



2020/2022(INI)

24.6.2020

AMENDMENTS

1 - 267

Draft report
Kris Peeters
(PE650.509v01-00)

Digital Services Act and fundamental rights issues posed
(2020/2022(INI))

Amendment 1

Marina Kaljurand, Tanja Fajon, Birgit Sippel, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Citation 3

Motion for a resolution

— having regard to the Charter of Fundamental Rights of the European Union, in particular Article 6, Article 7, Article 8, Article 11, Article 13, Article 22 and Article 24 thereof,

Amendment

— having regard to the Charter of Fundamental Rights of the European Union, in particular Article 6, Article 7, Article 8, Article 11, Article 13, Article 21, **Article 22, Article 23, Article 24, Article 25** and Article 26 thereof,

Or. en

Amendment 2

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Citation 3

Motion for a resolution

— having regard to the Charter of Fundamental Rights of the European Union, in particular Article 6, Article 7, Article 8, Article 11, Article 13, Article 22 and Article 24 thereof,

Amendment

— having regard to the Charter of Fundamental Rights of the European Union, in particular Article 6, Article 7, Article 8, Article 11, Article 13, Article 21, **Article 22, Article 24** and Article 38 thereof,

Or. en

Amendment 3

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Citation 5

Motion for a resolution

— having regard to Regulation (EU) 2016/679 of the European Parliament and

Amendment

— having regard to Regulation (EU) 2016/679 of the European Parliament and

of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC ('General Data Protection Regulation')²,

² OJ L 119 4.5.2016, p. 1.

of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC ('General Data Protection Regulation', **GDPR**)²,

² OJ L 119 4.5.2016, p. 1.

Or. en

Amendment 4

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Citation 6 a (new)

Motion for a resolution

Amendment

— *having regard to Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive)^{3a},*

^{3a} OJ L 95, 15.4.2010, p. 1–24

Or. en

Amendment 5

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Citation 7 c (new)

Motion for a resolution

Amendment

— *having regard to Directive (EU) 2018/1808 on the coordination of certain provisions laid down by law, regulation or*

administrative action in Member States concerning the provision of audiovisual media services ('Audiovisual Media Services Directive') in view of changing market realities;

Or. en

Amendment 6

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Citation 8 a (new)

Motion for a resolution

Amendment

— *having regard to Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive)^{1a} in view of changing market realities;*

^{1a} OJ L 303, 28.11.2018, p. 69–92

Or. en

Amendment 7

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Citation 7

Motion for a resolution

Amendment

— *having regard to Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual*

deleted

exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA⁴,

⁴ *OJ L 335. 17.12.2011, p.1.*

Or. en

Amendment 8

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Citation 7

Motion for a resolution

Amendment

— *having regard to Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA⁴,*

deleted

⁴ *OJ L 335. 17.12.2011, p.1.*

Or. en

Amendment 9

Fabienne Keller, Nathalie Loiseau

Motion for a resolution

Citation 7 a (new)

Motion for a resolution

Amendment

— *having regard to Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC ('Copyright*

Directive'),^{1 a}

^{1 a} OJ L 130, 17.5.2019, p. 92.

Or. fr

Amendment 10

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Citation 7 d (new)

Motion for a resolution

Amendment

— *having regard to Directive (EU) 2019/790 on copyright and related rights in the Digital Single Market;*

Or. en

Amendment 11

Kris Peeters, Tomáš Zdechovský, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Citation 7 a (new)

Motion for a resolution

Amendment

— *having regard to the Commission recommendation of 1 March 2018 on measures to effectively tackle illegal content online (C(2018) 1177 final);*

Or. en

Amendment 12

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Citation 7 a (new)

Motion for a resolution

Amendment

— *having regard to the judgement of the Court of Justice of 24 November 2011 in case C-70/10^{5a},*

^{5a} Judgement of the Court of Justice of 24 November 2011, Scarlet Extended SA v Société belge des auteurs, compositeurs et éditeurs SCRL (SABAM)

