of Article 55, paragraph 3 of the DSA.

Chapter 2 contains information on complaints, and chapter 3 on orders. Chapter 4 sets out information on out-of-court dispute settlement bodies, chapter 5 on trusted flaggers, and chapter 6 on vetted researchers.

Chapter 7 gives information on enforcement and activities (national and international). Chapter 8 contains the conclusions.

2. Complaints (Article 53 of the DSA)

2.1. Introduction

Article 53 of the DSA establishes the right of recipients of intermediary services, or any mandated organisation or association acting on their behalf, to lodge a complaint against providers of these intermediary services alleging an infringement of the DSA. Complaints should be directed to the DSC in the Member State where the recipient of the service is located or established.

The DSC will assess the complaint and, where appropriate, forward it to the DSC in the Member State where the provider of the intermediary services is established, possibly accompanied by an opinion. If the complaint falls under the responsibility of another competent authority within the same Member State, the DSC will transfer the complaint to the appropriate relevant authority.

In 2024 and pursuant to the '*Besluit voorlopige aanwijzing ACM als bevoegde autoriteit en digitaledienstencoördinator digitaledienstenverordening*', the ACM set up a DSA complaint-handling desk, so complaints can already be submitted to the ACM. A dedicated complaint-handling team has been created and trained for complaint-handling. In addition, an internal complaint-handling process and IT-infrastructure has been created. ACM published information on its website for users about their rights under the DSA.¹

2.2. Complaints in 2024

In 2024, the ACM received 256 complaints. The AP was not yet allowed to receive complaints because the temporary scheme '*Besluit voorlopige aanwijzing ACM als bevoegde autoriteit en digitaledienstencoördinator digitaledienstenverordening*' did not apply to the AP. Therefore, the AP received 0 (zero) complaints.

Between February 15, 2024, and December 31, 2024, ACM received a total of 256 complaints about possible violations of the DSA:

Authority	Number of complaints received
ACM – DSC	256
Dutch Data Protection Authority (AP)	0

100 of these 256 complaints were related to providers registered in the Netherlands and fall under the supervision of the ACM, and 156 complaints were related to providers registered in a different EU Member State. Therefore, these complaints were transferred to the DSC of the other EU Member State.

A large part of complaints is pending (96). These complaints can't be transmitted to other DSCs due to technical issues within the EU-application or in the EU process, such as non-existing DCSs. A small part is pending due to administrative issues; further information has been requested from the complainant but not yet received. Fifty-two (52) complaints have been transferred to CnaM (Ireland). Three (3) complaints have been transferred to BNetzA (Germany), two (2) complaints have been transferred to CA (Luxembourg), two (2) complaints have been transferred to BIPT (Belgium), and one (1) complaint has been transferred to RRT (Lithuania).

¹ See for instance: [Online diensten aanbieden | ACM.nl](https://www.acm.nl/en/online-diensten-aanbieden).

DSC in other Member State	Number of complaints transmitted to this DSC (out of 156)
*Pending	96
Media Commission (CnaM), Ireland	52
Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railways (BNetzA), Germany	3
Competition Authority (CA), Luxembourg	2
Belgian Institute for Postal Services and Telecommunications (BIPT), Belgium	2
Communications Regulatory Authority (RRT), Lithuania	1

**Pending category contains complaints that still have to be transmitted to other DSCs*

In 2024, the ACM received in total 256 complaints, of which the type of complaint that has been received the most concerned account restrictions (approx. 26%), for instance regarding decisions to block recipients' accounts taken in a non-diligent manner or without providing an adequate statement of reasons to the recipient.

Furthermore, the ACM often received complaints about the handling of notices of illegal content and the internal complaint-handling system (approx. 16%), the presence of illegal content (approx. 10%), and the ease of communications with intermediary services in general (approx. 9%). About 1% of the reports concerned the protection of minors.

Complaint categorization	Percentage of total complaints handled
Account restriction	26%
Other*	25%
Complaint-handling	16%
Remainder*	12%
Illegal content	10%
Customer contact	9%
Minors	1%

**The category 'Other' contains complaints that do not fall in any of the other categories. The category 'Remainder' contains uncategorised complaints or complaints with a non-existing category. The categorisation of complaints will be developed further.*

2.3. Complaints that led to formal investigations in 2024

In 2024, zero complaints have led to the opening of a formal investigation either by the ACM or the Dutch Data Protection Authority (AP). A formal investigation is considered to have been opened when formal investigation powers according to national law of the DSA have been used by the DSC and/or another competent authority. In 2024, the ACM nor the AP were designated as an official authority to enforce the DSA. As a consequence of this, the ACM and the AP were legally not allowed to open a formal investigation.

