

Article 21 - Academic Advisory Board: Discussing the nature and value of out-of-court dispute settlement

Berlin, 21. August 2024 – The Article 21 - Academic Advisory Board discusses the most difficult questions defining the emerging field of out-of-court dispute settlement for content moderation. User Rights founded the Board to connect out-of-court dispute settlement bodies with academia and create a forum which creates informed solutions to practical problems.

Article 21 of the EU’s Digital Services Act (DSA) allows national Digital Services Coordinators (DSCs) to endow organisations with the task of settling content moderation disputes. The Article 21 Academic Advisory Board (‘The Board’) brings together researchers to facilitate discussions and provide practical guidance on how out-of-court dispute settlement (ODS) bodies should function.

The Article 21 Academic Advisory Board discusses the most challenging issues arising in the development of out-of-court dispute settlement mechanisms under the DSA. It provides guidance to out-of-court dispute resolution bodies and regulators and informs the work of academics and civil society organisations. Exploring how to put Article 21 into practice, it aims to make an important contribution to the emerging out-of-court dispute resolution landscape and shape how out-of-court dispute settlement can improve content moderation accountability in Europe and globally.

The Board consists of four academics who commit to serving on the Board for a minimum of twelve months. In every meeting, a fifth seat on the Board will be filled by an academic who has particular expertise on the subject matter to be discussed. The Board is organised and facilitated by its administration and Research Fellows.

Aspiring and certified ODS bodies can bring the most difficult and consequential issues arising from their establishment and operations to the attention of the Board. The Advisory Board selects the most pressing issues raised to it and discusses them in bi-monthly meetings under Chatham House Rules. To inform the discussion of the Board, regulators are invited to provide their perspectives on the issues.

Following the discussion, the Advisory Board publishes “Discussion Reports.” These reports clearly outline the questions discussed, provide different options to answer them and outline their implications.

ODS bodies that raise issues to the Board also commit to providing explanations of their current practice and plans to improve their practice to the Board. These explanations will either be treated as an internal resource for the Board or, with the agreement of the ODS bodies, they will be published on the Board’s website after the respective report has been issued.

About the Board Members

[Iva Nenadić](#) is an Assistant Professor of media and digital policy at the University of Zagreb and a Research Fellow at the European University Institute's Centre for Media Pluralism and Media Freedom. She studies media pluralism in the context of content moderation policies of online platforms, and related regulatory interventions. She is a member of the Committee of Experts on the Impacts of GenAI for Freedom of Expression (MSI-AI) at the Council of Europe, and in the Management Committee of the European Digital Media Observatory.

[João Pedro Quintais](#) is an Associate Professor, Institute for Information Law (IViR) at the University of Amsterdam. His research areas include the application of intellectual property (IP) law to new technologies, the implications of copyright law and its enforcement, the role and responsibilities of large-scale platforms in the context of illegal or harmful content moderation, as well as legal implications of generative AI.

[Giovanni De Gregorio](#) is the PLMJ Chair in Law and Technology at Católica Global School of Law and Católica Lisbon School of Law. His research interests include digital constitutionalism, freedom of expression, privacy and data protection law, and digital policy. Giovanni is the author of the monograph *Digital Constitutionalism in Europe: Reframing Rights and Powers in the Algorithmic Society* (Cambridge University Press 2022).

[Hannah Ruschemeier](#) is a Junior Professor of Public Law, Data Protection Law/Law of the Digital Transformation at the Faculty of Law of the Fernuniversität Hagen. Her research interests include new forms of intervention in fundamental rights, digital aspects of administrative and constitutional law, legal theoretical foundations of digitalisation, data protection law, and legal aspects of privacy.

About the Administration

The Board was founded by User Rights and is organised and facilitated by an Administration team and Research Fellows.

[Niklas Eder](#) serves as Director of the administration of the Article 21 Advisory Board. Niklas is the Digital Policy Postdoctoral Researcher at the Centre for Socio Legal Studies at Oxford Law School, a Visiting Lecturer at King's College London and the Co-Founder of User Rights.

[Nitya Kuthiala](#) supports the work of the Board as a Research Fellow. Nitya is interested in working at the intersection of emerging technologies, AI ethics and safety. Currently, she is leading projects to build - an AI-powered educational chatbot in humanitarian contexts and an e-learning platform for rapid skill development through human-connected based learning.

To contact the Board, please write board@user-rights.org.