Or. en

Amendment 13

Kris Peeters, Tomáš Zdechovský, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Citation 7 b (new)

Motion for a resolution

Amendment

— *having regard to the Europol Internet Organised Crime Threat Assessment (IOCTA) of 18 September 2018;*

Or. en

Amendment 14

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Citation 8

Motion for a resolution

Amendment

— *having regard to the judgment of the Court of Justice of 3 October 2019 in case C-18/18⁵,*

deleted

⁵ Judgment of the Court of Justice of 3^o October 2019, Eva Glawischnig-Piessczek v Facebook Ireland Limited, C-

Amendment 15

Cornelia Ernst, Fernando Barrena Arza, Clare Daly

Motion for a resolution

Citation 8

Motion for a resolution

— having regard to the *judgment* of the Court of Justice of **3 October 2019 in case C-18/18⁵**,

⁵ *Judgment of the Court of Justice of 3 October 2019, Eva Glawischnig-Piesczek v Facebook Ireland Limited, C-18/18, ECLI:EU:C:2019:821.*

Amendment

— having regard to the *relevant case law* of the Court of Justice of *the European Union*,

Amendment 16

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital -A (new)

Motion for a resolution

Amendment

-A. whereas fundamental rights, such as protection of privacy and personal data, the principle of non-discrimination, as well as freedom of expression and information, need to be ingrained at the core of a successful and durable European policy on digital services; whereas these rights need to be seen both in the letter of the law, as well as the spirit of their implementation;

Amendment 17

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital A b (new)

Motion for a resolution

Amendment

Ab. recital -Aa whereas the trust of users can only be gained by digital services that respect their fundamental rights, thus ensuring both uptake of services, as well as a competitive advantage and stable business models for companies;

Or. en

Amendment 18

Fabienne Keller, Nathalie Loiseau

Motion for a resolution

Recital B

Motion for a resolution

Amendment

B. whereas the data protection rules applicable to all providers offering digital services in the EU's territory were recently updated and harmonised across the EU with the General Data Protection Regulation;

B. whereas the data protection rules applicable to all providers offering digital services in the EU's territory were recently updated and harmonised across the EU with the General Data Protection Regulation; ***whereas the Digital Services Act should apply without prejudice to the rules laid down in the General Data Protection Regulation and in other instruments, such as the Copyright Directive;***

Or. fr

Amendment 19

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution
Recital B

Motion for a resolution

B. whereas the data protection rules applicable to all providers offering digital services in the EU's territory were recently updated and harmonised across the EU with the General Data Protection Regulation;

Amendment

B. whereas the data protection rules applicable to all providers offering digital services in the EU's territory were recently updated and harmonised across the EU with the General Data Protection Regulation, ***its enforcement needs to be strengthened;***

Or. en

Amendment 20
Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

Ba. whereas the privacy rules in the electronic communication sector, as set out in the Directive concerning the processing of personal data and the protection of privacy in the electronic communications sector, are currently under revision;

Or. en

Amendment 21
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

Ba. whereas privacy rules with regards to electronic communications, which cover part of the digital services under

discussion, are covered by the ePrivacy Directive and would be further harmonised under the ePrivacy Regulation;

Or. en

Amendment 22

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando Benifei

Motion for a resolution

Recital C

Motion for a resolution

C. whereas the amount of user-generated content, including harmful and illegal content, shared via cloud services or online platforms has increased exponentially;

Amendment

C. whereas the amount of user-generated content, including harmful and illegal content, *such as images depicting Child Sexual Abuse Material (CSAM) online*, shared via cloud services or online platforms has increased exponentially *at an unprecedented pace*;

Or. en

Amendment 23

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Recital C

Motion for a resolution

C. whereas the amount of *user-generated content*, including *harmful and illegal content*, shared via cloud services or online platforms has increased exponentially;

Amendment

C. whereas the amount of *services available and users' activities*, including *illegal services and activities*, shared via cloud services or online platforms, has increased exponentially;

