European Parliament
2019-2024

Committee on the Internal Market and Consumer Protection

2020/2018(INL)

18.5.2020

AMENDMENTS
312 - 598

Draft report
Alex Agius Saliba
(PE648.474v02-00)

Digital Services Act: Improving the functioning of the Single Market
(2020/2018(INL))
Amendment 312
Eugen Jurzyca

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

deleted

Or. en

Amendment 313
Marco Zullo

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that it is essential to distinguish between commercial content on the one hand and non-commercial content, such as posts from individual users, on the other and to adopt a more aligned approach at Union level, taking into account the different types of content, making the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that it is essential to distinguish between commercial content on the one hand and non-commercial content, such as posts from individual users, on the other and to adopt a more aligned approach at Union level, taking into account the different types of content, making the fight against illegal content more effective; considers that a clear and precise definition of what is meant by 'unlawful content' is needed;

Or. it
Amendment 314
Clara Ponsatí Obiols

Motion for a resolution
Paragraph 20

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, in particular what protected interest the content might damage, will make the fight against illegal content more effective and more consistent with the right of freedom of expression;

Or. en

Amendment 315
Edina Tóth

Motion for a resolution
Paragraph 20

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of disinformation online; believes, however, that a more aligned approach at Union level and the introduction of an obligation to ensure that illegal content stays down after being removed, taking into account the different types of content and technical capacities, will make the fight against illegal content more effective;

Or. en
Amendment 316
Adam Bielan, Beata Mazurek, Andżelika Anna Możdżanowska

Motion for a resolution
Paragraph 20

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; recalls the fact that misinformative and harmful content is not always illegal; requests further to establish a definition of illegal information and activities to simplify compliance; believes, that a more aligned approach at Union level will make the fight against illegal content more effective;

Or. en

Amendment 317
Dan-Ștefan Motreanu

Motion for a resolution
Paragraph 20

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of disinformation online; believes, however, that a more aligned and coordinated approach at Union level, taking into account the different types of content, will make the fight against both illegal content and harmful content that is legal yet harmful content more effective, more expeditious and less burdensome;

Or. en
Amendment 318
Geoffroy Didier

Motion for a resolution
Paragraph 20

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Or. fr

Amendment 319
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 20

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online since the concept of illegal and harmful content covers many aspects; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Or. en

Amendment 320
Pablo Arias Echeverría, Tomislav Sokol, Edina Tóth, Maria da Graça Carvalho,
Romana Tomc, Andreas Schwab

Motion for a resolution
Paragraph 20

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of disinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content and services offered by a platform, will make the fight against illegal content more effective;

Or. en

Amendment 321
Róża Thun und Hohenstein, Andrey Kovatchev, Maria da Graça Carvalho, Tomislav Sokol, Krzysztof Hetman

Motion for a resolution
Paragraph 20

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content, including cases of disinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal and harmful content more effective;

Or. en

Amendment 322
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja
Motion for a resolution
Paragraph 20

Motion for a resolution

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal activities; believes, however, that a more aligned approach at Union level, taking into account the different types of activities, will make the fight against illegal content more effective;

Or. en

Amendment 323
Andreas Schwab

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and cases of misinformation online; believes, however, that a more aligned approach at Union level, taking into account the different types of content, will make the fight against illegal content more effective;

Amendment

20. Notes that there is no ‘one size fits all’ solution to all types of illegal and harmful content and reiterates therefore the importance of the sector-specific legislation that has been established in the past and stresses that it should not be put into question by the revision of the E-Commerce directive;

Or. en

Amendment 324
Dan-Ștefan Motreanu

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

Calls for an aligned approach based on general principles, such as a duty of care,
which consists in online intermediaries taking all effective and appropriate measures to identify the risks, prevent the appearance of, remove and disable illegal content on their platform, remedy the negative consequences and report on the way they remedy it; considers that this should be a prerequisite for their qualification for exemptions from liability;

Amendment 325
Salvatore De Meo

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution  Amendment

20a. Calls for an aligned approach based on general principles, such as a duty of care, which consists in online intermediaries taking all effective and appropriate measures to prevent the appearance of, remove and disable illegal content on their platform; considers that this should be a prerequisite for their qualification for exemptions from liability;

Amendment 326
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution  Amendment

20a. Considers that this approach at Union level should be based on the principle of due diligence which is already
implemented by some players; underlines that, in the context of the Digital Services Act, this principle should notably mean that active online intermediaries should take also effective and appropriate measures to tackle and remove illegal content from their platform and that such proactive measures should be a precondition for the service providers to benefit from the exemption of liability provided for in the E-Commerce Directive;

Or. en

Amendment 327
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution Amendment

20a. Underlines that illegal content should be removed where it is hosted, and that access providers shall not be required to block access to content;

Or. en

Amendment 328
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution Amendment

20a. Stresses also that content that might be seen as 'illegal' in some Member States, may not be seen as such in others as only some type of 'illegal' content are
harmonised in the EU; notes that there is therefore no 'one size fits all' solution to all types of 'illegal' content;

Or. en

Amendment 329
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 20 b (new)

20b. Believes, however, that a more aligned approach at Union level, taking into account the different types of content and online platforms and based on cooperation and exchange of best practices, will make the fight against 'illegal' content more effective;

Or. en

Amendment 330
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 20 c (new)

20c. Underlines the need to adapt the severity of the measures that need to be taken by service providers to the seriousness of the infringement, so that the fight against terrorism, illegal hate speech, or child sexual abuse material take clear precedence over other types of infringements;

Or. en
Amendment 331
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Paragraph 21

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online;

Amendment

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online; considers that instead of applying algorithms for automated filtering technologies, a solid reform of the “notice and take down” framework should be introduced; stresses that in case filters are used, they need to be accompanied by robust safeguards for transparency and accountability with highly skilled independent and impartial public oversight; rejects therefore a “good samaritan clauses” for dominant platforms;

Or. en

Amendment 332
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Paragraph 21

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online;

Amendment

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought benefits; points that codes of conduct on countering illegal hate speech online improved the response of the platforms to the flagged content to 89% within 24 hours, 95 % under 48 hours, 99.3 % in a week; asks the Commission for the code
of conduct on actions related to feedback provided to users of platforms, to ensure that users are informed how their notifications were resolved;

Or. en

Amendment 333
Andreas Schieder, Sylvie Guillaume, Adriana Maldonado López, Clara Aguilera, Brando Benifei

Motion for a resolution
Paragraph 21

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online;

Amendment
21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but **strong** additional measures are needed in order to ensure the swift detection and removal of illegal content online; **stresses that voluntary actions and self-regulation by online platforms are not the appropriate way to find a solution for a fair level playing field**;

Or. en

Amendment 334
Kris Peeters

Motion for a resolution
Paragraph 21

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online;

Amendment
21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online; **stresses that legal obligations for digital service providers must be introduced on procedures**,
21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures **are needed** in order to ensure the swift detection and removal of illegal content online;
Amendment 337
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Paragraph 21

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online;

Amendment
21. Considers that voluntary actions and self-regulation by online platforms across Europe have led to the removal of content without a clear legal basis and are in contravention of Article 52 of the Charter hence a clear legal framework is needed in order to ensure the swift notification and removal of illegal content online;

Amendment 338
Róża Thun und Hohenstein, Andrey Kovatchev, Maria da Graça Carvalho, Tomislav Sokol

Motion for a resolution
Paragraph 21

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online;

Amendment
21. Considers that voluntary actions and self-regulation by online platforms across Europe have been proven unsatisfactory and much stronger measures are needed in order to ensure the swift detection and removal of illegal and harmful content online;
Amendment 339
Maria Grapini, Clara Aguilera, Marc Angel, Adriana Maldonado López

Motion for a resolution
Paragraph 21

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online;

Amendment
21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional binding measures are needed in order to ensure the swift detection and removal of illegal content online;

Or. en

Amendment 340
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Švenja Hahn

Motion for a resolution
Paragraph 21

21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought some benefits, but additional measures are needed in order to ensure the swift detection and removal of illegal content online;

Amendment
21. Considers that voluntary actions and self-regulation by online platforms across Europe have brought benefits and additional measures should be taken to ensure the swift detection and removal of illegal content online;

Or. en

Amendment 341
Adam Bielan, Beata Mazurek, Eugen Jurzyca, Andżelika Anna Możdżanowska

Motion for a resolution
Paragraph 21 a (new)

21a. Considers that more legal clarity is needed to encourage platforms and
information society services providers to engage in additional voluntary actions for content moderation, above what is required by law; points out that the current EU legal regime creates an incentive for platforms and information society services providers to either refrain from taking reasonable proactive moderation, or to over-remove valuable content in the course of moderating for fear of losing their safe harbour protections and facing legal consequences;

Amendment 342
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher

Motion for a resolution
Paragraph 21 a (new)

21a. Would welcome the adoption of measures which would allow online intermediaries to do further self-contROLS of content on their sites without fear of increased liability under the E-Commerce Directive; at the same time, disagrees with any measures which would require self-controls in order to qualify for limited liability protections;

Amendment 343
Geoffroy Didier

Motion for a resolution
Paragraph 21 a (new)
Motion for a resolution

21a. Notes that the principle of control by the country of origin makes it possible in particular to respect national specificities in matters of justice and control of content online; warns nevertheless against some abuses of this same principle which are reflected in a form of 'digital dumping';

Or. fr

Amendment 344
Pablo Arias Echeverría, Tomislav Sokol, Pilar del Castillo Vera, Edina Tóth, Maria da Graça Carvalho, Pascal Arimont, Marion Walsmann, Kris Peeters, Romana Tomc, Anna-Michelle Asimakopoulou, Andreas Schwab

Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

21a. Believes that where intermediaries are established in a third country, they should designate a legal representative, established in the Union, who can be held accountable for the products they offer;

Or. en

Amendment 345
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 21 b (new)

Motion for a resolution

21b. Underlines, however, the need to prevent a general monitoring of content uploads and for a light-handed approach by online intermediaries as to user
uploaded content of a non-commercial nature; underlines that algorithms are not able to fully understand context and the legal uses of content as outlined in EU and different national legislations; believes that filters based on algorithms alone systematically lead to the removal of legitimate content (‘false positives’) and the corruption of such systems to the benefit of unfair commercial practices; asks where there is a doubt as to a content being of an 'illegal' nature, that this content should not be removed before further investigation;

Or. en

Amendment 346
Adam Bielan, Beata Mazurek, Eugen Jurzyca, Andżelika Anna Możdżanowska

Motion for a resolution
Paragraph 21 b (new)

Motion for a resolution

Amendment

21b. Considers that any deployment of voluntary measures for content moderation shall not be treated as information society services providers having actual knowledge about illegal activities happening on their platforms, underlines that information society services providers shall not be held liable if they have not obtained actual knowledge or awareness of such activities; stresses that the limited liability principle has been one of the key enablers of European innovation;

Or. en

Amendment 347
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn
Motion for a resolution
Paragraph 21c (new)

Amendment

21c. Asks the Commission to issue a study on the removal of content and data during the COVID-19 crisis by automated decision-making and the level of removals in error (false positives) that were included in the number of items removed;

Or. en

Amendment 348
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Paragraph 22

Amendment

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

22. Calls on the Commission to address to which extend national rules in the Member States are circumventing the basic rule of the E-Commerce Directive - the country of origin principle and to propose concrete non-legislative or legislative measures including a transparent notice-and-action mechanism, that can empower both users and online intermediaries to deal appropriately with potentially illegal online content or behaviour, help information service providers to make faster and more precise decision on content moderation and which could empower the enforcement authorities to apply existing rules in a coherent and legally sound way; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy; stresses that content moderation rules and decisions should be clear and predictable for consumers;
Amendment 349
Clara Ponsati Obiols

Motion for a resolution
Paragraph 22

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, which ensures sufficient safeguards against abusive restrictive measures, including effective control by a court or other independent adjudicatory body and that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy; considers that such mechanism should also govern any content supervision by any authority in order to ensure protection against illegitimate interference with the right to freedom of expression;

Amendment 350
Dan-Ştefan Motreanu

Motion for a resolution
Paragraph 22

22. Calls on the Commission to address the increasing differences and

Amendment

22. Calls on the Commission to address the increasing differences and
fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

fragmentations of national rules in the Member States and to propose concrete targeted legislative measures including a notice-and-action mechanisms, without prejudice to existing right holder protections and remedies available under EU and national law, that can empower users and trusted flaggers to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures which must include effective stay down obligations for illegal content, including for identical or similar illegal content, and stronger and more transparent repeat infringers policies, would help guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment 351
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 22

