

Courtesy translation

**Opinion
of the Foreign and European Union Affairs Committee
of the Senate of the Republic of Poland
on the proposal for a Regulation of the European Parliament and of the Council
on a Single Market for Digital Services (Digital Services Act)
and amending Directive 2000/31/EC
COM(2020)825**

adopted at the sitting on 15 April 2021

1. The Foreign and European Union Affairs Committee of the Senate of the Republic of Poland (FEUAC) welcomes the European Commission's initiative to comprehensively regulate the provision of digital services in a manner appropriate to the challenges of today's digital economy. FEUAC supports both the form of the regulation, which will make it possible to apply a uniform legal framework to economic activities which, by their very nature, are cross-border operations and the fact that the proposal presented by the European Commission does not replace sectoral rules in force to date.
2. FEUAC supports the establishment of common principles at European Union level, particularly with regard to very large online platforms. The growing market power of these entities makes it increasingly difficult for even individual governments to confront them. Acting together, EU Member States are more likely to create a framework of cooperation that allows not only development of the digital economy, but also preservation of European values such as consumer protection or personal data protection, as well as more broadly the protection of users and recipients of digital services.
3. FEUAC also hopes that in the course of further work on the proposed Regulation EU institutions will pay particular attention to ensuring the greatest possible transparency for the operation of the platforms. The provisions obliging the platforms to publish reports on moderated content deserve support. However, it seems that information obligations should be defined as broadly as possible and include, for example, information about the results of risk assessments carried out.
4. In the opinion of FEUAC, the manner in which the rules concerning the fight against illegal content and the obligations of the platforms in this regard were defined should be considered appropriate. At the same time, FEUAC expects that any changes in this

respect will be introduced in compliance with the principle of proportionality, so as to adequately ensure the implementation concerning the principle of freedom of expression, which is a fundamental right and cannot be restricted by a unilateral decision of a private entity, while preventing the publication of illegal content. FEUAC also holds the expectation that although the current proposal does not regulate harmful (although legal) content, this problem will be subject to further legislative work in the EU.