Or. en

Amendment 24

Kris Peeters, Paulo Rangel

Motion for a resolution

Recital C

Motion for a resolution

C. whereas the amount of user-generated content, including harmful and illegal content, shared via **cloud services or** online platforms has increased exponentially;

Amendment

C. whereas the amount of user-generated content, including harmful and illegal content, shared via online platforms, **including cloud services**, has increased exponentially;

Or. en

Amendment 25

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital C

Motion for a resolution

C. whereas the amount of user-generated content, including **harmful and** illegal content, shared via cloud services or online platforms has increased exponentially;

Amendment

C. whereas the amount **of all types** of user-generated content, including illegal content, shared via cloud services or online platforms has increased exponentially;

Or. en

Amendment 26

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Recital C

Motion for a resolution

C. whereas the **amount of user-generated content, including harmful** and illegal content, shared via cloud services or online platforms **has increased exponentially**;

Amendment

C. whereas the **spread of legal** and illegal content, shared via cloud services or online platforms, **has been facilitated by advanced technologies**;

Amendment 27

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann, Paul Tang

Motion for a resolution

Recital C a (new)

Motion for a resolution

Amendment

Ca. whereas the use of personal data for the purposes of individual profiling, and its subsequent repurposing, even when seemingly innocuous data is collected from the digital traces of individuals, can be mined in a way that can generate insights that can enable very intimate personal information to be inferred at a very high level of accuracy, especially when these data are merged with other data sets;

Amendment 28

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital C b (new)

Motion for a resolution

Amendment

Cb. whereas social media and other content distribution platforms utilise profiling techniques to target and distribute their content, as well as advertisements; whereas the automated algorithms decide how to handle, prioritise, distribute and delete third-party content on online platforms, including during political and electoral campaigns;

Amendment 29

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital C c (new)

Motion for a resolution

Amendment

Cc. whereas the proliferation of disinformation, even propaganda online, has been aided by platforms whose very business model is based on profiting from collection and analysis of user data; whereas consequently promoting spreadable, sensationalist content forms part of their business logic, and pushes them to generate more traffic and ‘clicks’, and, in turn, generate more profiling data and thus more profit;

Or. en

Amendment 30

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital C d (new)

Motion for a resolution

Amendment

Cd. whereas the Cambridge Analytica and Facebook scandals revealed how user data had been used to micro-target certain voters with political advertising, and at times, even with targeted disinformation, therefore showing the danger of opaque data processing operations of online platforms;

Or. en

Amendment 31

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital C e (new)

Motion for a resolution

Amendment

Ce. whereas the widespread use of algorithms for content filtering and content removal processes also raises rule of law concerns, questions of legality, legitimacy and proportionality;

Or. en

Amendment 32

Malin Björk

Motion for a resolution

Recital D

Motion for a resolution

Amendment

D. whereas a small number of mostly non-European service providers have ***significant market power*** and exert influence on the rights and freedoms of individuals, our societies and democracies;

D. whereas a small number of mostly non-European ***large*** service providers have ***an increasing capacity to influence public opinion*** and exert influence on the rights and freedoms of individuals, our societies and democracies; ***whereas, more specifically, large platforms' decisions can have far-reaching consequences for the exercise of freedom of expression and information, and for media freedom and pluralism;***

Or. en

Amendment 33

Beata Kempa, Patryk Jaki

Motion for a resolution

Recital D

Motion for a resolution

Amendment

D. whereas a small number of mostly non-European service providers have ***significant*** market ***power*** and exert

D. whereas a small number of mostly non-European service providers have ***monopoly over the*** market and exert

influence on the rights and freedoms of individuals, our societies and democracies;

influence on the rights and freedoms of individuals, our societies and democracies, ***thus also giving them enormous influence on the functioning of all Community countries and their citizens;***

Or. pl

Amendment 34

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Recital D

Motion for a resolution

D. whereas a small number of mostly non-European service providers have significant market power and exert influence on the rights and freedoms of individuals, our societies and democracies;