3. Orders (Article 9 and 10 of the DSA)

3.1. Introduction

Article 9 of the DSA outlines the obligations of providers of intermediary services when they receive an order from national judicial or administrative authorities to act against illegal content. First, when a provider receives

such an order, they must inform the issuing authority (or another specified authority) about any effect given to the order, specifying if and when effect was given to the order. The article also sets conditions for the orders issued by national authorities.

The issuing authority, or another specified authority if this is stated in the order, must share the order and any information about its implementation with the DSC in the Member State of the issuing authority. The DSC will then share this information with all other DSCs.

Article 10 of the DSA obliges providers of intermediary services are obligated to promptly inform the relevant national judicial or administrative authority, or any other authority specified in the order, upon receiving an order to provide specific information about individual recipients of their services. The article also sets conditions for the orders issued by national authorities. Similarly to Article 9 DSA, Article 10 DSA also sets conditions for the orders issued by national authorities. The issuing authority, or another specified authority if this is stated in the order, must also share the order and any information about its implementation with the DSC in the Member State of the issuing authority. The DSC will then share this information with all other DSCs.

In 2024, ACM received zero orders pursuant to Article 9 and zero pursuant to Article 10 of the DSA. This is due to the fact that the ACM was not designated as DSC yet, and hence, not allowed to receive any orders pursuant to Article 9 and/or Article 10 DSA.

3.2. Effects given to the orders

Since the ACM was not designated yet to receive any orders in 2024, no information on the possible effects given to the orders were received by the ACM either in 2024.

4. Out-of-court dispute settlement bodies (Article 21 of the DSA)

4.1. Introduction

Under the DSA, out-of-court dispute settlement bodies offer an additional opportunity for users to resolve content moderation disputes with online platforms. Online platforms must inform users of this option for resolving problems and are also required to cooperate with the procedures of certified dispute settlement bodies. Upon request, DSCs certify dispute settlement bodies located in their Member State if they meet the statutory requirements set out in Article 21 of the DSA. For example, the dispute settlement bodies must be independent. In addition, they must have sufficient expertise, for example, in a certain type of illegal content. Dispute settlement bodies must handle disputes in at least one official EU language.

4.2. Certification of out-of-court dispute settlement bodies in 2024

In 2024, the ACM certified zero ODS bodies in total. In 2024, the ACM was not fully designated as the DSC of the Netherlands and therefore legally not able to certify any out-of-court settlement body. Consequently, the ACM did not certify any out-of-court settlement bodies pursuant to Article 21 of the DSA. However, ACM did focus on the preparation of the various certification processes under the DSA. Regarding out-of-court dispute settlement bodies, the ACM has for instance published information on this topic on its website.²

² [Buitengerechtelijke geschillenbeslechtingsorganen | ACM.nl](https://www.acm.nl/nl/buitengerechtelijke-geschillenbeslechting/organen).

5. Trusted Flaggers (Article 22 of the DSA)

5.1. Introduction

Under the DSA, trusted flaggers are responsible for detecting potentially illegal content and alert online platforms. They are experts at detecting certain types of illegal content online, such as hate speech or terrorist content, and notifying it to the online platforms. The notices submitted by them must be treated with priority by online platforms as they are expected to be more accurate than notices submitted by an average user. The DSC of the Member State of establishment of the applicant entity awards the trusted flagger status. DSCs oversee the application process, ensuring entities meet the criteria laid down in Article 22 of the DSA, such as independence from any online platform or specific expertise. Pursuant to Article 22 (8) of the DSA, the Commission, after consulting the Board, shall, where necessary, issue guidelines to assist providers of online platforms and Digital Services Coordinators in the application of these criteria. The guidelines are scheduled to be adopted in Q2 2025.

In 2024, the ACM was not fully designated as the DSC of the Netherlands and therefore legally not able to certify any trusted flaggers. Consequently, the ACM did not certify any trusted flaggers pursuant to Article 22 of the DSA. However, ACM did focus on the preparation of the various certification processes under the DSA. Regarding trusted flaggers, the ACM has for instance published information on this topic on its website³ and organized an information meeting for potential trusted flaggers and market participants in the spring of 2024. The focus of this roundtable was to inform the attendees about ACM's preparations so far for awarding the status of trusted flagger and to collect the responses to the ACM's draft application form for the status of trusted flagger.

