



Commission launches consultation to seek views on Digital Services Act package

Brussels, 2 June 2020

Today the Commission has launched a public consultation on the Digital Services Act, a landmark package announced by President von der Leyen in her [political guidelines](#) and in the Commission's Communication "[Shaping Europe's Digital Future](#)" of 19 February. The consultation seeks to gather views, evidence and data from people, businesses, online platforms, academics, civil society and all interested parties to help us shaping the future rulebook for digital services. The consultation, open until 8 September, covers issues such as safety online, freedom of expression, fairness and a level-playing field in the digital economy.

Executive Vice-President Margrethe **Vestager** said: *"The Internet presents citizens and businesses with great opportunities, which they balance against risks that come with working and interacting online. At this time, we are asking for the views of interested citizens and stakeholders on how to make a modern regulatory framework for digital services and online platforms in the EU. Many of these questions impact the day-to-day lives of citizens and we are committing to build a safe and innovative digital future with purpose for them."*

Commissioner for Internal Market Thierry **Breton** said: *"Online platforms have taken a central role in our life, our economy and our democracy. With such a role comes greater responsibility, but this can happen only against the backdrop of a modern rulebook for digital services. Today we launch our public consultation: we will listen to all views and reflect together to find the right balance between a safe Internet for all, protecting freedom of expression and ensuring space to innovate in the EU single market."*

The current regulatory framework for digital services dates back twenty years. It helped the growth of European digital services but it does not give answers to many of today's pressing questions on the role and responsibility of online platforms, especially the largest ones.

Europe needs a modernised regulatory framework to reduce the ever increasing regulatory fragmentation across Member States, to better ensure that everyone across Europe is protected online as they are offline and to offer to all European businesses a level playing field to innovate, grow and compete globally. Users' safety as well as the respect of their fundamental rights, in particular their freedom of expression, must be systematically guaranteed.

The consultation covers the two work strands [announced](#) by the Commission as part of the Digital Services Act package:

The first set of rules would relate to the fundamentals of the e-commerce directive, in particular the freedom to provide digital services across the EU single market in accordance with the rules of the place of establishment and a broad limitation of liability for content created by users. Building on these principles, we aim to establish clearer and modern rules concerning the role and obligations of online intermediaries, including non-EU ones active in the EU, as well as a more effective governance system to ensure that such rules are correctly enforced across the EU single Market while guaranteeing the respect of fundamental rights.

The second measure would address the issue of the level playing field in European digital markets, where currently a few large online platforms act as gatekeepers. We will explore rules to address these market imbalances, to ensure that consumers have the widest choice and that the EU single market for digital services remains competitive and open to innovation. This could be through additional general rules for all platforms of a certain scale, such as rules on self-preferencing, and/or through tailored regulatory obligations for specific gatekeepers, such as non-personal data access obligations, specific requirements regarding personal data portability, or interoperability requirements.

In addition, the Commission is also taking the opportunity to consult on other emerging issues related to online platforms, such as the opportunities and challenges that self-employed people face in providing services through online platforms.

In parallel, a **second consultation** is launched today on a possible new competition tool; more information is available in a separate [press release](#).

Next steps

The Commission is consulting the general public, digital service providers including online platforms, businesses who reach their consumers online, authorities, NGOs, academics and other concerned parties. Respondents are invited to submit their responses by 8 September 2020 in all official EU languages. The consultation will inform the Commission's proposals for the Digital Services Act package, expected to be released at the end of the year.

Background

The legal framework for digital services has remained unchanged since the adoption of the [e-Commerce Directive](#) in 2000, which harmonised the basic principles allowing the cross-border provision of services and has been a foundational cornerstone for regulating digital services in the EU.

The Commission has also set out general guidelines to online platforms and Member States for tackling illegal content online through a [Communication](#) in 2017 and a [Recommendation](#) in 2018. The Commission continues to lead targeted actions in coordinating the cooperation between online platforms, authorities and trusted organisations in areas such as combatting illegal hate speech online, or ensuring that products reaching European consumers in the single market are safe. In addition, sector-specific legislation has been adopted (in particular in the field of audiovisual and media services and copyright) or proposed (as regards terrorist content online).

The adoption of the [Platform-to-Business Regulation](#), due to enter into force in July this year, sets the basic horizontal foundation for a fair, transparent and predictable business environment for smaller businesses and traders on online platforms.

For more information

[Digital Services Act webpage](#)

[Digital Services Act public consultation](#)

[Inception Impact Assessments on e-Commerce aspects](#)

[Inception Impact Assessment on ex-ante tools](#)

[New Competition Tool press release](#)

[New Competition Tool public consultation](#)

[New Competition Tool Inception Impact Assessment](#)

[Political guidelines of President von der Leyen](#)

[Communication on Shaping Europe's Digital Future](#)

[Brochure - How do online platforms shape our lives and businesses?](#)

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