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Or. en
been identified and removed as illegal;

Amendment 352
Jordi Cañas

Motion for a resolution
Paragraph 22

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy; considers that a notice and take down regime should be technology-neutral to be fit for the diversity of digital services provided by online platforms, as well as accessible to all actors and easy to use;

Amendment 353
Adam Bielan, Beata Mazurek, Eugen Jurzyca, Andżelika Anna Możdżanowska

Motion for a resolution
Paragraph 22

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete
legislative measures including a *notice-and-action* mechanism, that can empower users to notify *online intermediaries* of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of *users' and consumers'* protection while promoting consumer trust in the online economy;

legislative measures including a *well-defined notice-and-takedown* mechanism *with boundaries*, that can empower users to notify *online intermediaries* of the existence of potentially illegal online content or behaviour; *highlights that such mechanism could be only complete if it is introduced together with a counter-notice mechanism*; is of the opinion that such measures would guarantee a high level of protection *to all actors participating in the system*, while promoting consumer trust in the online economy;

Amendment 354
Adriana Maldonado López, Clara Aguilera

**Motion for a resolution**
**Paragraph 22**

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including *an effective and proportionate* notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour’ *ensuring that flagged illegal content is removed and does not reappear*; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment 355
Geoffroy Didier
Amendment 356  
Salvatore De Meo, Carlo Fidanza

Motion for a resolution  
Paragraph 22

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;
promoting consumer trust in the online economy;

Amendment 357
Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle
on behalf of the ID Group
Alessandra Basso

Motion for a resolution
Paragraph 22

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour and require platforms to react more quickly and to be more transparent about the actions taken; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment 358
Andreas Schieder, Adriana Maldonado López, Clara Aguilera

Motion for a resolution
Paragraph 22

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the
Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment 359
Marc Angel, Sándor Rónai

Motion for a resolution
Paragraph 22

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a harmonised notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment 360
Maria Grapini, Clara Aguilera, Marc Angel, Adriana Maldonado López

Motion for a resolution
Paragraph 22
22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete, and harmonized legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Or. en

Amendment 361
Róża Thun und Hohenstein, Andrey Kovatchev, Maria da Graça Carvalho, Tomislav Sokol, Krzysztof Hetman

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal or harmful online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Or. en
Amendment 362
Andreas Schwab

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a harmonised notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Or. en

Amendment 363
Anna-Michelle Asimakopoulou

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete legislative measures including a notice-and-action mechanism, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;

Amendment

22. Calls on the Commission to address the increasing differences and fragmentations of national rules in the Member States and to propose concrete targeted legislative measures including a notice-and-action mechanisms, that can empower users to notify online intermediaries of the existence of potentially illegal online content or behaviour; is of the opinion that such measures would guarantee a high level of users' and consumers' protection while promoting consumer trust in the online economy;
Amendment 364
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 22 a (new)

22a. Stresses that such a ‘notice-and-action’ mechanism must be human-centric and give the benefit of the doubt to users; underlines that safeguards against the abuse of the system should be introduced, including against repeated false flagging, unfair commercial practices and other schemes; underlines that for many small traders, the removal of even a single product can result in the collapse of a business;

Amendment 365
Andreas Schieder, Sylvie Guillaume, Adriana Maldonado López, Clara Aguilera, Maria Grapini, Brando Benifei

Motion for a resolution
Paragraph 22 a (new)

22a. Notes that Member States under the E-Commerce Directive must safeguard the protection of public interest, the protection of services of general interest, the protection of affordable housing, the prevention of competitive distortion and the safeguarding of the necessary
performance of public administration;

Or. en

Amendment 366
Geoffroy Didier

Motion for a resolution
Paragraph 22 a (new)

Motion for a resolution Amendment

22a. Requests specifically that platforms hosting and moderating content bear a responsibility proportional to their market position for the dissemination of illegal and harmful content;

Or. fr

Amendment 367
Salvatore De Meo

Motion for a resolution
Paragraph 22 a (new)

Motion for a resolution Amendment

22a. Stresses that a harmonized notice and action framework should comprise "staydown" obligations, which consist in taking all appropriate to prevent the reappearance of illegal content once it has been taken down;

Or. en

Amendment 368
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn
Motion for a resolution
Paragraph 22 b (new)

Motion for a resolution

22b. Notes the challenges around the enforcement of legal injunctions issued within Member States other than the country of origin of a service provider; stresses the need to investigate this issue outside the scope of the Digital Service Act and any ‘notice-and-action’ mechanism;

Or. en

Amendment 369
Marcel Kolaja

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Reminds that in line with Directive (EU) 2018/1808 (AVMS Directive) ex-ante control measures do not comply with article 15 of the Directive 2000/31/EC; underlines therefore that the future Digital Services Act should prohibit imposing on hosting service providers or other intermediary services mandatory automated technologies to control content;

Or. en

Amendment 370
Marco Zullo
Motion for a resolution
Paragraph 23

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Amendment

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved; calls on hosting intermediaries to make their content moderation and illicit content removal tools available to market watchdogs and the Commission to facilitate the development of common standards and the creation of new analysis and review tools;

Or. it

Amendment 371
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 23

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Amendment

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved; in this context, underlines that the legal liability regime and ban on general monitoring should not be weakened via a possible new legislation or the amendment of other sections of the E-commerce Directive, including the amendment of the...
definitions laid down in the Directive;

Or. en

Amendment 372
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved; reminds that the “primary” liability for illegal content should stay with a person uploading this content and should be different in volume and severity from “secondary” liability of service provider, i.e. responsibility for timely removal of illegal content;

Or. en

Amendment 373
Pablo Arias Echeverría, Róža Thun und Hohenstein, Tomislav Sokol, Andrey Kovatchev, Edina Tóth, Romana Tomc

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved; stresses
relevant and need to be preserved; however, that the liability regime necessitates further clarification regarding active and passive hosting in the situation when intermediaries have control over data by selecting, using and modifying it in order to optimise or promote it;

Amendment 374
Alexandra Geese
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 23

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Amendment
23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are pivotal for ensuring the availability of content online and for protecting the fundamental rights of users and need to be preserved; reminds that in line with Directive (EU) 2018/1808 (AVMS Directive) ex-ante control measures do not comply with article 15 of the Directive 2000/31/EC;

Amendment 375
Andreas Schwab

Motion for a resolution
Paragraph 23

23. Stresses that maintaining safeguards from the legal liability regime

Amendment
23. Stresses that maintaining safeguards from the legal liability regime
for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved; yet adapted to the current digital environment, meaning the rapid transformation and expansion of e-commerce in all its forms, with its multitude of different emerging services, providers and challenges;

Amendment 376
Andreas Schieder, Adriana Maldonado López, Clara Aguilera, Maria Grapini

Motion for a resolution
Paragraph 23

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Amendment

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and should be preserved in general, but needs to be adjusted to safeguard the principle "what is illegal offline is illegal online";

Amendment 377
Salvatore De Meo, Carlo Fidanza

Motion for a resolution
Paragraph 23

23. Stresses that maintaining safeguards from the legal liability regime

Amendment

23. Stresses that the legal liability regime for passive hosting online
for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

intermediaries with regard to user-uploaded content set out in Articles 12, 13 and 14 of the E-Commerce Directive and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Or. en

Amendment 378
Adriana Maldonado López, Clara Aguilera

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Amendment

23. Stresses that the legal liability regime for passive online intermediaries under Articles 12, 13 and 14 of the E-Commerce Directive and the general monitoring prohibition set out in Article 15 thereof Directive are still relevant and need to be preserved;

Or. es

Amendment 379
Dan-Ştefan Motreanu

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Stresses that maintaining safeguards from the legal liability regime for hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Amendment

23. Stresses that maintaining safeguards from the legal liability regime for passive hosting intermediaries with regard to user-uploaded content and the general monitoring prohibition set out in Article 15 of the E-Commerce Directive are still relevant and need to be preserved;

Or. en
Amendment 380
Tomislav Sokol, Pablo Arias Echeverría, Edina Tóth

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

23a. Bearing in mind the importance of intellectual property for the European economy as a whole, as well as for the normal functioning of the Single Market – especially with regard to freedom to provide services, and furthermore assuming that intellectual property is often infringed on Internet platforms, considers that the future regulatory framework should ensure effective enforcement of IPR provisions, especially with regard to the removal of illegal content from the digital platforms;

Or. en

Amendment 381
Salvatore De Meo

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

23a. Stresses that it needs to be clarified that the exemption of liability only applies to passive intermediaries; points out in this regard, that the Digital Services Act should clarify that interventions by hosting providers having editorial functions and a certain "degree of control over the data," through tagging, organizing, promoting, optimising, presenting or otherwise curating specific content for profit-making purposes should lead to a loss of safe harbour provisions due to their active nature;
Amendment 382
Dan-Ștefan Motreanu

Motion for a resolution
Paragraph 23 a (new)

23a. Stresses that it needs to be clarified that the limited liability only applies to passive intermediaries. In this regard, the Digital Services Act should clarify that interventions by hosting providers having editorial functions and a certain “degree of control over the data,” through tagging, organising, promoting, optimising, presenting or otherwise curating specific content for profit making purposes should lead to a loss of safe harbour provisions due to their active nature;

Amendment 383
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Paragraph 23 a (new)

23a. Asks the Commission to consider the introduction of the good Samaritan clause whereby service providers that use voluntary measures to detect and remove illegal content online should not lose their liability protection; reminds that voluntary content moderation measures does not necessarily means full knowledge about illegal content uploaded by users and cannot in any case mean introduction of general monitoring principle in any
Amendment 384
Alex Agius Saliba, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Brando Benifei, Maria Grapini, Andreas Schieder, Marc Angel, Evelyne Gebhardt

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

23a. Emphasises its scepticism about the introduction of “good Samaritan” provisions to exempt providers from liability when acting in “good faith” as this would encourage platforms to decide on what should be allowed or not and would risk reinforcing impunity, creating obstacles for enforcement; considers that the import of US law provisions are not fit-for-purpose in Union law;

Amendment

Or. en

Amendment 385
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

23a. Asks the Commission to improve consumer rights in the future regulation, by introducing safeguards to prevent violations, which are missing from Directive 2000/31/EC; notes that this should include as a minimum internal and external dispute mechanism, and the clearly stated possibility of judicial

Amendment

Or. en
redress;

Amendment 386
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution
Amendment

23a. Asks the Commission to review the Annex to the E-Commerce Directive and, where relevant, remove or further limit the derogations granted there; notes that a significant and ever increasing part of the Digital Single Market is made up of services included there within;

Amendment 387
Andreas Schieder, Adriana Maldonado López, Clara Aguilera

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution
Amendment

23a. Notes that Member States should ensure, that upon request, the service provider supplies to the competent authorities of the country of destination all the data required for public administration to fulfil its tasks needed to enforce law;

Amendment 388
Sandro Gozi, Stéphanie Yon-Courtin
Motion for a resolution  
Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Calls on the Commission to clarify the definition of active and passive hosting intermediaries taking into account the existing jurisprudence of the Court of Justice; stresses that exemption from liability by default should be limited to passive hosts;

Or. en

Amendment 389
Edina Tóth

Motion for a resolution  
Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Systemic platforms should face legal obligations in respect to illegal content, including accountability for content moderation, as well as proactive measures to address such content on their services;

Or. en

Amendment 390
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution  
Paragraph 23 b (new)

Motion for a resolution

Amendment

23b. Notes that online intermediaries might encrypt or otherwise prevent outside access to their content by third
parties, including hosting intermediaries, who do not have the encryption key; believes therefore that any requirements should take this and similar practical problems into account;

Amendment 391
Salvatore De Meo

Motion for a resolution
Subheading 6

24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights; stresses, in this context, the need for a possibility to always identify manufacturers and sellers of products from third countries; underlines that if one of the services provided by a platform can be considered a marketplace ("hybrid platforms"), the rules should fully apply.
to that part of the business; and asks the online marketplaces to enhance their cooperation by exchanging information on the seller of these products with the market surveillance and the custom authorities;

Amendment 393
Andreas Schieder, Sylvie Guillaume, Adriana Maldonado López, Clara Aguilera

Motion for a resolution
Paragraph 24

Motion for a resolution
24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights;

Amendment
24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules and standards on product safety and do not sufficiently guarantee consumer rights; stresses that fraudulent practices, such as fake shops, fraud by advance payment or phishing often lead to financial damages for consumers;

