

Amendment 1

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on behalf of the ECR Group

Report**A8-0204/2017**

Henna Virkkunen, Philippe Juvin
Online platforms and the digital single market
2016/2276(INI)

Motion for a resolution (Rule 170(3) of the Rules of Procedure) replacing non-legislative motion for a resolution A8-0204/2017**European Parliament resolution on online platforms and the digital single market**

The European Parliament,

1. Underlines that online platforms are concerned by many initiatives in the Digital Single Market Strategy; regrets the lack of coordination and consistency between these initiatives; considers that initiatives should complement each other, to facilitate market entry and enable online platforms to scale up their activities across the Member States;
2. Believes that existing regulation has often been outpaced by digital change; underlines that analogue era legislation should not simply be copied across to the digital world; calls for an ambitious review of existing legislation to promote simplification and a pro-innovation and technology-neutral stance; encourages Member States to also assess whether domestic regulatory practices support growth of the digital economy in Europe;
3. Encourages the Commission to help ensure a level playing field and foster competition between online platforms; notes that competitive pressures vary between different sectors and therefore overarching definitions of online platforms or ‘one-size-fits-all’ solutions are rarely appropriate;
4. Underlines that possible reforms need to avoid over-regulation and welcomes the Commission’s acknowledgement of this danger; recognises that there are benefits to having the same rules apply online and offline but believes that this should only be the case when the situations are truly comparable;
5. Highlights that, in line with its resolution of 19 January 2016 on Towards a Digital Single Market Act¹, the limited liability of intermediaries is essential to the protection of the openness of the internet, fundamental rights, legal certainty and innovation; welcomes the Commission’s intention to provide guidance to assist online platforms in remaining compliant with the e-Commerce Directive;
6. Cautions that increasing monitoring obligations on online platforms cannot substitute for effective enforcement of national or European laws addressing illegal content,

¹ Texts adopted, P8_TA(2016)0009.

particularly as private entities' actions cannot replace proper due process and the protections afforded for the free exercise of citizens' fundamental rights;

7. Notes the interim findings of the Commission's study into B2B practices by online platforms, and the concerns expressed by participants, particularly amongst SMEs; emphasises the importance of online platforms for SMEs seeking cost-effective market access and that those companies can be heavily penalised by unfair practices;
8. Notes that the Commission will be continuing to consider the most appropriate response to its assessment of B2B practices, but believes that, as a minimum, adequate procedures for dispute resolution and/or redress must be available; considers that measures to increase transparency over pricing and search ranking mechanisms would not only improve B2B relationships but also make consumers better informed;
9. Stresses that EU competition law is based on sound and established principles which are fit for purpose for the digital economy when applied rigorously; welcomes the proactive actions of the Commission on enforcement, and encourages work in particular on the interaction between control and use of data and competition law;
10. Stresses the need for the Commission to take timely decisions in competition cases in light of the fast moving pace of the digital sector; considers that sectoral Codes of Practice may also be effective tools to discourage anti-competitive practices, in addition to individual cases.

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