

Operational Readiness for DSA Alignment: An Expert Definition

Practical Checklist for EU Candidate Countries

These Operational Readiness Checklist is a solely expert-driven product of **High-Level Expert Group for Resilience Building in Eastern Europe (HLEG)**, with authors contributing to different sections and topics based on their areas of expertise.

HLEG coordinator and publisher: IMS (International Media Support) April 2026

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Title: "Operational Readiness for DSA Alignment: An Expert Definition" A Practical Checklist for EU Candidate Countries

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OPERATIONAL READINESS FOR DSA ALIGNMENT

What Does It Mean in Practice for Candidate Countries?

High-Level Expert Group for Resilience Building in Eastern Europe (HLEG) | April 2026

Why This Document Exists

In March 2026, the European Commission (DG CONNECT) presented its expectations for DSA alignment in enlargement countries at the TAIEX Multi-Country Workshop on the Digital Services Act. The Commission stated that enlargement countries are “neither asked nor required to implement national legislation that fully mimics the DSA before EU accession”, and that “the focus should be on ensuring operational readiness, which combines awareness-raising and capacity building.”

The roadmap presented by the Commission identifies the following steps: mapping of digital services, awareness raising among the population, conduction of preparatory studies and surveys, institutional planning for the DSC and competent authorities, and continuous stakeholder engagement.

The crucial concept of operational readiness was not further defined in terms of concrete institutional or regulatory outcomes. As a result, candidate countries are currently navigating this pre-accession period without a shared understanding of what operational readiness requires in practice — and are each developing their own interpretations.

HLEG — a group of independent experts with direct experience across multiple candidate countries — has developed this checklist as a contribution to filling that gap. It reflects our collective view of what minimum operational readiness should include. It is not a prescriptive standard, but a starting point for establishing a shared understanding among candidate countries, their governments, civil society, and other stakeholders.

Operational Readiness Checklist: HLEG Expert View

The table below presents twelve elements that HLEG considers essential components of minimum operational readiness for DSA alignment in candidate countries.

Institutional Design

#	Element	Why it matters	Indicators of readiness
1	Designation of a Digital Services Coordinator	The EC DG CONNECT has identified the designation of a future DSC as a required pre-accession step. Without a clearly designated authority, no other element of operational readiness can function. The DSC is the primary coordinator, but operates within a broader institutional ecosystem of competent authorities — see Element 3.	<ul style="list-style-type: none"> • A national authority has been formally identified or designated as the future DSC through a transparent, documented process • The DSC’s mandate is defined in national law or a formal government decision • The organisational base of the DSC has been determined — whether an existing authority or a newly established body • The DSC has a defined scope of competence covering intermediary services
2	Independence and resources of the future DSC	DSA Article 50(2) requires DSCs to act with complete independence and to neither seek nor take instructions from any public authority or private party. Article 50(1) requires sufficient technical, financial and human resources and sufficient autonomy in managing the budget.	<ul style="list-style-type: none"> • National law explicitly establishes the independence of the future DSC, prohibiting instructions from any government body or private party (Article 50(2)) • Rules on appointment and dismissal of DSC leadership are defined in law and protect against arbitrary removal • The DSC has autonomy in managing its budget within overall limits (Article 50(1)) • A staffing plan has been developed covering technical, legal and administrative expertise • Financial resources have been allocated or budgeted for the DSC’s operational phase • Accountability mechanisms — such as reporting to parliament or financial oversight — are in place in a manner that does not undermine independence (Article 50(3))
3	Institutional planning and coordination between competent authorities	DSA Article 49 provides that member states may designate multiple competent authorities and requires the DSC to coordinate among them. Without clear coordination mechanisms, gaps and duplication are inevitable.	<ul style="list-style-type: none"> • Relevant competent authorities have been identified • Roles and responsibilities between the DSC and each competent authority have been defined • A formal coordination mechanism exists or is being designed — such as a memorandum of understanding, inter-agency working group or statutory coordination obligation • Procedures for handling overlapping jurisdiction have been considered • The DSC has a defined coordinating role consistent with Article 49