Amendment 394
Jean-Lin Lacapelle, Virginie Joron

Motion for a resolution
Paragraph 24

Motion for a resolution
24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at

Amendment
24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at
the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights;

the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and to create unsustainable, distorted competition both for SMEs and for large companies, whose licensed production they sometimes copy, and do not sufficiently guarantee consumer rights;

Or. fr

Amendment 395
Salvatore De Meo

Motion for a resolution
Paragraph 24

24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights;

24. Notes that while online platforms, such as online market places, price comparison tools, or online advertising platforms, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights;

Or. en

Amendment 396
Brando Benifei, Maria Grapini, Andreas Schieder, Sylvie Guillaume, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera

Motion for a resolution
Paragraph 24

24. Notes that while online platforms, such as online market places, have

24. Notes that while online platforms, such as online market places, have
benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights;

benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety or are counterfeit and do not sufficiently guarantee consumer rights;

Amendment 397
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

Motion for a resolution
Paragraph 24

24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights;

24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, an increasing number of non-compliant sellers - especially from third countries – are offering unsafe or illegal products in the European market;

Amendment 398
Róża Thun und Hohenstein, Andrey Kovatchev, Tomislav Sokol

Motion for a resolution
Paragraph 24

24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in

24. Notes that while online platforms, such as online market places, have benefited both retailers and customers by improving choice and lowering prices, at the same time, they have allowed sellers, in
particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights;

Or. en

Amendment 399
Eugen Jurzyca

Motion for a resolution
Paragraph 24

24. Notes that while online platforms, such as online market places, have benefited both retailers and consumers by improving choice and lowering prices, at the same time, they have allowed sellers, in particular from third countries, to offer products which often do not comply with Union rules on product safety and do not sufficiently guarantee consumer rights;

Or. en

Amendment 400
Marco Zullo

Motion for a resolution
Paragraph 24 a (new)

24a. If one of the services provided by an online platform turns out to be an online marketplace as defined by the Omnibus Directive, the rules for online markets must be applied to that part of the business;

Or. it
Amendment 401
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Paragraph 25

Motion for a resolution  Amendment

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards; 25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards; stresses that in view of commercial activities on online market places, self regulation provided to be insufficient and therefore, asks the Commission to introduce strong safeguards and obligations for product safety and consumer protection for commercial activities on online market places, accompanied by a tailored liability regime with proper enforcement mechanisms;

Or. en

Amendment 402
Marco Zullo

Motion for a resolution
Paragraph 25

Motion for a resolution  Amendment

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards; 25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards; considers the timely application of the E-Commerce Directive to be essential with regard to platform accountability for failure to remove or prevent access for illegal or unsafe products or to take swift and effective measures to prevent their reappearance if they are aware of them;
Amendment 403
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Amendment

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards; calls on the Commission to introduce an obligation for online platforms to inform consumers once a product they have bought has been removed from the platform following notification on its non-compliance with the EU product safety and consumer protection rules;

Or. en

Amendment 404
Alex Agius Saliba, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Brando Benifei, Andreas Schieder, Marc Angel, Sándor Rónai, Evelyne Gebhardt, Biljana Borzan, Sylvie Guillaume

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Amendment

25. Calls on the Commission to address issues related to online marketplaces in the Digital Services Act and asks for a thorough analysis of the interaction between the Digital Services Act and the Union product safety and chemicals legislation; stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products,
containing dangerous chemicals, as well as other safety hazards;

Amendment 405
Marion Walsmann, Pablo Arias Echeverría, Andrey Kovatchev, Pascal Arimont, Christian Doleschal

Motion for a resolution
Paragraph 25

Motion for a resolution
Amendment

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Or. en

Amendment 406
Maria Grapini, Clara Aguilera, Marc Angel, Adriana Maldonado López

Motion for a resolution
Paragraph 25

Motion for a resolution
Amendment

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards; and, therefore, asks the Commission to increase the responsibility of online marketplaces selling non-food consumer products as outlined in the annex;

Or. en
Amendment 407
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Amendment

25. Stresses that it is unacceptable that consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards; notes in this context the existence of the Rapid Alert System for dangerous non-food products;

Or. en

Amendment 408
Monika Beňová

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Amendment

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards, that pose risks to human health;

Or. en

Amendment 409
Andreas Schwab

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing

Amendment

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products;
dangerous chemicals, as well as other safety hazards;

Amendment 410
Brando Benifei, Andreas Schieder, Sylvie Guillaume, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Marc Angel

Motion for a resolution
Paragraph 25

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Amendment
25. Stresses that it is unacceptable that Union consumers are exposed to illegal, counterfeit and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Amendment 411
Róża Thun und Hohenstein, Andrey Kovatchev, Tomislav Sokol

Motion for a resolution
Paragraph 25

25. Stresses that it is unacceptable that Union consumers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Amendment
25. Stresses that it is unacceptable that Union customers are exposed to illegal and unsafe products, containing dangerous chemicals, as well as other safety hazards;

Amendment 412
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja
Motion for a resolution
Paragraph 25 a (new)

Motion for a resolution

Amendment

25a. Calls for the Digital Services Act to address issues related to online marketplaces; asks for the full implementation of Union product safety and chemicals legislation and calls for a review on the General Product Safety Directive and the Product Liability Directive; calls on Member States to devote sufficient capacities to improve the enforcement of EU product safety and chemicals legislation and for the Commission to provide adequate support in doing so;

Or. en

Amendment 413
Adriana Maldonado López, Clara Aguilera

Motion for a resolution
Paragraph 25 a (new)

Motion for a resolution

Amendment

25a. Stresses that, if an unsafe or illegal product is withdrawn, the platform must inform consumers who have purchased it and cooperate with the authorities, as well as reporting all products on its platform that are considered illegal or unsafe;

Or. es

Amendment 414
Salvatore De Meo

Motion for a resolution
Paragraph 25 a (new)
Motion for a resolution

Amendment

25a. Encourages the Commission to introduce a new obligation for online platforms to inform consumers who have bought illegal goods, once that product has been removed from their platform following a valid notification from a right holder or an enforcement authority;

Or. en

Amendment 415
Eugen Jurzyca

Motion for a resolution
Paragraph 26

Motion for a resolution

Amendment

26. Calls on the Commission to remedy the current legal loophole which allows suppliers established outside the Union to sell products online to European consumers which do not comply with Union rules on safety and consumer protection, without being sanctioned or liable for their actions and leaving consumers with no legal means to enforce their rights or being compensated by any damages;

deleted

Or. en

Amendment 416
Marc Angel, Sylvie Guillaume, Brando Benifei, Adriana Maldonado López, Maria Grapini, Clara Aguilera

Motion for a resolution
Paragraph 26

Motion for a resolution

Amendment

26. Calls on the Commission to remedy

26. Stresses the importance of the
the current legal loophole which allows suppliers established outside the Union to sell products online to European consumers which do not comply with Union rules on safety and consumer protection, without being sanctioned or liable for their actions and leaving consumers with no legal means to enforce their rights or being compensated by any damages;

rules of the Regulation (EU) 2019/1020 on market surveillance and compliance of products about liability and conformity of products imported from third countries;
calls on the Commission to remedy the current further legal loophole which allows suppliers established outside the Union to sell products online to European consumers which do not comply with Union rules on safety and consumer protection, without being sanctioned or liable for their actions and leaving consumers with no legal means to enforce their rights or being compensated by any damages;

Or. en

Amendment 417
Arba Kokalari

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Calls on the Commission to remedy the current legal loophole which allows suppliers established outside the Union to sell products online to European consumers which do not comply with Union rules on safety and consumer protection, without being sanctioned or liable for their actions and leaving consumers with no legal means to enforce their rights or being compensated by any damages;

Amendment

26. Calls on the Commission to take measures to improve compliance with legislation by platforms established outside the Union and remedy the current legal loophole which allows these platforms to sell products online to European consumers which do not comply with Union rules on safety and consumer protection, without being sanctioned or liable for their actions and leaving consumers with no legal means to enforce their rights or being compensated by any damages;

Or. sv

Amendment 418
Adriana Maldonado López, Clara Aguilera, Marc Angel
Motion for a resolution
Paragraph 26

26. Calls on the Commission to remedy the current legal loophole which allows suppliers established outside the Union to sell products online to European consumers which do not comply with Union rules on safety and consumer protection, without being sanctioned or liable for their actions and leaving consumers with no legal means to enforce their rights or being compensated by any damages;

Amendment

26. Calls on the Commission to remedy the current legal loophole which allows suppliers established outside the Union to sell products online to European consumers which do not comply with Union rules on safety and consumer protection or other European legislation applicable, without being sanctioned or liable for their actions and leaving consumers with no legal means to enforce their rights or being compensated by any damages;

Or. es

Amendment 419
Marco Zullo

Motion for a resolution
Paragraph 26 a (new)

26a. Calls on the Commission to step up requirements for service providers to inform consumers promptly in the event of safety issues with products sold on their platforms and to consider, in consultation with service providers and market watchdogs, the introduction of efficient and reliable product certification procedures to prevent non-compliant products from being sold on the platform;

Amendment

26a. Calls on the Commission to step up requirements for service providers to inform consumers promptly in the event of safety issues with products sold on their platforms and to consider, in consultation with service providers and market watchdogs, the introduction of efficient and reliable product certification procedures to prevent non-compliant products from being sold on the platform;

Or. it

Amendment 420
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja
Motion for a resolution
Paragraph 26 a (new)

Motion for a resolution

Amendment

26a. Stresses that consumers should be equally safe whether shopping online or in brick-and-mortar shops; stresses that the Digital Services Act must set up clear obligations for online platforms and create an adapted regime for online marketplaces similar to brick-and-mortar shops; calls on Member States to undertake more joined market surveillance actions and to step up collaboration with customs authorities to check the safety of products sold online before they reach consumers;

Or. en

Amendment 421
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 26 a (new)

Motion for a resolution

Amendment

26a. Asks the Commission to act at global level for minimum requirements for business information disclosure when trading online with consumers, the promotion of good practice via the development of new guidelines and the use of existing standards and the creation of a network of consumer centres to help European consumers to handle disputes with traders based in non-EU countries;

Or. en

Amendment 422
Adriana Maldonado López, Clara Aguilera
Motion for a resolution

Paragraph 26 a (new)

**Amendment**

26a. Stresses that, to meet product accountability and transparency requirements, online marketplaces must at least collect and verify sellers' contact information before allowing the creation of a new account;

Or. es

Amendment 423
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Paragraph 26 a (new)

**Amendment**

26a. Asks the Commission to provide exact data and analyses on unsafe and dangerous products originated from both the Union and third countries;

Or. en

Amendment 424
Jordi Cañas

Motion for a resolution
Paragraph 26 a (new)

**Amendment**

26a. Draws attention to the fact that the size of online platforms varies from multinationals to micro-enterprises; stresses the importance of fair and effective competition between online
platforms in order to promote consumer choice and avoid the creation of monopolies or dominant positions that distort the markets through abuse of market power;

Amendment 425
Alexandra Geese
on behalf of the Greens/EFA Group
Petra De Sutter, Marcel Kolaja

Motion for a resolution
Paragraph 26 b (new)

Motion for a resolution

Amendment

26b. Notes that the amount of free returns of goods sold online has been increasing over the years, leading to costs that create barriers for SMEs and start-ups, as well as considerable costs to the environment and society as a whole, which are currently not being reflected in any way to the consumer; considers that the environmental impact of delivery methods and packaging from recycled materials should also be taken into consideration by consumers when making purchases;

Amendment 426
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 26 b (new)

Motion for a resolution

Amendment

26b. Notes the continued issues of the abuse or wrong application of selective
distribution agreements to limit the availability of products and services across borders within the Single Market and between platforms; asks the Commission to act on this issue within any wider review of Vertical Bloc Exemptions and other policies under Article 101 TFEU while refraining from its inclusion in the Digital Services Act;

Amendment 427
Alexandra Geese
on behalf of the Greens/EFA Group
Petra De Sutter, Marcel Kolaja

Motion for a resolution
Paragraph 26 c (new)

Motion for a resolution Amendment

26c. Acknowledging the importance of the right of withdrawal for online or off-premises purchases, calls upon the Commission to enable consumers to make better informed choices by enlarging the information available to them on the cost of the return of goods for the company, environment and society as a whole;

Amendment 428
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher

Motion for a resolution
Paragraph 26 c (new)