6. Vetted researchers (Article 40 of the DSA)

6.1. Introduction

Vetted researchers are researchers that have the right to access non-public data for their research on systemic risks or measures to mitigate them at the Very Large Online Platforms and Search Engines. Systemic risks are risks that can inflict serious harm to society or the economy at large, for example the widespread dissemination of illegal content or election interference. In order to gain access to relevant data, the DSC of the Member State of establishment of the specific Very Large Online Platform or Search Engines can grant the status to a researcher when the researcher has demonstrated to meet the conditions laid down in Article 40 of the DSA. Very large online platforms and search engines are required to give researchers access to that data to the researchers that have been granted the status of vetted researcher.

6.2. Status granted to vetted researchers in 2024

In 2024, the ACM granted zero entities the status of vetted researcher. In 2024, the ACM was not fully designated as the DSC of the Netherlands and therefore legally not able to grant the status of vetted researcher. Consequently, the ACM did not grant any status pursuant to Article 40 of the DSA. However, ACM did focus on the preparation of the various certification processes under the DSA. Regarding vetted researchers, the ACM has for instance published information on this topic on its website.⁴

³ [Betrouwbare flaggers | ACM.nl](#).

⁴ [Erkende onderzoekers | ACM.nl](#).

7. Enforcement and (inter)national activities

7.1. Introduction

In 2024, DSCs and other competent authorities engaged in a range of enforcement activities, complemented by various international and national initiatives, both formal and informal, aimed at fostering compliance, enhancing cooperation, and ensuring the effective implementation of the DSA.

7.2. Enforcement activities and investigation powers used in 2024

In 2024, the ACM was not fully designated as the DSC of the Netherlands and therefore legally not able to open an formal investigation. Consequently, no formal investigations were opened.

7.3. National activities in 2024

Even though the ACM was not fully designated as the DSC of the Netherlands, the ACM has carried out a range of activities regarding the DSA, which had, as their main focus, creating awareness regarding the DSA and creating a partnership with other relevant authorities.

Creating awareness

In 2024, the ACM published guidelines on the DSA to help parties that must comply with the DSA.⁵ An interactive online meeting about the DSA was also organized for SMEs, and the ACM prepared DSA-guidelines for important target groups, namely:

- web-hosting services
- online stores and marketplaces
- websites and apps on which DSA-content was distributed.⁶

Partnership between digital regulators

The ACM works closely with Dutch regulators in the supervision of the DSA, and has initiated a 'DSA chamber' (in Dutch: 'DSA kamer') as part of the Digital Regulation Cooperation Platform (SDT) with, among others, the Dutch Authority for the Financial Markets (AFM), the Dutch Data Protection Authority (AP), the Dutch Media Authority (CvdM) and the Dutch Authority for Digital Infrastructure (RDI).

Sample survey on the DSA: improvements needed

In addition, in anticipation of obtaining enforcement powers, ACM conducted a sample survey and examined whether providers of online platforms and online marketplaces have a point of contact for recipients of their service and for authorities, give information in their general terms and conditions about their content moderation, and whether they offer recipients of their service the opportunity to report illegal content. The sample survey revealed that the point of contact for recipients of the service does not always meet the requirements laid down in the DSA. For example, in a number of cases, recipients of the service cannot choose themselves how they can contact their providers. In addition, information about content moderation is not always easily found in the general terms and conditions, or sometimes these do not contain all of the mandatory information. Also, with some providers, it is apparently not possible to report illegal content or the reporting system cannot be easily found. Following this sample survey, ACM called on online entrepreneurs to prepare for the DSA.⁷

⁵ [Leidraad over Digital Service Act \(DSA\) voor aanbieder van online diensten | ACM.nl](#) (Dutch version) and [Guidelines on the Digital Services Act \(DSA\) for providers of online services | ACM.nl](#) (English translation).

⁶ [ACM geeft belangrijke doelgroepen extra uitleg over de DSA | ACM.nl](#).

⁷ [ACM: Veel bedrijven voldoen nog niet aan Europese digitale wetgeving | ACM.nl](#) (Dutch version) and [ACM: Many businesses still do not comply with European digital laws | ACM.nl](#) (English translation).

7.4. International activities

In 2024, DSCs and other competent authorities engaged in a range of enforcement activities, complemented by various international and national initiatives, both formal and informal, aimed at fostering compliance, enhancing cooperation, and ensuring the effective implementation of the DSA.