Legislative Framework

#	Element	Why it matters	Indicators of readiness
4	National definition of illegal content	The DSA does not itself define illegal content — this depends on national or EU law applicable in each jurisdiction. Candidate countries therefore need a clear national framework that can anchor platform obligations and DSC enforcement functions.	<ul style="list-style-type: none"> Existing national legislation has been reviewed to identify definitions of illegal content across relevant domains A gap analysis has assessed the compatibility of existing national definitions with DSA logic and EU legal standards A process for addressing identified gaps has been initiated or planned National definitions of illegal content are aligned with international human rights standards and correspond with the principles of necessity and proportionality, legal specificity and predictability, and legitimate purpose
5	Pre-accession legislative framework	Candidate countries need at minimum a national legal instrument that designates the DSC and creates the institutional basis for DSA compliance upon accession — even if substantive obligations apply only from the day of membership.	<ul style="list-style-type: none"> A timeline and roadmap for the legislative process has been established by the relevant authority, working in conjunction with stakeholders A legislative implementation act or formal draft has been prepared The act has been assessed to ensure it remains consistent with the trajectory of DSA alignment The act includes a clear mechanism for activation of substantive provisions upon accession including clarity on the future DSC's role and powers in relation to VLOPs operating in the national market, and on the division of competence with the EC from the day of membership The act includes procedures enabling the future DSC to certify trusted flaggers and ODS bodies before accession, in line with DSA Articles 21 and 22 and European Board for Digital Services and EU member states practices Multistakeholder consultations have been conducted at key stages of the legislative process, ensuring that civil society and other relevant actors have access to sufficient information to provide meaningful and informed input The act has been assessed for compatibility with other EU legislative instruments that cross-reference the DSA — including the AI Act, EMFA and DMA

Preparedness

#	Element	Why it matters	Indicators of readiness
6	Mapping of digital services	The EC DG CONNECT identifies mapping as a foundational pre-accession step. Without a clear picture of the national digital services landscape, regulatory planning is built on assumptions.	<ul style="list-style-type: none"> • An up-to-date mapping of digital service providers operating in the national market has been conducted by the relevant authority, drawing upon supporting institutions where appropriate, covering intermediary services, online platforms and search and answer engines across all tiers • The mapping distinguishes between provider categories in line with DSA's tiered approach • The mapping identifies providers established abroad but offering services to or targeting users in the national market, consistent with DSA's jurisdictional approach • The mapping is documented, made public, and regularly updated. • The mapping does not excessively include media service providers and content creators whose activities do not constitute provision of digital services within the meaning of the DSA — in line with international human rights standards and freedom of expression principles under the ECHR
7	Preparatory studies and gap analysis	The EC DG CONNECT identifies preparatory studies as a core operational readiness step. Candidate countries need a clear picture of the distance between their current framework and DSA requirements.	<ul style="list-style-type: none"> • At least one gap analysis has been conducted assessing the level of readiness and alignment of the national legal and institutional framework with DSA requirements • The gap analysis covers both legislative and institutional dimensions, and the roles, capacities and preparedness of relevant non-state actors, including private actors • The gap analysis includes an assessment of the capacity of relevant authorities and actors to apply DSA frameworks in line with fundamental rights standards. • Findings have been documented and shared with relevant authorities/stakeholders for their constructive input. • The gap analysis has informed the legislative and institutional planning process • Findings of the gap analysis have informed the pre-accession legislative framework (see Element 5)
8	Preparedness of the local digital services business community	Local digital service providers across all tiers need to understand what obligations they will face upon accession. Unprepared businesses risk non-compliance, which undermines the framework's effectiveness from day one.	<ul style="list-style-type: none"> • Outreach and guidance has been provided to digital service providers across all tiers — from large platforms to SMEs and hosting providers • Business associations have been engaged in awareness and consultation processes • Guidance materials — in national language(s) have been produced and made available to businesses • A self-assessment or gap analysis tool is available for businesses to evaluate their own readiness • A dedicated DSC webpage and contact point for businesses to raise questions about upcoming obligations has been established or is planned