Motion for a resolution Amendment

26c. Treatment of contracts [NEW SECTION TITLE]
Amendment 429
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher

Motion for a resolution
Paragraph 26 d (new)

Motion for a resolution

Amendment

26 d. Asks the Commission to review all notifications under Article 9, paragraph 3 of the E-Commerce Directive and, where the Commission believes they are no longer merited, to require Member States to remove such requirements; asks, moreover, that this review take part every two years instead of five;

Amendment 430
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 26 e (new)

Motion for a resolution

Amendment

26 e. Notes the rise of “smart contracts” based on distributed ledger technologies; asks the Commission to analyse if certain aspects of “smart contracts” should be clarified and if guidance should be given in order to ensure legal certainty for businesses and consumers; asks especially for the Commission to work to ensure that such contracts with consumers are valid and binding throughout the Union, that they meet the standards of consumer law, for example the right of withdrawal under Directive 2011/83/EU, and that they are not subject to national barriers to
application, such as notarisation requirements;

Amendment 431
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 26 f (new)

Motion for a resolution  
26 f. Asks the Commission, while recalling earlier efforts, to further review the practice of End User Licensing Agreements (EULAs) and Terms and Conditions Agreements (T&Cs) and to seek ways to allow greater and easier engagement for consumers, including in the choice of clauses; notes that EULAs and T&Cs are often accepted by users without reading them; notes, moreover, that when a EULA and T&Cs does allow for users to opt-out of clauses, service providers may require users to do so at each use, often in bad faith, to encourage acceptance;

Amendment 432
Petra Kammerrevert

Motion for a resolution
Subheading 7

Motion for a resolution  
Ex-ante regulation of systemic platforms  
Ex ante regulation of dominant platforms

Or. de
Amendment 433
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Subheading 7

Motion for a resolution
Ex ante regulation of systemic platforms

Amendment
Ex ante regulation of dominant platforms

Or. en

Amendment 434
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Paragraph 27

Motion for a resolution
27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy;

Amendment
27. Notes that large platforms acquired a huge amount of data and replaced services of a diverse and decentralised system with open standards by “walled gardens” with locked-in users; stresses that as a consequence some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy; considers it therefore necessary to introduce additional obligations regarding data protection, transparency, user choice and interoperability in order to guarantee a level playing field and consumer welfare;

Or. en

Amendment 435
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 27
27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy;

Amendment
27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy; *stresses the need to continue the regulatory debate on mechanisms to preserve the level playing field and integrity of the internal market in order to tackle the distortion of competition and the limitation of consumer choice that could be caused by the potential abuse of dominant position of a small number of online platforms;*

Or. en

Amendment 436
Beata Mazurek, Eugen Jurzyca, Andżelika Anna Możdżanowska

Motion for a resolution
Paragraph 27

Motion for a resolution
27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy;

Amendment
27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy; *reminds that regulation may also act as a gatekeeper, as large companies can benefit from their scale and regulatory reach which enables them to adapt to new regulations which smaller companies find too complex or costly to comply with;*

Or. en

Amendment 437
Marco Zullo
Motion for a resolution
Paragraph 27

27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy;

Amendment

27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy; calls on the Commission to draw up a definition of a 'systemic platform' on the basis of clear and measurable economic indicators in order to determine, for example, whether stricter accountability is justified;

Or. it

Amendment 438
Pilar del Castillo Vera, Maria da Graça Carvalho, Pablo Arias Echeverría

Motion for a resolution
Paragraph 27

27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy;

Amendment

27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy and create new bottlenecks through inflexible terms of access, limited access to operating systems’ functionalities or access to user transactions’ data;

Or. en

Amendment 439
Eugen Jurzyca, Adam Bielan

Motion for a resolution
Paragraph 27
27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy; notes, however, that concentration in the digital economy as measured by the Herfindahl-Hirschman Index (HHI) is actually stagnating or decreasing;

Amendment 440
Marion Walsmann, Pablo Arias Echeverría, Andrey Kovatchev, Pascal Arimont, Christian Doleschal, Maria da Graça Carvalho

Motion for a resolution
Paragraph 27

27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy and asks the Commission to analyse the consequences this has for consumers, SMEs and the Single Market;

Amendment 441
Monika Beňová

Motion for a resolution
Paragraph 27

27. Notes that, today, some markets are characterised by large platforms with significant network effects which are able to act as de facto “online gatekeepers” of the digital economy;

Or. en
significant network effects which are able to act as de facto “online gatekeepers” of the digital economy;

Amendment 442
Petra Kammerevert

Motion for a resolution
Paragraph 27

Amendment

27. Notes that, today, some markets are characterised by dominant platforms with network effects which are able to act as de facto “online gatekeepers” of the digital economy;

Amendment 443
Andreas Schwab

Motion for a resolution
Paragraph 27 a (new)

Amendment

27a. Notes in particular, that the use of data from one market to expand into another can be problematic as well as the possibility or obligation to use one e-identification designed by one service provider for several platforms;

Amendment 444
Eugen Jurzyca
Motion for a resolution
Paragraph 27 a (new)

Motion for a resolution

27a. Stresses that in order to promote competition and maximize consumer welfare, ex ante regulations of large platforms with significant network effects should take into account their already decreasing market share;

Amendment 445
Beata Mazurek, Eugen Jurzyca, Andżelika Anna Moźdżanowska

Motion for a resolution
Paragraph 28

Motion for a resolution

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;
believes that any regulatory intervention in this area should be supported by evidence demonstrating proven market failures and that the activities of such large platforms have resulted in significant consumer harm;

Amendment 446
Marco Zullo
Motion for a resolution
Paragraph 28

Motion for a resolution

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Amendment

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms, especially regarding data-sharing issues, interoperability, open protocols and standards, digital identity and dominant internal market positions, has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Or. it

Amendment 447
Andrey Kovatchev

Motion for a resolution
Paragraph 28

Motion for a resolution

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Amendment

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms, by ensuring a fair and non-discriminatory access to large platforms, including a prohibition of preferential treatment of their own services, has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone.

Or. en
Motion for a resolution
Paragraph 28

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone; and considers that such regulation should build upon the Platform to Business Regulation.¹a


Or. en

Amendment 449
Marc Angel

Motion for a resolution
Paragraph 28

28. Considers that by reducing barriers to market entry and by providing a framework to deal with large platforms that play a “gatekeeper role” in a given market, ex-ante regulatory remedies to be
open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone; imposed, on a case-by-case basis by competition authorities on these large platforms have the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Or. en

Amendment 450
Dan-Ștefan Motreanu

Motion for a resolution
Paragraph 28

Motion for a resolution

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Amendment

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies for unfair market practices on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Or. en

Amendment 451
Eugen Jurzyca, Adam Bielan

Motion for a resolution
Paragraph 28

Motion for a resolution

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on

Amendment

28. Considers that reducing barriers to market entry, including regulatory barriers, has the potential to open up markets to new entrants, including SMEs
these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone; and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone; stresses that ex-ante measures should be in line with the antitrust rules within the competition framework of the Union;

Amendment 452
Pilar del Castillo Vera, Maria da Graça Carvalho, Pablo Arias Echeverría

Motion for a resolution
Paragraph 28

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Amendment
28. Considers that by reducing barriers to market entry and by regulating large platforms with significant market power has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Amendment 453
Petra Kammerevert

Motion for a resolution
Paragraph 28

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to

Amendment
28. Considers that by reducing barriers to market entry and by regulating dominant platforms, an internal market instrument imposing ex-ante regulatory remedies on dominant platforms has the
open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone; potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation more efficiently and appropriately;

Amendment 454
Pablo Arias Echeverría, Pilar del Castillo Vera, Tomislav Sokol, Andrey Kovatchev, Edina Tóth, Maria da Graça Carvalho, Romana Tomc, Andreas Schwab

Motion for a resolution
Paragraph 28

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Or. de

Amendment 455
Arba Kokalari

Motion for a resolution
Paragraph 28

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs, entrepreneurs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Or. en
SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by the existing competition law enforcement alone;

Amendment 456
Anna-Michelle Asimakopoulou

Motion for a resolution
Paragraph 28

28. Considers that by reducing barriers to market entry and by regulating large platforms, an internal market instrument imposing ex-ante regulatory remedies on these large platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Amendment

28. Considers that by reducing barriers to market entry and by regulating systemic platforms, an internal market instrument imposing ex-ante regulatory remedies on these systemic platforms has the potential to open up markets to new entrants, including SMEs and start-ups, thereby promoting consumer choice and driving innovation beyond what can be achieved by competition law enforcement alone;

Amendment 457
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Paragraph 28 a (new)

(1) Considers that increased transparency from platforms on data sharing is crucial in view of guaranteeing the functioning of an ex-ante rule regulation; notes that self-reporting without the ability to audit is not sufficient and therefore, stresses that authorities should have powers to compel data from
dominant platforms and need to be equipped with staff and resources to properly interpret that data;

Amendment 458
Maria da Graça Carvalho
Motion for a resolution
Paragraph 28 a (new)

28a. Considers that access to these platforms by other business actors shall be ensured in a fair way, avoiding discrimination and self-preferencing practices and the violation of normative regulatory principles; considers that the Commission in coordination with national regulatory authorities should establish mechanisms to conduct regular fully fledged market investigations on gatekeeper platforms to assess their compliance with Union competition laws and impose remedies when needed;

Amendment 459
Andrey Kovatchev
Motion for a resolution
Paragraph 28 a (new)

28a. Calls on the Commission to propose asymmetrical ex-ante rules on large platforms with significant network effects, acting as gatekeepers, which would ensure a level-playing field for all digital operators, fair and non-discriminatory access, including a
prohibition of preferential treatment of their own services;

Amendment 460
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Paragraph 28 a (new)

Motion for a resolution
Amendment

28a. Underlines that additional ex-ante regulation on small and medium-sized enterprises should be avoided wherever possible and that additional requirements on systemic platforms should not lead to additional requirements for those businesses that use them;

Or. en

Amendment 461
Pablo Arias Echeverría, Pilar del Castillo Vera, Róża Thun und Hohenstein, Tomislav Sokol, Maria da Graça Carvalho, Pascal Arimont, Romana Tome, Andreas Schwab

Motion for a resolution
Paragraph 28 a (new)

Motion for a resolution
Amendment

28a. Believes that the ex-ante regulatory instrument should ensure fair trading conditions on all platforms, including possible additional requirements – for example, a list of obligations/prohibitions – for those that play a gatekeeper role;

Or. en
Amendment 462
Alexandra Geese
on behalf of the Greens/EFA Group
Karen Melchior

Motion for a resolution
Paragraph 28 a (new)

28a. Calls on the Commission to introduce an obligation for systemic platforms to unbundle hosting and content moderation activities thereby allowing third parties to offer content moderation or curation services to the platforms’ users;

Or. en

Amendment 463
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Paragraph 28 b (new)

28b. Underlines that interoperability between competing or complementary products and services is key in a free and competitive market to enable choice for users and innovative services, and allow them to easily communicate with users of other providers’ services, thereby incentivising systemic platforms to improve their service quality;

Or. en

Amendment 464
Alexandra Geese
on behalf of the Greens/EFA Group
Amendment 465
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Paragraph 28 d (new)

28 d. Recommends that providers which support a single sign-on service with a dominant market share should be required to also support at least one open and federated identity system based on a non-proprietary framework;
Motion for a resolution
Paragraph 29

29. **Believes that, in view of the cross-border nature of digital services, effective supervision and cooperation between Member States is key to ensuring the proper enforcement of the Digital Services Act;**

29. **Believes that, in view of the cross-border nature of digital services, effective supervision and cooperation between Member States is key to ensuring the proper enforcement of the Digital Services Act; stresses therefore, that it is not only necessary that competent authorities of the country of destination receive all the data required for public administration to fulfil their tasks needed to enforce law, but considers necessary to enlarge the derogations from article 3 in the Annex by adding provisions related to tax and housing policies;**

Amendment 467
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 29

29. **Believes that, in view of the cross-border nature of digital services, effective supervision and cooperation between Member States is key to ensuring the proper enforcement of the Digital Services Act;**

29. **Welcomes the Commission intention to introduce as part of the future Digital Services Act, targeted ex ante regulation to tackle systemic issues specific to digital markets as well as a tool to prevent market tipping; stresses the intrinsic complementarity between internal market regulation and competition policy, as emphasised in the report by the Commission's special advisers entitled Competition Policy for the Digital Era';**