7.4.1. European Board for Digital Services

The European Board for Digital Services (the "Board") aims to contribute to a safe, predictable, and trusted online environment that promotes innovation while safeguarding the protection of fundamental rights. Through the Board, the European Commission and the Digital Services Coordinators work together as a cohesive team, adopting a European approach to the enforcement of the DSA. The Board thus plays a vital role in ensuring the consistent application of the DSA across the European Union, benefiting all European citizens, society, and the economy.

The Board is the platform for discussing all relevant issues and priorities regarding the application of the DSA. Close, trustful cooperation and coordination, taking into account the specific impact of intermediary services in individual Member States, are essential for effective and coherent enforcement of the DSA throughout the European Union.

For DSCs participating in the Board, it is important to actively contribute to this process. Board members support, advise, and assist the European Commission and the other DSCs in their supervisory tasks. They provide each other with insights 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 Board requires an active role in collaboration and working together to ensure DSA compliance, with attention to the specific context of each Member State.

In 2024, the European Board for Digital Services held a total of 12 meetings.⁸ These meetings served as a critical platform for discussing the ongoing implementation and enforcement of the Digital Services Act (DSA) across the European Union. The meetings provided an opportunity for Board members to engage in in-depth deliberations on a variety of issues and priorities related to the digital services landscape. Each meeting played a significant role in advancing the collective goals of ensuring a safe, transparent, and innovative digital environment across the EU.

The ACM attended all Board meetings. In addition, experts of ACM have participated in all eight Working Groups that have been established under the Board, including working group 1 – Horizontal and legal issues, working group 2 - Working together, working group 3 - Content moderation and data access, working group 4 - Integrity of the information space, working group 5 – Consumers and online marketplaces, working group 6 - Protection of minors, working group 7 – Orders and criminal issues and working group 8 – IT issues. Additionally, ACM was appointed Vice-Chair of Working Group 2 in September 2024. As a Vice-Chair, ACM assisted the Chair of Working Group 2. Finally, ACM attended several international events.

Working closely with the European Commission and other regulators is important, especially in the Digital Economy. Within the DSA, systemic risks such as disinformation surrounding elections, and the protection of minors are tackled at both the national and international level. For example, the ACM participated in a stress test on potential election influence such as disinformation campaigns. The test was organized by the European Commission together with social-media platforms, NGOs and National regulators. The ACM also assisted the Belgian Digital Services Coordinator, the Belgian Institute for Postal Services and Telecommunications (BIPT) in response to an enforcement request from the Offlimits-expertise center regarding the presence of banga lists on Telegram.

⁸ <https://digital-strategy.ec.europa.eu/en/policies/dsa-board> - European Board for Digital Services

8. Conclusions

The online environment must be a safe and accessible place for all people and companies. Online stores, apps, online platforms, search engines, marketplaces, internet providers, and hosting services are used extensively. Providers of these services must ensure transparency towards users and handle the contents of their services with care. The DSA is an important instrument to ensure that this responsibility is taken by providers of intermediary services.

The DSA has been fully in force since 17 February 2024. The Netherlands Authority for Consumers and Markets (ACM) is the Digital Service Coordinator for the Netherlands. However, in 2024, the ACM was not fully designated as the DSC and the Dutch Data Protection Authority (AP) was not designated as competent authority to enforce the DSA. Therefore, the ACM was not legally allowed to grant the statuses of out-of-court dispute settlement bodies, trusted flaggers or vetted researchers. The ACM was also legally not able to receive orders or engage in enforcement activities. The ACM was able to accept complaints and share these with other EU regulators. In 2024, the ACM received 256 complaints. Despite the legal constraints, the ACM has carried out a range of activities regarding the DSA, which had, as their main focus, creating awareness regarding the DSA and creating a partnership with other relevant authorities. The ACM has, for instance, published guidelines on the DSA to help parties that must comply with the DSA.

Since February 4, 2025 the ACM is legally able to enforce compliance with the DSA and is officially authorized as DSC in The Netherlands. The Dutch Data Protection Authority is designated as competent authority to enforce the DSA. The Dutch Data Protection Authority is responsible for the supervision and enforcement of Article 26, paragraph 3, Article 27 and Article 28, paragraph 2 of the DSA. In 2025, the ACM will focus on three areas: online platforms need to get their basics in order, such as creating a central point of contact as well as making it easy for users to report illegal content. In addition, the ACM will specifically look at webhosting services (there are a lot of those in the Netherlands), and will launch a study into the protection of minors. The ACM will also continue its work regarding international and national cooperation.