Amendment

D. whereas a small number of mostly non-European service providers have significant market power and exert influence on the rights and freedoms of individuals, our societies and democracies; ***whereas such service providers have to comply with the GDPR when offering services in the Union:***

Or. en

Amendment 35

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Recital D

Motion for a resolution

D. whereas a small number of mostly non-European service providers have significant market power and exert influence on the rights and freedoms of individuals, our societies ***and democracies;***

Amendment

D. whereas a small number of mostly non-European service providers have significant market power and exert influence ***over suppliers and control how information, services and products are presented, thereby having an impact*** on the rights and freedoms of individuals, ***and*** our societies;

Amendment 36

Kris Peeters, Tomáš Zdechovský, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Recital E

Motion for a resolution

E. whereas the political approach to tackle harmful and illegal content online in the EU has mainly focused on voluntary cooperation thus far, but a growing number of Member States are adopting national legislation to address illegal content;

Amendment

E. whereas the political approach to tackle harmful and illegal content online in the EU has mainly focused on voluntary cooperation thus far, but a growing number of Member States are adopting national legislation to address illegal content ***and provisions to address certain types of content were included in recent sectoral legislation at EU level;***

Amendment 37

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Recital E

Motion for a resolution

E. whereas the political approach to tackle ***harmful and*** illegal content online in the EU has mainly focused on voluntary cooperation thus far, but a growing number of Member States are adopting national legislation to address illegal content;

Amendment

E. whereas the political approach to tackle illegal content online in the EU has mainly focused on voluntary cooperation thus far, but a growing number of Member States are adopting national legislation to address illegal content ***in a non-harmonised manner;***

Amendment 38

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution
Recital E

Motion for a resolution

E. whereas the **political** approach to tackle harmful and illegal **content** online in the EU has mainly focused on voluntary cooperation thus far, but a growing number of Member States are adopting national legislation to address illegal content;

Amendment

E. whereas the **policy** approach to tackle harmful and illegal **activities** online in the EU has mainly focused on voluntary cooperation thus far, but a growing number of Member States are adopting national legislation to address illegal content;

Or. en

Amendment 39
Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Recital E

Motion for a resolution

E. whereas the **political** approach to tackle **harmful and** illegal content online in the EU **has mainly focused on voluntary cooperation thus far**, but a growing number of Member States are adopting national legislation to address illegal content;

Amendment

E. whereas the approach to tackle illegal content online in the EU **is based on court order mandated takedowns**, but a growing number of Member States are adopting **further** national legislation to address illegal content;

Or. en

Amendment 40
Magdalena Adamowicz

Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

Ea. whereas online hate speech and disinformation have grown increasingly widespread in recent years as individuals and disruptive actors use the power of

online platforms to spread hateful or false information; whereas this harms the collective public interest as harmful content undermines respectful and honest public discourse, and poses threats to public safety given that online hate speech can incite real-world violence;

Or. en

Amendment 41
Magdalena Adamowicz

Motion for a resolution
Recital E b (new)

Motion for a resolution

Amendment

***Eb.** whereas online hate speech and disinformation are increasingly being used as tools to increase social polarization, which is in turn exploited for political purposes; whereas combating them is not only relevant to the domain of human rights, but is also a fundamental factor in terms of the defence of the rule of law and democracy in the EU;*

Or. en

Amendment 42
Nadine Morano

Motion for a resolution
Recital F

Motion for a resolution

Amendment

***F.** whereas some forms of harmful content may be legal, yet detrimental to society or democracy, with examples such as opaque political advertising and disinformation on COVID-19 causes and remedies;*

deleted

Amendment 43
Beata Kempa, Patryk Jaki

Motion for a resolution
Recital F

Motion for a resolution

F. whereas some forms of harmful content may be legal, yet detrimental to society or democracy, ***with examples such as opaque political advertising and disinformation on COVID-19 causes and remedies***;