Or. en
Amendment 468
Maria-Manuel Leitão-Marques, Adriana Maldonado López, Clara Aguilera, Brando Benifei

Motion for a resolution
Paragraph 29

29. Believes that, in view of the cross-border nature of digital services, effective supervision and cooperation between Member States is key to ensuring the proper enforcement of the Digital Services Act;

Amendment

29. Believes that, in view of the cross-border nature of digital services, effective supervision and cooperation between Member States is key to ensuring the proper enforcement of the Digital Services Act; believes that the development of interoperable systems for data sharing can be a valuable tool for strengthening the supervision and enforcement of the Digital Services Act, building mutually beneficial cooperation;

Or. en

Amendment 469
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Paragraph 29

29. Believes that, in view of the cross-border nature of digital services, effective supervision and cooperation between Member States is key to ensuring the proper enforcement of the Digital Services Act;

Amendment

29. Believes that, in view of the cross-border nature of digital services, effective cooperation between Member States, including sharing the best practices, is key to ensuring the proper enforcement of the Digital Services Act;

Or. en

Amendment 470
Jean-Lin Lacapelle, Virginie Joron

Motion for a resolution
Paragraph 29
Motion for a resolution

29. Believes that, in view of the cross-border nature of digital services, effective supervision and cooperation between Member States is key to ensuring the proper enforcement of the Digital Services Act;

Amendment

29. Believes that, in view of the cross-border nature of digital services, effective cooperation between Member States is key to ensuring the proper enforcement of the Digital Services Act;

Or. fr

Amendment 471
Pablo Arias Echeverría, Pilar del Castillo Vera, Tomislav Sokol, Andrey Kovatchev, Romana Tomc, Andreas Schwab

Motion for a resolution
Paragraph 29 a (new)

Motion for a resolution

(a) Believes that the root cause of the remaining unjustified obstacles in the digital single market stem from different regulatory choices at Union and at national level, imperfect or inadequate transposition, implementation and enforcement of Union legislation, insufficient administrative capacity and practices in Member States, as well as protectionist measures carried out by Member States; calls on the Commission to address those causes in close cooperation with Member States;

Or. en

Amendment 472
Geoffroy Didier

Motion for a resolution
Paragraph 29 a (new)
Motion for a resolution

Amendment

29a. Stresses that, taking into account national specificities in the field of online justice, and in order to improve coordination and reduce disparities between Member States, cooperation and exchange mechanisms should be set up between national regulatory authorities;

stresses that, with regard to illegal and harmful content, the Member States must be fully involved, in so far as assessments of the legality of content vary according to the State;

Or. fr

Amendment 473
Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle
on behalf of the ID Group
Alessandra Basso

Motion for a resolution
Paragraph 30

Motion for a resolution

Amendment

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

deleted

Or. en

Amendment 474
Sandro Gozi, Stéphanie Yon-Courtin
Motion for a resolution
Paragraph 30

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

Amendment 475
Marion Walsmann, Christian Doleschal, Maria da Graça Carvalho

Motion for a resolution
Paragraph 30

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

Amendment 476
Eugen Jurzyca
should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

Amendment 477
Kris Peeters

Motion for a resolution
Paragraph 30

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers; believes it should investigate whether and how digital service providers amplify illegal content through their use of algorithms; considers that the transparency reports drawn up by digital service providers should be made available to this regulatory authority, which should be tasked with providing a structured analysis of illegal content removal and blocking at Union level;

Amendment 478
Dita Charanzová, Ivars Ijabs, Andrus Ansip, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 30
30. **Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with** the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

**Amendment**

30. **Asks the Member States to strengthen national regulatory authorities with the financial means and staff to allow for full oversight of online intermediaries established within their territories; believes that the Commission, through the Joint Research Centre, should be empowered to provide expert assistance to the Member States, upon request, towards the analysis of technological, administrative, or other matters in relation to the Digital Single Market legislative enforcement; encourages the Member States to pool and share best practices between national regulators, and to grant regulators legal authority to communicate between themselves in a secure manner;**

**Or. en**

Amendment 479
Pilar del Castillo Vera

Motion for a resolution
Paragraph 30

**Motion for a resolution**

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

**Amendment**

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers; **stresses however that the Body of European Regulators in Electronic Communications should play a major role in identifying relevant markets and significant market power and in imposing ex ante remedies;**

**Or. en**
Amendment 480
Pablo Arias Echeverría, Pilar del Castillo Vera, Tomislav Sokol, Andrey Kovatchev, Romana Tomc, Maria da Graça Carvalho, Marion Walsmann, Kris Peeters

Motion for a resolution
Paragraph 30

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

Amendment

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with strong investigation and enforcement powers; stresses that cooperation between national as well as other Member States’ authorities, civil society and consumer organisations is of utmost importance for achieving effective enforcement;

Or. en

Amendment 481
Andreas Schieder, Sylvie Guillaume, Adriana Maldonado López, Clara Aguilera, Maria Grapini

Motion for a resolution
Paragraph 30

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

Amendment

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with the appropriate investigation and enforcement powers needed to act and to promote cooperation between Member States in compliance with their respective national legislation;
Amendment 482
Andreas Schwab

Motion for a resolution
Paragraph 30

30. Considers that a central regulatory authority should be established which should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

Amendment

30. Considers that the Commission should be responsible for the oversight and compliance with the Digital Services Act and have supplementary powers to tackle cross-border issues; it should be entrusted with investigation and enforcement powers;

Amendment 483
Alexandra Geese
on behalf of the Greens/EFA Group
Alex Agius Saliba, Marcel Kolaja

Motion for a resolution
Paragraph 30 a (new)

30a. Underlines that part of the investigative powers of the authority should be the right to conduct audits; considers in this regard that it is essential for the software documentation, the algorithms and data sets used to be fully accessible to the authority, while respecting Union law;

Amendment

30a. Underlines that part of the investigative powers of the authority should be the right to conduct audits; considers in this regard that it is essential for the software documentation, the algorithms and data sets used to be fully accessible to the authority, while respecting Union law;
Amendment 484
Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle
on behalf of the ID Group
Alessandra Basso

Motion for a resolution
Paragraph 30 a (new)

Motion for a resolution

Amendment

30a. Notes that over the years national authorities managed and solved critical aspects related to the evolution of e-commerce in an effective but fragmented way within the Union; stresses that a consistent approach between Member States is desirable;

Or. en

Amendment 485
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Paragraph 30 b (new)

Motion for a resolution

Amendment

30b. Stresses that next to corrective powers, part of the enforcement powers of the authority should also be the right to issue fines of up to 30 000 000 EUR, or in the case of an undertaking, up to 5 % of the total worldwide annual turnover;

Or. en

Amendment 486
Andreas Schwab

Motion for a resolution
Paragraph 31
Motion for a resolution

31. Takes the view that the central regulatory authority should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

Or. en

Amendment 487
Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle
on behalf of the ID Group
Alessandra Basso

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Takes the view that the central regulatory authority should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

Or. en

Amendment 488
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Takes the view that the central regulatory authority should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

31. Takes the view that the central
regulatory authority should **prioritise** cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

regulatory authority should **facilitate** cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs); **notes that the authority should be responsible in case of different decisions in more than one Member State, as well as at the request of the majority of the NEBs**;

**Or. en**

**Amendment 489**
**Sandro Gozi, Stéphanie Yon-Courtin**

**Motion for a resolution**
**Paragraph 31**

**Motion for a resolution**

31. **Takes the view that the central regulatory authority should prioritise** cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

**Amendment**

31. **Calls for a better** cooperation between Member States to address complex cross-border issues by working in close cooperation with **national regulators and supervisors as well as with existing network of independent National Enforcement Bodies (NEBs) or the European Consumer Centres Network**;

**Or. en**

**Amendment 490**
**Marion Walsmann, Christian Doleschal, Maria da Graça Carvalho**

**Motion for a resolution**
**Paragraph 31**

**Motion for a resolution**

31. **Takes the view that the central regulatory authority should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a**

**Amendment**

31. **Takes the view that the Commission should address complex cross-border issues by working in close cooperation with a network of independent**
Motion for a resolution
Paragraph 31

31. Takes the view that the central regulatory authority should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

Amendment
31. Takes the view that the central regulatory authority should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National and Regional Enforcement Bodies (NEBs);

Amendment 492
Eugen Jurzyca

Motion for a resolution
Paragraph 31

31. Takes the view that the central regulatory authority should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

Amendment
31. Takes the view that the Commission should facilitate the dialogue and thus help cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

Amendment 493
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Liesje
Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Takes the view that the central regulatory authority should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

Amendment

31. Takes the view that national regulators should prioritise cooperation between Member States to address complex cross-border issues by working in close cooperation with a network of independent National Enforcement Bodies (NEBs);

Or. en

Amendment 494
Alexandra Geese
on behalf of the Greens/EFA Group
Alex Agius Saliba, Marcel Kolaja

Motion for a resolution
Paragraph 31 a (new)

Motion for a resolution

31a. Calls for the board to facilitate the creation and maintenance of a European research repository that would combine data from multiple platforms to facilitate appeals processes and enable regulators, researchers and NGOs to review and analyse platform decisions;

Amendment

31a. Calls for the board to facilitate the creation and maintenance of a European research repository that would combine data from multiple platforms to facilitate appeals processes and enable regulators, researchers and NGOs to review and analyse platform decisions;

Or. en

Amendment 495
Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle
on behalf of the ID Group
Alessandra Basso

Motion for a resolution
Paragraph 31 a (new)
Motion for a resolution

Amendment

31a. Considers that a network of independent National Enforcement Bodies (NEBs) on DSA should be reinforced;

Or. en

Amendment 496
Alexandra Geese
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 31 b (new)

Amendment

31b. Calls for the establishment of socially representative and diverse, in particular gender balanced, co-regulatory social media councils as a multi-stakeholder mechanism, which would provide for an open, transparent, accountable and participatory forum to address content moderation principles; considers that these social media councils should issue guidance, opinions and expertise;

Or. en

Amendment 497
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

Motion for a resolution
Paragraph 32

Amendment

32. Calls on the Commission to strengthen and modernise the current provisions on out-of-court settlement and
court actions to allow for an effective enforcement and consumer redress;
court actions to allow for consumer redress; underlines that such measures should seek to support consumers that do not have the financial or legal means to use the court system and should not weaken the legal protections of small businesses and traders that national legal systems provide;

Amendment 498
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Paragraph 32

32. Calls on the Commission to strengthen and modernise the current provisions on out-of-court settlement and court actions to allow for an effective enforcement and consumer redress;

Amendment

32. Calls on the Commission to gather information on all alternative dispute settlement solutions in Member States, provide data on their functioning and analyse whether there is a need and a possibility to strengthen and modernise the current provisions on out-of-court settlement and court actions to allow for an effective enforcement and consumer redress;

Or. en

Amendment 499
Jean-Lin Lacapelle, Virginie Joron

Motion for a resolution
Paragraph 32

32. Calls on the Commission to strengthen and modernise the current provisions on out-of-court settlement and court actions to allow for an effective enforcement

Amendment

32. Calls on the Commission to extend to digital services, online markets and consumer protection the current provisions on out-of-court settlement and court actions to allow for an effective enforcement
enforcement and consumer redress; & enforcement and consumer redress *and to harmonise the redress mechanisms present in Union law*;

Amendment 500
Alex Agius Saliba, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Brando Benifei, Maria Grapini, Andreas Schieder, Evelyne Gebhardt

Motion for a resolution
Paragraph 32

**Motion for a resolution**

32. Calls on the Commission to strengthen and modernise the *current provisions on* out-of-court settlement *and court actions* to allow for an effective enforcement and consumer redress;

**Amendment**

32. Calls on the Commission to strengthen and modernise the *existing Union framework for* out-of-court settlement *under the E-Commerce Directive*, *taking into account developments under Directive 2013/11/EU, as well as* court actions to allow for an effective enforcement and consumer redress;

Amendment 501
Monika Beňová

Motion for a resolution
Paragraph 32 a (new)

**Motion for a resolution**

(1) Invites the Commission to work towards tax-harmonisation which can be considered as an instrument for improvement of cross-border financial activities and thus the functioning of the entire single market; stresses that the market actors should be paying taxes where their economic activity occurs;

**Amendment**

(1) Invites the Commission to work towards tax-harmonisation which can be considered as an instrument for improvement of cross-border financial activities and thus the functioning of the entire single market; stresses that the market actors should be paying taxes where their economic activity occurs;
Amendment 502
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

