[DE] First national dispute settlement body for online platforms established

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Christina Etteldorf
Institute of European Media Law

The *Digitale-Dienste-Gesetz* (Digital Services Law – DDG), which entered into force in May 2024, transposed certain provisions of Regulation (EU) 2022/2065 (Digital Services Act – DSA) into German law. On 12 August 2024, the *Bundesnetzagentur* (Federal Network Agency – BNetzA), appointed as Germany's Digital Services Coordinator under the DDG, certified the first national dispute settlement body for online platforms. The Berlin-based User Rights GmbH was the first organisation to submit an application to the BNetzA and will now assume its responsibilities in accordance with Article 21 DSA.

Under Article 21(1) DSA, service recipients who are affected by decisions taken as part of online platforms' internal complaint-handling systems are entitled to refer those decisions to an out-of-court dispute settlement body. Article 21(3) DSA requires these bodies to meet certain criteria (e.g. impartiality, expertise, etc.) and entitles the Digital Services Coordinator to certify them for a maximum period of five years. Dispute settlement bodies should seek an amicable solution to disputes between users and online platforms, and report to the Digital Services Coordinator. Having reviewed the documents submitted by User Rights GmbH so as to ensure fulfilment of the legal requirements for certification, the BNetzA concluded that the applicant had demonstrated the necessary independence and impartiality, professional knowledge of the applicable legal norms and of the online platforms' terms and conditions, and a quick and efficient approach to the dispute resolution procedure. User Rights GmbH was expressly created to assume tasks under Article 21 DSA and therefore has no other responsibilities. It is financed through fees that can be charged to participating online platforms when it reviews cases. These fees, which must be reasonable, are capped and subject to review by the relevant authorities. The dispute settlement process is free for users. The company's website, which is already operational, contains rules of procedure that govern dispute settlement proceedings and procedural principles, as well as a schedule of costs.

Pressemitteilung der BNetzA

https://www.bundesnetzagentur.de/SharedDocs/Pressemitteilungen/DE/2024/20240812_DSC_Zertifizierung.html?nn=660040

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BNetzA press release

User Rights GmbH Plattform

https://user-rights.org/de

User Rights GmbH platform

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