Amendment

F. whereas some forms of harmful content may be legal, yet detrimental to society or democracy;

Amendment 44
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital F

Motion for a resolution

F. whereas some forms of ***harmful*** content ***may be*** legal, yet ***detrimental to*** society or democracy, with examples such as opaque political advertising and disinformation ***on COVID-19 causes and remedies***;

Amendment

F. whereas some forms of content ***are*** legal, yet ***may have negative effects on*** society or democracy, with examples such as opaque political advertising and disinformation;

Amendment 45
Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Recital F

Motion for a resolution

F. whereas some **forms of** harmful content may be **legal, yet** detrimental to society or democracy, with examples such as opaque political advertising and disinformation on COVID-19 causes and remedies;

Amendment

F. whereas some harmful content may be detrimental to society or democracy, **yet be legal**, with examples such as opaque political advertising and disinformation on COVID-19 causes and remedies;

Or. en

Amendment 46

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Recital F

Motion for a resolution

F. whereas some forms of **harmful** content may be legal, yet detrimental to society or democracy, with examples such as opaque political advertising and disinformation on COVID-19 causes and remedies;

Amendment

F. whereas some forms of content may be legal, yet detrimental to society or democracy, with examples such as opaque political advertising and disinformation on COVID-19 causes and remedies;

Or. en

Amendment 47

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital G

Motion for a resolution

G. whereas a pure self-regulatory approach of platforms does not provide adequate transparency to public authorities, civil society and users on how platforms address illegal and **harmful** content; whereas such an approach does not guarantee compliance with fundamental rights;

Amendment

G. whereas a pure self-regulatory approach of platforms does not provide **legitimacy or** adequate transparency **and proper information** to public authorities, civil society and users on how platforms address illegal **content** and content **that is deleted against violations of terms and conditions**; whereas such an approach does not guarantee compliance with

fundamental rights *and creates a risk of excessive interference with the right of freedom of expression and creates a problematic situation where law enforcement responsibilities are handed over to private parties;*

Or. en

Amendment 48

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Recital G

Motion for a resolution

G. whereas a pure self-regulatory approach of platforms does not provide adequate transparency to public authorities, civil society and users on how platforms address illegal *and harmful* content; whereas such *an approach does* not guarantee compliance with fundamental rights;

Amendment

G. whereas a pure self-regulatory approach of platforms does not provide adequate transparency, *accountability and oversight* to public authorities, civil society and users on how platforms address illegal *content and how they curate* content *in general*; whereas such *approaches may* not guarantee compliance with fundamental rights;

Or. en

Amendment 49

Beata Kempa, Patryk Jaki

Motion for a resolution

Recital G

Motion for a resolution

G. whereas a pure self-regulatory approach of platforms does not provide adequate transparency to public authorities, civil society and users on how platforms address illegal and harmful content; whereas such an approach does not guarantee compliance with fundamental

Amendment

(Does not affect the English version.)

rights;

Or. pl

Amendment 50
Moritz Körner

Motion for a resolution
Recital G

Motion for a resolution

G. whereas a pure self-regulatory approach of platforms **does** not provide adequate transparency to public authorities, civil society and users on how platforms address illegal and harmful content; whereas such an approach **does** not guarantee compliance with fundamental rights;

Amendment

G. whereas a pure self-regulatory approach of platforms **may** not provide adequate transparency to public authorities, civil society and users on how platforms address illegal and harmful content; whereas such an approach **may** not guarantee compliance with fundamental rights;

Or. en

Amendment 51
Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution
Recital G

Motion for a resolution

G. whereas a pure self-regulatory approach of platforms does not provide adequate transparency to public authorities, civil society and users on how platforms address illegal **and harmful content**; whereas such an approach does not guarantee compliance with fundamental rights;

Amendment

G. whereas a pure self-regulatory approach of platforms does not provide adequate transparency to public authorities, civil society and users on how platforms address illegal **activities**; whereas such an approach does not guarantee compliance with fundamental rights;