Motion for a resolution
Paragraph 32 a (new)

Amendment

32a. Calls on national regulators and the Commission to provide further advice and assistance to EUSMEs about their rights;

Or. en

Amendment 503
Eugen Jurzyca

Motion for a resolution
Annex I – part -I (new)

Amendment

-I. Provided that relevant data and analyses support so, the Digital Services Act package should be based on these recommendations;

Or. en

Amendment 504
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Annex I – part -I (new)

Amendment

-I The Digital Services Act package should be evidence-based and its impact assessment should inter alia include quantification of the financial burden on
the Union budget and the budgets of the Member States;

Amendment 505
Alex Agius Saliba, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Brando Benifei, Andreas Schieder, Marc Angel, Sándor Rónai, Evelyne Gebhardt, Biljana Borzan

Motion for a resolution
Annex I – part I – paragraph 1

Motion for a resolution

The Digital Services Act should contribute to the strengthening of the internal market by ensuring the free movement of digital services, while at the same time guaranteeing a high level of consumer protection, including the improvement of users’ safety online;

Amendment

The Digital Services Act should contribute to the strengthening of the internal market by ensuring the free movement of digital services and the freedom to conduct a business, while at the same time guaranteeing a high level of consumer protection, including the improvement of users’ safety online;

Amendment 506
Alexandra Geese on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part I – paragraph 1

Motion for a resolution

The Digital Services Act should contribute to the strengthening of the internal market by ensuring the free movement of digital services, while at the same time guaranteeing a high level of consumer protection, including the improvement of users’ safety online;

Amendment

The Digital Services Act should contribute to the strengthening of the internal market by ensuring the free movement of digital services, while at the same time guaranteeing a high level of consumer protection, including the improvement of users’ rights, freedoms and safety online;
Amendment 507
Pablo Arias Echeverría, Pilar del Castillo Vera, Róža Thun und Hohenstein, Andrey Kovatchev, Edina Tóth, Maria da Graça Carvalho, Kris Peeters, Romana Tomc, Andreas Schwab

Motion for a resolution
Annex I – part I – paragraph 1

Motion for a resolution

The Digital Services Act should contribute to the strengthening of the internal market by ensuring the free movement of digital services, while at the same time guaranteeing a high level of consumer protection, including the improvement of users’ safety online;

Amendment

The Digital Services Act should contribute to the strengthening of the internal market by ensuring the free movement of digital services, while at the same time guaranteeing a high level of consumer protection, and the improvement of users’ safety online;

Or. en

Amendment 508
Eugen Jurzyca

Motion for a resolution
Annex I – part I – paragraph 1

Motion for a resolution

The Digital Services Act should contribute to the strengthening of the internal market by ensuring the free movement of digital services, while at the same time guaranteeing a high level of consumer protection, including the improvement of users’ safety online;

Amendment

The Digital Services Act should contribute to the strengthening of the internal market by ensuring the free movement of digital services, while at the same time maximizing consumer welfare, including the improvement of users’ safety online;

Or. en

Amendment 509
Pablo Arias Echeverría, Pilar del Castillo Vera, Tomislav Sokol, Andrey Kovatchev, Maria da Graça Carvalho, Pascal Arimont, Romana Tomc, Anna-Michelle Asimakopoulou, Andreas Schwab
Motion for a resolution
Annex I – part I – paragraph 1 a (new)

Motion for a resolution

Amendment

The Digital Services Act should contribute to the removal of the existing unjustified obstacles to the digital single market, which many times arise from protectionist measures by Member States, as well as ensuring that no new barriers are created;

Or. en

Amendment 510
Róża Thun und Hohenstein, Andrey Kovatchev, Maria da Graça Carvalho, Tomislav Sokol

Motion for a resolution
Annex I – part I – paragraph 2

Motion for a resolution

Amendment

The Digital Services Act should guarantee that online and offline economic activities are treated equally and on a level playing field which fully reflects the principle that “what is illegal offline is also illegal online”;

The Digital Services Act should guarantee that online and offline activities are treated equally and on a level playing field which fully reflects the principle that “what is illegal offline is also illegal online”; this principle does not however exclude that due to specific nature of online environment and easiness to manipulate with users on mass scale, certain activities allowed offline might not be allowed online;

Or. en

Amendment 511
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part I – paragraph 2

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The Digital Services Act should guarantee that online and offline economic activities are treated equally and on a level playing field which fully reflects the principle that “what is illegal offline is also illegal online”;

The Digital Services Act should guarantee that online and offline economic activities are treated equally and on a level playing field which fully reflects the principle that “what is illegal offline is also illegal online” and that all rights and freedoms offline should also be guaranteed online;

Amendment 512
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

The Digital Services Act should guarantee that online and offline economic activities are treated equally and on a level playing field which fully reflects the principle that “what is illegal offline is also illegal online” and equally “what is legal offline is also legal online”;

Amendment 513
Eugen Jurzyca

The Digital Services Act should guarantee that online and offline economic activities are treated equally and on a level playing field which fully reflects the principle that “what is illegal offline is also illegal online” and equally “what is legal offline is also legal online”;

Or. en

Or. en
online”};

online” and “what is legal offline is also legal online”;

Or. en

Amendment 514
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Annex I – part I – paragraph 3

**Motion for a resolution**

The Digital Services Act should provide consumers and economic operators, especially micro, small and medium-sized enterprises, with legal certainty and transparency;

**Amendment**

The Digital Services Act should provide consumers and economic operators, especially micro, small and medium-sized enterprises, with legal certainty and transparency, support innovation while reducing barriers to market entry and provision of services, including regulatory barriers;

Or. en

Amendment 515
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Annex I – part I – paragraph 3

**Motion for a resolution**

The Digital Services Act should provide consumers and economic operators, especially micro, small and medium-sized enterprises, with legal certainty and transparency;

**Amendment**

The Digital Services Act should provide consumers and economic operators, especially micro, small and medium-sized enterprises, with legal certainty and transparency and should not apply a "one-size-fits-all" approach;

Or. en

Amendment 516
Róża Thun und Hohenstein, Andrey Kovatchev, Tomislav Sokol
Motion for a resolution
Annex I – part I – paragraph 3

The Digital Services Act should provide **consumers** and economic operators, especially micro, small and medium-sized enterprises, with legal certainty and transparency;

The Digital Services Act should provide **customers** and economic operators, especially micro, small and medium-sized enterprises, with legal certainty and transparency;

Or. en

Amendment 517
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part I – paragraph 4

The Digital Services Act should respect the broad framework of fundamental European rights of users and consumers, such as the protection of privacy, non-discrimination, dignity, fairness **and free speech**;

The Digital Services Act should respect the broad framework of fundamental European rights of users and consumers, such as the protection of privacy, non-discrimination, dignity, fairness, **freedom of expression and the right to an effective remedy**;

Or. en

Amendment 518
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Annex I – part I – paragraph 4

The Digital Services Act should respect the broad framework of fundamental European rights of users and consumers, such as the protection of privacy, non-discrimination,
dignity, fairness and free speech;

The Digital Services Act should respect the broad framework of fundamental European rights of users and consumers, such as the protection of privacy, non-discrimination, dignity, fairness and free speech;

Amendment 519
Eugen Jurzyca

Motion for a resolution
Annex I – part I – paragraph 4

The Digital Services Act should respect the broad framework of fundamental European rights of users and consumers, such as the protection of privacy, non-discrimination, dignity, fairness and freedom of expression and speech;

Amendment 520
Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle
on behalf of the ID Group
Alessandra Basso

Motion for a resolution
Annex I – part I – paragraph 4

The Digital Services Act should respect the broad framework of fundamental European rights of users and consumers, such as the protection of privacy, non-discrimination, dignity, fairness and freedom of expression;
Amendment 521
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Annex I – part I – paragraph 4

*Motion for a resolution*

The Digital Services Act should respect the broad framework of fundamental European rights of users and consumers, such as the protection of privacy, non-discrimination, dignity, fairness and free speech;

*Amendment*

The Digital Services Act should respect the broad framework of fundamental European rights of users and consumers, such as the protection of privacy, data, non-discrimination, dignity, fairness and free speech;

Or. en

Amendment 522
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher

Motion for a resolution
Annex I – part I – paragraph 5

*Motion for a resolution*

The Digital Services Act should build upon the rules currently applicable to online platforms, namely the E-Commerce Directive and the Platform to Business Regulation

*Amendment*

The Digital Services Act should build upon the rules currently applicable to online platforms, namely the E-Commerce Directive and the Platform to Business Regulation while refraining from proposing measures that were rejected by the co-legislators during its negotiation.


Or. en
Amendment 523
Eugen Jurzyca

Motion for a resolution
Annex I – part I – paragraph 5

Motion for a resolution

The Digital Services Act should build upon the rules currently applicable to online platforms, namely the E-Commerce Directive and the Platform to Business Regulation.\(^1\)

Amendment

The Digital Services Act should build upon the rules currently applicable to online platforms, namely the E-Commerce Directive, including the country of origin principle.


Or. en

Amendment 524
Pablo Arias Echeverría, Róža Thun und Hohenstein, Tomislav Sokol, Andrey Kovatchev, Romana Tomc, Andreas Schwab

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – introductory part

Motion for a resolution

- a comprehensive revision of the E-Commerce Directive consisting of:

Amendment

- a comprehensive revision of the E-Commerce Directive, in the form of a Directive, based on Articles 53(1), 62 and 114 TFEU, consisting of:

Or. en

Amendment 525
Eugen Jurzyca

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – introductory part
Motion for a resolution

- a comprehensive revision of the E-Commerce Directive consisting of:

Amendment

- a revision of the E-Commerce Directive consisting of:

Or. en

Amendment 526
Maria Grapini, Clara Aguilera, Adriana Maldonado López

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 1

Motion for a resolution

- a revised framework with clear due diligence transparency and information obligations;

Amendment

- a revised framework with clear due diligence transparency and information obligations for all types of digital services;

Or. en

Amendment 527
Salvatore De Meo

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 1

Motion for a resolution

- a revised framework with clear due diligence transparency and information obligations;

Amendment

- a revised framework with clear due diligence obligations, including with regards to transparency and information;

Or. en

Amendment 528
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 1
Motion for a resolution

- a revised framework with clear due diligence transparency and information obligations;

Amendment

- a revised framework with clear due diligence obligations, including on transparency and information;

Or. en

Amendment 529
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Svenja Hahn

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 1

Motion for a resolution

- a revised framework with clear due diligence transparency and information obligations;

Amendment

- a revised framework with clear transparency and information obligations;

Or. en

Amendment 530
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 2

Motion for a resolution

- clear and detailed procedures and measures related to the removal of illegal content online, including a harmonised legally-binding European notice-and action mechanism;

Amendment

- clear and detailed procedures and measures to effectively tackle and remove illegal content online, including by a harmonised legally-binding European notice-and action mechanism complemented with a stay-down obligation;

Or. en
Amendment 531
Geoffroy Didier

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 2

Motion for a resolution
Amendment
- clear and detailed procedures and measures related to the removal of illegal content online, including a harmonised legally-binding European notice-and action mechanism;
- clear and detailed procedures and measures related to the removal of illegal content online, including a harmonised legally-binding European notice-and action mechanism involving national authorities;

Or. fr

Amendment 532
Salvatore De Meo

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 2

Motion for a resolution
Amendment
- clear and detailed procedures and measures related to the removal of illegal content online, including a harmonised legally-binding European notice-and action mechanism;
- clear and detailed procedures and measures related to the prevention, removal, and disabling of illegal content online, including a harmonised legally-binding European notice-and action mechanism;

Or. en

Amendment 533
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 2

Motion for a resolution
Amendment
- clear and detailed procedures and measures related to the removal of illegal content online, including a harmonised legally-binding European notice-and action mechanism;
- clear and detailed procedures and measures related to the removal of illegal
content online, including a harmonised legally-binding European notice-and action mechanism;

content online, including a differentiated, harmonised legally-binding European notice-and action mechanism;

Or. en

Amendment 534
Róża Thun und Hohenstein, Andrey Kovatchev, Maria da Graça Carvalho, Tomislav Sokol, Krzysztof Hetman

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 2

Motion for a resolution
Amendment

- clear and detailed procedures and measures related to the removal of illegal content online, including a harmonised legally-binding European notice-and action mechanism;

- clear and detailed procedures and measures related to the removal of illegal and harmful content online, including a harmonised legally-binding European notice-and action mechanism;

