



EUROPEAN COMMISSION

*Brussels, 1.7.2021  
C(2021) 5018 final*

*Dear President,*

*The Commission would like to thank the Senat for its Opinion 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 final}.*

*This proposal, adopted under the umbrella of Digital Services Act package, represents part of a broader set of ambitious measures designed to complement the Digital Single Market, as announced by President von der Leyen in her Political Guidelines. In this context, the package aims to show that Europe leads the way on the digital agenda, setting global standards.*

*Central to the ambition of the Digital Services Act is ensuring a borderless, strong and deep Digital Single Market that will foster growth of European companies and where citizens have genuine choice and control over the content that they share and receive online.*

*The Commission appreciates that the Senat welcomes the proposal for a Digital Services Act and supports the establishment of a uniform legal framework and harmonised rules, especially for very large online platforms, across the EU. The Commission is also pleased to note that the Senat considers that the rules and obligations established in the proposed Regulation are appropriate for the fight against illegal content online.*

*The Commission takes note of the call to the EU institutions to ensure during the negotiations a high level of transparency for the operation of online platforms. The Commission agrees with the need for transparency and in its proposal, it establishes powerful transparency measures for digital services on a variety of issues, including on their recommender systems and online advertising, and transparency reporting obligations on their actions as regards illegal content.*

*Tomasz GRODZKI  
Marshal of the Senat  
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*The Senat also calls for ensuring the principle of proportionality during the negotiations, with full respect of the principle of freedom of expression. The Commission agrees with this and notes that the better protection of consumers and their fundamental rights online, including their freedom of expression, are amongst the objectives of the proposed Regulation.*

*As regards harmful content, the Commission's proposal makes a distinction between illegal content, defined under EU or national laws, and harmful content, which is generally not defined at EU level. For harmful content, which is not illegal in itself, the proposed Digital Services Act takes a risk-based approach by setting obligations for very large online platforms to mitigate the risks their systems face regarding potential intentional manipulation of their service to spread, for instance, disinformation.*

*Discussions between the Commission and the co-legislators, the European Parliament and the Council, concerning the proposal are now underway and the Commission remains hopeful that an agreement will be reached in the near future.*

*The Commission hopes that these clarifications address the issues raised by the Senat and looks forward to continuing the political dialogue in the future.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*

*Thierry Breton  
Member of the Commission*