Awareness and Participation

#	Element	Why it matters	Indicators of readiness
9	<p>Awareness raising among the population</p>	<p>The EC DG CONNECT identifies awareness raising as a core operational readiness requirement. Citizens need to understand the upcoming regulatory environment and their rights under DSA-equivalent frameworks.</p>	<ul style="list-style-type: none"> • Meaningful awareness raising activities have been conducted targeting the general population, in national language(s) • Citizens have been informed of their rights — including the right to report illegal content, the right to appeal content moderation decisions, and the right to access out-of-court dispute settlement • Awareness activities have reached diverse population groups, including those with lower digital literacy • Media and educational institutions have been engaged as multipliers • Awareness raising activities are documented and evaluated
10	<p>Civil society participation mechanisms</p>	<p>The EC DG CONNECT identifies "capable, engaged and diverse CSOs" as a core element of DSA alignment. Civil society is a structural actor in the DSA ecosystem — as future trusted flaggers, ODS stakeholders, and monitors of platform compliance. Civil society also performs an accountability function by monitoring both platform practices and public enforcement, including their impact on fundamental rights. Early engagement ensures that civil society organisations are prepared and positioned to take on these roles from the moment of accession.</p>	<ul style="list-style-type: none"> • Formal, structured and funded channels for civil society participation in the regulatory process have been established or planned • CSOs have been included in mapping, awareness raising and preparatory consultations • CSOs working on digital rights, media freedom, child protection and consumer rights have been specifically engaged • A process for civil society input into the definition of illegal content has been established or planned • CSOs have been informed about the trusted flagger framework and the conditions for obtaining trusted flagger status under DSA Article 22 • Civil society organisations have been informed about the range of DSA mechanisms in which they may have a role, including out-of-court dispute settlement, systemic risk assessments, and codes of conduct and crisis protocols — recognising that roles will vary depending on each organisation's expertise and mandate

Enforcement Ecosystem

#	Element	Why it matters	Indicators of readiness
11	Establishment of core enforcement mechanisms: out-of-court dispute settlement (ODS) bodies and trusted flaggers	Out-of-court dispute settlement bodies and trusted flaggers are foundational enforcement tools in the DSA ecosystem — providing user redress and priority illegal content reporting respectively. Early establishment of national certification frameworks — enabled by the pre-accession legislative act — allows these bodies to become operational before accession and to begin formal engagement with platforms ahead of EU membership.	<ul style="list-style-type: none"> • A process for identifying or establishing ODS bodies has been initiated • Existing national complaint and dispute resolution mechanisms have been assessed for compatibility with DSA • The future DSC’s certification role for ODS/trusted flaggers has been incorporated into institutional planning • A national framework for awarding trusted flagger status has been designed or initiated, consistent with DSA Article 22(2) conditions, and civil society organisations and public interest bodies have been informed about eligibility conditions • Existing trusted partner programmes and escalation channels operated by CSOs have been mapped, with a view to identifying organisations that could potentially take on trusted flagger status — with particular attention to ensuring their funding and independence from undue political influence • Where law enforcement agencies are considered for trusted flagger status, safeguards are in place to ensure that such cooperation upholds user privacy and data protection rights • At least one ODS body and at least one potential trusted flagger have been identified or are in the process of certification — enabling formal engagement with platforms before accession.
12	Communication channels and co-operation with EU counterparts	Future DSCs need to understand the EU enforcement architecture they will join and build working relationships with EU counterparts before accession.	<ul style="list-style-type: none"> • Working contacts have been established with EC DG CONNECT, DG NEAR and member state DSCs. Opportunities for structured engagement during the pre-accession period have been explored. • The candidate country has formally requested or is actively seeking observer status at the European Board for Digital Services, and has explored participation in relevant EBDS working groups as a more immediately accessible form of structured engagement. • The future DSC has participated in, observed, or otherwise kept informed on DSA related EU-level processes and exchanges. • The candidate country has engaged in regional cooperation with other candidate countries on DSA preparedness — sharing experience, tools and approaches.

Conclusion

The twelve elements presented in this checklist represent HLEG's expert view of what minimum operational readiness should include in practice for candidate countries preparing for DSA alignment. They are grounded in direct, multi-country experience — and in the recognition that without a shared understanding of what operational readiness means, candidate countries will continue to navigate this period without a common compass.

This checklist is offered as a contribution to an ongoing conversation, not as a final answer. Its purpose is to identify a practical minimum threshold of institutional and regulatory preparedness, while recognising that the precise pathway to readiness may vary across candidate countries. The questions surrounding pre-accession DSA alignment are complex, context-specific and still evolving — and defining what is sufficient is ultimately a shared task, requiring input from multiple actors and perspectives.

HLEG hopes this document can serve as a useful reference point for candidate countries, their governments and civil society as they navigate the pre-accession period — and as a contribution to the broader reflection on what meaningful DSA preparedness looks like in practice.