Or. en

Amendment 535
Beata Mazurek, Andżelika Anna Mozdżanowska

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 2

Motion for a resolution
Amendment

- clear and detailed procedures and measures related to the removal of illegal content online, including a harmonised legally-binding European notice-and action mechanism;

- clear and detailed procedures and measures related to the removal of illegal content online, including a harmonised European notice-and-take-down and counter-notice mechanisms;

Or. en

Amendment 536
Eugen Jurzyca, Adam Bielan
Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 2

Motion for a resolution
Amendment

- clear and detailed procedures and measures related to the removal of illegal content online, including a **harmonised legally-binding** European notice-and-action mechanism;

- clear and detailed procedures and measures related to the removal of illegal content online, including a **code of conduct on** European notice-and-action mechanism;

Or. en

Amendment 537
Beata Mazurek, Eugen Jurzyca, Andżelika Anna Moźdżanowska

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 3

Motion for a resolution
Amendment

- effective supervision, cooperation and sanctions;

- effective supervision, cooperation and sanctions which are proportionate, effective and dissuasive with regard to the systemic failure in question;

Or. en

Amendment 538
Eugen Jurzyca, Adam Bielan

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 3

Motion for a resolution
Amendment

- effective supervision, cooperation and sanctions;

- effective **national** supervision, cooperation among Member States and proportionate sanctions with the preference for behavioural remedies;

Or. en
Amendment 539
Geoffroy Didier

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 3

Motion for a resolution

- effective supervision, cooperation and sanctions;

Amendment

- effective and dissuasive supervision, cooperation and sanctions;

Or. fr

Amendment 540
Salvatore De Meo

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 3

Motion for a resolution

- effective supervision, cooperation and sanctions;

Amendment

- effective supervision, cooperation and deterrent sanctions;

Or. en

Amendment 541
Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Annex I – part I – paragraph 6 – indent 1 – subi. 3

Motion for a resolution

- effective supervision, cooperation and sanctions;

Amendment

- effective supervision, cooperation and deterrent sanctions;

Or. en

Amendment 542
Beata Mazurek, Eugen Jurzyca, Andżelika Anna Moźdźanowska
Motion for a resolution
Annex I – part I – paragraph 6 – indent 2

Motion for a resolution
Amendment

- an internal market legal instrument imposing ex-ante obligations on large platforms with a gatekeeper role in the digital ecosystem, complemented by an effective institutional enforcement mechanism.

Amendment

- an internal market legal instrument imposing ex-ante obligations on large platforms irrespective of their country of origin with a gatekeeper role in the digital ecosystem, complemented by an effective institutional enforcement mechanism, where there are proven market failures and where it has been proven that large platforms undermine the EU competition principles.

Amendment 543
Pablo Arias Echeverría, Róza Thun und Hohenstein, Tomislav Sokol, Andrey Kovatchev, Maria da Graça Carvalho, Pascal Arimont, Romana Tomc, Andreas Schwab

Motion for a resolution
Annex I – part I – paragraph 6 – indent 2

Motion for a resolution
Amendment

- an internal market legal instrument imposing ex-ante obligations on large platforms with a gatekeeper role in the digital ecosystem, complemented by an effective institutional enforcement mechanism.

Amendment

- an internal market legal instrument in the form of a Regulation, based on Article 114 TFEU, imposing ex-ante obligations on large platforms with a gatekeeper role in the digital ecosystem, complemented by an effective institutional enforcement mechanism.

Amendment 544
Petra Kamerevert

Motion for a resolution
Annex I – part I – paragraph 6 – indent 2

Or. en
Motion for a resolution

- an internal market legal instrument imposing ex-ante obligations on large platforms with a gatekeeper role in the digital ecosystem, complemented by an effective institutional enforcement mechanism.

Amendment

- an internal market legal instrument imposing ex-ante obligations on dominant platforms with a gatekeeper role in the digital ecosystem, complemented by an effective institutional enforcement mechanism.

Amendment 545
Eugen Jurzyca, Adam Bielan

Motion for a resolution
Annex I – part I – paragraph 6 – indent 2

Motion for a resolution

- an internal market legal instrument imposing ex-ante obligations on large platforms with a gatekeeper role in the digital ecosystem, complemented by an effective institutional enforcement mechanism.

Amendment

- an internal market legal instrument imposing ex-ante obligations on large platforms with a confirmed gatekeeper role in the digital ecosystem, complemented by an effective enforcement mechanism.

Amendment 546
Jean-Lin Lacapelle, Virginie Joron

Motion for a resolution
Annex I – part I – paragraph 6 a (new)

Motion for a resolution

Digital services legislation should assume the form of a directive.

Amendment

Or. de

Or. en

Or. fr
Amendment 547
Evelyne Gebhardt, Monika Beňová, Andreas Schieder, Adriana Maldonado López

Motion for a resolution
Annex I – part II – paragraph 1

In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services, which are not covered by specific legislation;

Amendment
In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services, which are not covered by specific legislation; to ensure the principle of “what is illegal offline is also illegal online” to those digital services covered by the Services Directive, the country of destination principle as stipulated in the Services Directive should apply;

Or. en

Amendment 548
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Annex I – part II – paragraph 1

In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services, which are not covered by specific legislation;

Amendment
In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive;

Or. en

Amendment 549
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior
Motion for a resolution
Annex I – part II – paragraph 1

In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services, which are not covered by specific legislation;

Amendment

In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services, which are not covered by specific legislation and which are targeted at the general public;

Or. en

Amendment 550
Róża Thun und Hohenstein, Andrey Kovatchev, Maria da Graça Carvalho, Tomislav Sokol

Motion for a resolution
Annex I – part II – paragraph 1

In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services, which are not covered by specific legislation;

Amendment

In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services;

Or. en

Amendment 551
Alexandra Geese on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part II – paragraph 1
Motion for a resolution

In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services, *which are not covered by specific* legislation;

Amendment

In the interest of legal certainty, the Digital Services Act should clarify which digital services fall within its scope. The new legal act should follow the horizontal nature of the E-Commerce Directive and apply not only to online platforms but to all digital services, *complementing other* legislation;

Amendment 552
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

Motion for a resolution
Annex I – part II – paragraph 1 a (new)

Motion for a resolution

*Digital services which are closed in nature and offered in a purely business to business relationship should not be subject to the same requirements as services which are targeted at the general public or at consumers;*

Amendment

Or. en

Amendment 553
Eugen Jurzyca

Motion for a resolution
Annex I – part II – paragraph 2

Motion for a resolution

*The territorial scope of the future Digital Services Act should be extended to cover also the activities of companies and service providers established in third countries, when they offer services or*

Amendment

deleted
goods to consumers or users in the Union;

Amendment 554
Maria-Manuel Leitão-Marques, Adriana Maldonado López, Clara Aguilera, Sylvie Guillaume, Marc Angel

Motion for a resolution
Annex I – part II – paragraph 2

Motion for a resolution
Annex I – part II – paragraph 2

The territorial scope of the future Digital Services Act should be extended to cover also the activities of companies and service providers established in third countries, when they offer services or goods to consumers or users in the Union;

Amendment
The territorial scope of the future Digital Services Act should be extended to cover also the activities of companies and service providers established in third countries, when they offer services or goods to consumers or users in the Union; for online marketplaces, such a provision should be complemented by an obligation for platforms to check whether suppliers from outside the EU which target European consumers either have set up a branch in the EU or have appointed a person responsible in the EU; if the trader does not meet this obligation and the platform is proven to have failed to verify compliance of this obligation, the platform should be liable for damages and guarantees, without prejudice to the possibility to seek redress to the trader a posteriori;

Amendment 555
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part II – paragraph 2
The territorial scope of the future Digital Services Act should be extended to cover also the activities of companies and service providers established in third countries, when they offer services or goods to consumers or users in the Union;

The territorial scope of the future Digital Services Act should be extended to cover also the activities of information society services established in third countries, where their activities are related to the offering of services or goods to consumers or users in the Union, irrespective of whether a payment is required, or the monitoring of their behaviour as far as their behaviour takes place within the Union;

Amendment 556
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

Motion for a resolution
Annex I – part II – paragraph 2

The territorial scope of the future Digital Services Act should be extended to cover also the activities of companies and service providers established in third countries, when they offer services or goods to consumers or users in the Union;

The territorial scope of the future Digital Services Act should be extended to cover also the activities of companies and service providers established in third countries, when they target or direct services or goods to consumers or users in the Union;

Amendment 557
Eugen Jurzyca

Motion for a resolution
Annex I – part II – paragraph 3

The Digital Services Act should maintain the derogation set out in the Annex of the
E-Commerce Directive and, in particular, the derogation of contractual obligations concerning consumer contracts;

Amendment 558
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher

Motion for a resolution
Annex I – part II – paragraph 3

Motion for a resolution
The Digital Services Act should maintain the derogation set out in the Annex of the E-Commerce Directive and, in particular, the derogation of contractual obligations concerning consumer contracts;

Amendment
The Digital Services Act should review the derogation set out in the Annex of the E-Commerce Directive, and, if deemed necessary, revise them, while maintaining the derogation of contractual obligations concerning consumer contracts;

Amendment 559
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Annex I – part II – paragraph 3

Motion for a resolution
The Digital Services Act should maintain the derogation set out in the Annex of the E-Commerce Directive and, in particular, the derogation of contractual obligations concerning consumer contracts;

Amendment
The Digital Services Act should maintain and consider extending the derogation set out in the Annex of the E-Commerce Directive and, in particular, the derogation of contractual obligations concerning consumer contracts;

Amendment 560
Beata Mazurek, Andżelika Anna Moźdżanowska
The Digital Services Act should maintain the possibility for Member States to set a higher level of consumer protection and pursue legitimate public interest objectives in accordance with EU law;

The Digital Services Act should maintain the possibility for Member States to notify the Commission of its intention to set a higher level of consumer protection and pursue legitimate public interest objectives, where it is necessary and proportionate to do so, in accordance with EU and national law;

Amendment

561
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

The Digital Services Act should maintain the possibility for Member States to set a higher level of consumer protection and pursue legitimate public interest objectives in accordance with EU law;

The Digital Services Act should seek to further harmonise consumer protection across the Union, in alignment with Directive (EU) 2019/770 and Directive (EU) 2019/771 and to maintain a high level of consumer protection in accordance with EU law;

562
Eugen Jurzyca, Adam Bielan

The Digital Services Act should maintain the possibility for Member States to set a higher level of consumer protection and pursue legitimate public interest objectives in accordance with EU law;

The Digital Services Act should maintain
the possibility for Member States to set a higher level of consumer protection and pursue legitimate public interest objectives in accordance with EU law;

the possibility for Member States to set an effective level of consumer protection, maximizing consumer welfare and pursue legitimate public interest objectives in accordance with EU law;

Amendment 563
Arba Kokalari

Motion for a resolution
Annex I – part II – paragraph 4

Motion for a resolution
Amendment

The Digital Services Act should maintain the possibility for Member States to set a higher level of consumer protection and pursue legitimate public interest objectives in accordance with EU law;

The Digital Services Act should be proposed as a regulation to ensure the highest possible degree of harmonisation and to reduce the risk of fragmentation of the internal market;

Amendment 564
Andreas Schieder, Adriana Maldonado López, Clara Aguilera, Maria Grapini

Motion for a resolution
Annex I – part II – paragraph 4 a (new)

Motion for a resolution
Amendment

The Digital Services Act should extend the derogation set out in the Annex of the E-Commerce Directive in order to safeguard public interests and to ensure the appropriate legal enforcement on national and regional level;

Amendment 565
Geoffroy Didier
Motion for a resolution
Annex I – part II – paragraph 5 a (new)

Motion for a resolution

Amendment

Digital services legislation should clarify the distinction between the different types of content hosting intermediaries, which would in particular allow a distinction to be made between passive hosts and active platforms;

Or. fr

Amendment 566
Arba Kokalari

Motion for a resolution
Annex I – part II – paragraph 6

Motion for a resolution

Amendment

The Digital Services Act should also clarify in a coherent way how its provisions interact with recently adopted rules on geo-blocking, product safety, and consumer protection among others;

Or. sv

Amendment 567
Adam Bielan, Beata Mazurek, Eugen Jurzyca, Andżelika Anna Moźdżanowska

Motion for a resolution
Annex I – part II – paragraph 6

Motion for a resolution

Amendment

The Digital Services Act should also clarify in a coherent way how its provisions interact with recently adopted rules on geo-blocking, product safety, links between platforms and undertakings, market surveillance and consumer protection among others; future initiatives such as the regulation of AI should also be taken into account;

Or. sv
provisions interact with recently adopted rules on geo-blocking, product safety, and consumer protection among others;
Amendment 569
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part II – paragraph 7

The Digital Services Act should apply without prejudice to the rules set out in other instruments, such as the General Data Protection Regulation\(^2\) (“GDPR”), the Copyright Directive\(^3\) and the Audio Visual Media Services Directive\(^4\).


