

The legal framework for e-commerce in the Internal Market

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Structure of the Presentation

1. Legal framework of e-commerce since the E-Commerce Directive: how does it stand at the moment (2000-2020)?
2. Remaining obstacles to the free movement of digital services
3. (Legislative and non-legislative) actions to improve the current situation

Legislative state of play: 2000-2020

E-Commerce Directive 2000 and beyond:

- General Data Protection Regulation 2016
- Geo-blocking Regulation 2018
- Audio-visual Media Service Directive 2018
- Copyright in the Digital Single Market 2019
- Contracts for the supply of digital content and digital services Directive 2019

The ongoing work on the Digital Services Act

The current market challenges (1)

Platform economy:

- New structure of relations (triangle)
- Redefined position of the parties (users v. platforms operators)
- No real liability of the main market players (safe harbour outdated)

Sustainability:

- Ecological concerns
- Towards the circular economy

The current market challenges (2)

Social dimension :

- Increased relevance of Internet outside the e-commerce area
- Privacy and discrimination
- Social impact (endangered democratic mechanisms, social stability, spread of crimes)

Access to internet as a human right (accessibility)

Use of Artificial Intelligence and automated protection measures:

- Privacy
- Discrimination

Actions to improve the current situation

Updated legislative scheme that corresponds with the current market situation:

- Structure that accommodates the multi-dimensional character of e-activities
- Position of the market players
- Properly attributed liability

Regaining market standard control by institutions with democratic legitimacy

Increased use of enforceable market standards

**Thank you for your
attention!**

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