Amendment 570
Eugen Jurzyca

Motion for a resolution
Annex I – part III – paragraph 1 – introductory part

**Motion for a resolution**

In its definitions, the Digital Services Act should:

**Amendment**

If analyses and impact assessment supports so, in its definitions, the Digital Services Act should:

Amendment 571
Adriana Maldonado López, Clara Aguilera, Marc Angel

Motion for a resolution
Annex I – part III – paragraph 1 – indent 1

**Motion for a resolution**

- clarify to what extent “new digital services”, such as social media networks, collaborative economy services, search engines, wifi hotspots, online advertising, cloud services, content delivery networks, and domain name services fall within the scope of the Digital Services Act;

**Amendment**

- clarify to what extent “new digital services”, such as social media networks, collaborative economy services, search engines, wifi hotspots, online advertising, cloud services, **app stores**, content delivery networks, and domain name services fall within the scope of the Digital Services Act;

Amendment 572
Pablo Arias Echeverría, Pilar del Castillo Vera, Tomislav Sokol, Róža Thun und Hohenstein, Andrey Kovatchev, Maria da Graça Carvalho, Pascal Arimont, Romana Tome, Andreas Schwab

Motion for a resolution
Annex I – part III – paragraph 1 – indent 1
Motion for a resolution

- clarify to what extent “new digital services”, such as social media networks, collaborative economy services, search engines, wifi hotspots, online advertising, cloud services, content delivery networks, and domain name services fall within the scope of the Digital Services Act;

Amendment

- clarify if and to what extent “new digital services”, such as social media networks, collaborative economy services, search engines, wifi hotspots, online advertising, comparison tools, cloud services, content delivery networks, and domain name services fall within the scope of the Digital Services Act;

Or. en

Amendment 573
Adam Bielan, Beata Mazurek, Eugen Jurzyca, Andżelika Anna Mozdżanowska

Motion for a resolution
Annex I – part III – paragraph 1 – indent 1

- clarify to what extent “new digital services”, such as social media networks, collaborative economy services, search engines, wifi hotspots, online advertising, cloud services, content delivery networks, and domain name services fall within the scope of the Digital Services Act;

Amendment

- clarify that "new digital services”, such as social media networks, collaborative economy services, search engines, wifi hotspots, online advertising, cloud services, content delivery networks, and domain name services fall within the scope of the Digital Services Act;

Or. en

Amendment 574
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

Motion for a resolution
Annex I – part III – paragraph 1 – indent 1

- clarify to what extent “new digital services”, such as social media networks, collaborative economy services, search
engines, wifi hotspots, online advertising, cloud services, content delivery networks, and domain name services fall within the scope of the Digital Services Act;

Amendment 575
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part III – paragraph 1 – indent 1

Motion for a resolution
- clarify to what extent “new digital services”, such as social media networks, collaborative economy services, search engines, wifi hotspots, online advertising, cloud services, content delivery networks, and domain name services fall within the scope of the Digital Services Act;

Amendment
- clarify to what extent “digital services”, such as social media networks, collaborative economy services, search engines, online advertising, cloud services, web hosting, messaging services and content delivery networks fall within the scope of the Digital Services Act;

Or. en

Amendment 576
Arba Kokalari

Motion for a resolution
Annex I – part III – paragraph 1 – indent 2

Motion for a resolution
- clarify the nature of the content hosting intermediaries (text, images, video, or audio content) on the one hand, and commercial online marketplaces (selling physical goods) on the other;

Amendment
- clarify the nature of the content hosting intermediaries (text, images, video, or audio content) on the one hand, and commercial online marketplaces (selling physical goods or services) on the other;

Or. sv
### Amendment 577
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

**Motion for a resolution**  
**Annex I – part III – paragraph 1 – indent 2**

<table>
<thead>
<tr>
<th><strong>Motion for a resolution</strong></th>
<th><strong>Amendment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- clarify the nature of the content hosting intermediaries (text, images, video, or audio content) on the one hand, and commercial online marketplaces (selling physical goods) on the other;</td>
<td>- clarify the nature of the content hosting intermediaries (text, images, video, or audio content) on the one hand, and commercial online marketplaces (selling physical and digital goods) on the other;</td>
</tr>
</tbody>
</table>

Or. en

### Amendment 578
Sandro Gozi, Stéphanie Yon-Courtin

**Motion for a resolution**  
**Annex I – part III – paragraph 1 – indent 2 a (new)**

<table>
<thead>
<tr>
<th><strong>Motion for a resolution</strong></th>
<th><strong>Amendment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- clarify the distinction between passive and active hosts taking into account the jurisprudence of the Court of Justice and stipulate the conditions and criteria for hosting intermediaries to be considered active;</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

### Amendment 579
Pablo Arias Echeverría, Pilar del Castillo Vera, Róža Thun und Hohenstein, Tomislav Sokol, Andrey Kovatchev, Romana Tomč

**Motion for a resolution**  
**Annex I – part III – paragraph 1 – indent 3**

<table>
<thead>
<tr>
<th><strong>Motion for a resolution</strong></th>
<th><strong>Amendment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- clearly distinguish between commercial activities and content or</td>
<td>deleted</td>
</tr>
</tbody>
</table>

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128/138  
AM\1205373EN.docx
transactions provided against remuneration, which also cover advertising and marketing practices on the one hand, and non-commercial activities and content on the other;

Amendment 580
Eugen Jurzyca

Motion for a resolution
Annex I – part III – paragraph 1 – indent 3

Motion for a resolution
Amendment
- clearly distinguish between commercial activities and content or transactions provided against remuneration, which also cover advertising and marketing practices on the one hand, and non-commercial activities and content on the other;

- clearly distinguish between commercial activities and content or transactions provided against remuneration;

Amendment 581
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Annex I – part III – paragraph 1 – indent 4

Motion for a resolution
Amendment
- clarify of what falls within the remit of the "illegal content“ definition making it clear that a violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products and counterfeit medicines, also falls within the definition of illegal content;

- clarify of what falls within the remit of the "illegal content“ definition;
Amendment 582
Adam Bielan, Beata Mazurek, Eugen Jurzyca, Andżelika Anna Możdżanowska

Motion for a resolution
Annex I – part III – paragraph 1 – indent 4

Motion for a resolution
Amendment

- clarify of what falls within the remit of the "illegal content" definition making it clear that a violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products and counterfeit medicines, also falls within the definition of illegal content;

- clarify of what falls within the remit of the "illegal content" and "illegal activity" definitions;

Or. en

Amendment 583
Pablo Arias Echeverría, Pilar del Castillo Vera, Róża Thun und Hohenstein, Tomislav Sokol, Andrey Kovatchev, Romana Tomc, Edina Tóth, Maria da Graça Carvalho, Anna-Michelle Asimakopoulou, Andreas Schwab

Motion for a resolution
Annex I – part III – paragraph 1 – indent 4

Motion for a resolution
Amendment

- clarify of what falls within the remit of the "illegal content" definition making it clear that a violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products and counterfeit medicines, also falls within the definition of illegal content;

- clarify of what falls within the remit of the "illegal content", definition making it clear that a violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products and counterfeit medicines, also falls within the definition of illegal content;

it is also necessary to clarify what falls under "harmful content" and "disinformation";

Or. en
Amendment 584
Sarah Wiener, Petra De Sutter

Motion for a resolution
Annex I – part III – paragraph 1 – indent 4

Motion for a resolution

- clarify of what falls within the remit of the "illegal content" definition making it clear that a violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products and counterfeit medicines, also falls within the definition of illegal content;

Amendment

- clarify of what falls within the remit of the "illegal content" definition making it clear that a violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products, counterfeit medicines, or wildlife products and wild and domesticated animals also falls within the definition of illegal content;

Or. en

Amendment 585
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part III – paragraph 1 – indent 4

Motion for a resolution

- clarify of what falls within the remit of the "illegal content" definition making it clear that a violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products and counterfeit medicines, also falls within the definition of illegal content;

Amendment

- clarify of what falls within the remit of the "illegal content" definition making it clear that this includes unlawful offers for sale in violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products and counterfeit medicines, also falls within the definition of illegal content;

Or. en

Amendment 586
Maria Grapini, Clara Aguilera
Motion for a resolution
Annex I – part III – paragraph 1 – indent 4

- clarify of what falls within the remit of the "illegal content” definition making it clear that a violation of EU rules on consumer protection, product safety or the offer or sale of food or tobacco products and counterfeit medicines, also falls within the definition of illegal content;

Or. en

Amendment 587
Andreas Schieder

Motion for a resolution
Annex I – part III – paragraph 1 – indent 4 a (new)

- clearly distinguish between providers of “information society services” and “hosting providers”, as the providers of “information society services”, which consist of the storage of information provided by a recipient of the service, are not liable for the information stored, under certain conditions;

Or. en

Amendment 588
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoş, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin

Motion for a resolution
Annex I – part III – paragraph 1 – indent 4 a (new)

- refrain from seeking to define or act upon “harmful content”;
Amendment 589
Alexandra Geese
on behalf of the Greens/EFA Group
Marcel Kolaja

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, whether the undertaking has a significant impact on the exercise of fundamental rights and freedoms as well as access to information in our society, etc.

Amendment 590
Pablo Arias Echeverría, Pilar del Castillo Vera, Tomislav Sokol, Andrey Kovatchev, Edina Tóth, Maria da Graça Carvalho, Kris Peeters, Romana Tomc, Andreas Schwab

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities

Amendment

- define "systemic operator" by establishing a set of clear economic indicators that allow regulatory authorities
to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment 591
Alex Agius Saliba, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Brando Benifei, Maria Grapini, Andreas Schieder, Marc Angel, Evelyne Gebhardt

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5

Motion for a resolution

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), and the presence of network effects; barriers to entry, its financial strength and ability to access data; vertical integration and its role as an unavoidable partner and the importance of its activity for third parties’ access to supply and markets, etc.
Amendment 592
Eugen Jurzyca, Adam Bielan, Beata Mazurek

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment
- define “systemic operator” by establishing a set of clear economic indicators and their trends that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a problematic systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users, user time spent), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, any barrier to provision of services by its competitor etc.

Or. en

Amendment 593
Evelyne Gebhardt, Monika Beňová, Andreas Schieder, Marc Angel, Adriana Maldonado López

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical

Amendment
- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users, market share, share of sold services in total), its financial
integration, the importance of its activity for third parties’ access to supply and markets, etc.

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment 594
Róża Thun und Hohenstein, Andrey Kovatchev, Maria da Graça Carvalho, Tomislav Sokol

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, or has predominant influence over its users, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment 595
Petra Kammerevert

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, or has predominant influence over its users, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

- define “dominant operator” restrictively so as to establish clear indicators that allow regulatory authorities
to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

to avoid “gatekeeper” roles in advance by means of measures to ensure diversity; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment 596
Martin Schirdewan, Emmanuel Maurel, Stelios Kouloglou

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5

Motion for a resolution

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment

- define “dominant operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment 597
Brando Benifei, Andreas Schieder, Sylvie Guillaume, Adriana Maldonado López, Clara Aguilera, Marc Angel

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5
Motion for a resolution

- define “systemic operator” by establishing a set of clear economic indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment

- define “systemic operator” by establishing a set of clear indicators that allow regulatory authorities to identify platforms with a “gatekeeper” role playing a systemic role in the online economy; such indicators could include considerations such as whether the undertaking is active to a significant extent on multi-sided markets, the size of its network (number of users), its financial strength, access to data, vertical integration, the importance of its activity for third parties’ access to supply and markets, etc.

Amendment 598
Dita Charanzová, Ivars Ijabs, Vlad-Marius Botoș, Andrus Ansip, Karen Melchior, Liesje Schreinemacher, Sandro Gozi, Stéphanie Yon-Courtin, Svenja Hahn

Motion for a resolution
Annex I – part III – paragraph 1 – indent 5 a (new)

Motion for a resolution

- seek to codify the decisions of the European Court of Justice, where needed, and while having due regard to the main different pieces of legislation which use these definitions;

Amendment

Or. en