Or. en

Amendment 52

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital H

Motion for a resolution

H. whereas regulatory oversight and supervision ***of platforms lacks horizontal*** coordination between the different oversight bodies across the EU;

Amendment

H. whereas regulatory oversight and supervision ***is sector-specific in the EU; whereas further and more comprehensive*** coordination between the different oversight bodies across the EU ***would be beneficial;***

Or. en

Amendment 53

Beata Kempa, Patryk Jaki

Motion for a resolution

Recital I

Motion for a resolution

I. whereas the absence of uniform and transparent rules for procedural safeguards across the EU is a key obstacle for persons affected by illegal content online and content providers seeking to exercise their rights;

deleted

Amendment

Or. pl

Amendment 54

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital I

Motion for a resolution

I. whereas the absence of uniform and transparent rules for procedural safeguards across the EU is a key obstacle for persons affected by illegal content

deleted

Amendment

online and content providers seeking to exercise their rights;

Or. en

Amendment 55

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Recital I

Motion for a resolution

I. whereas the absence of uniform and transparent rules for procedural safeguards across the EU is a key obstacle for persons affected by illegal **content** online and content providers seeking to exercise their rights;

Amendment

I. whereas the absence of uniform and transparent rules for procedural safeguards across the EU is a key obstacle for persons affected by illegal **activities** online and content providers, **including users**, seeking to exercise their rights;

Or. en

Amendment 56

Kris Peeters, Tomáš Zdechovský, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Recital J

Motion for a resolution

J. whereas the lack of robust public data on the prevalence and removal of illegal and harmful content online creates a deficit of accountability;

Amendment

J. whereas the lack of robust public data on the prevalence and removal of illegal and harmful content online creates a deficit of accountability, **both in the private and public sector; this includes the use and underlying source codes of algorithmic processes and how platforms address the erroneous removal of content;**

Or. en

Amendment 57

Beata Kempa, Patryk Jaki

Motion for a resolution
Recital J

Motion for a resolution

J. whereas the lack of robust public data on the prevalence and removal of illegal and harmful content online creates a deficit of accountability;

Amendment

J. whereas the lack of robust public data on the prevalence and removal of illegal and harmful content online, **as well as the lack of proper transparency from internet platforms and services as to the algorithms they use**, creates a deficit of accountability;

Or. pl

Amendment 58
Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Recital J

Motion for a resolution

J. whereas the lack of robust public data on the prevalence and removal of illegal and harmful content online creates a deficit of accountability;

Amendment

J. whereas the lack of **comparable, robust public data on the prevalence and both court mandated and self-regulatory** removal of illegal and harmful content online creates a deficit of **transparency and** accountability;

Or. en

Amendment 59
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital J

Motion for a resolution

J. whereas the lack of robust public data on the prevalence and removal of illegal **and harmful** content online creates

Amendment

J. whereas the lack of robust public **data on notices and follow-up by competent authorities about, and** data on

a deficit of accountability;

the prevalence and removal of illegal content online creates a deficit of accountability;

Or. en

Amendment 60

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Recital J a (new)

Motion for a resolution

Amendment

Ja. whereas persons of colour, persons belonging to or who are perceived to belong to ethnic or linguistic minorities, asylum seekers, migrants, LGBTIQ persons and women often experience high levels of discriminatory hate speech, bullying, threats and scapegoating online and run high risks of experiencing so-called "shit storms";

Or. en

Amendment 61

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Recital J b (new)

Motion for a resolution

Amendment

Jb. whereas algorithms used for automated decision-making or profiling often reproduce existing discriminatory patterns in society, thereby leading to a high risk of exacerbated discrimination for persons already affected.

Or. en

Amendment 62
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital K

Motion for a resolution

Amendment

K. *whereas child sexual exploitation online is shaped by technological developments; whereas the vast amount of child sexual abuse material circulating online poses serious challenges for detection, investigation and, most of all, victim identification efforts;* **deleted**

Or. en

Amendment 63
Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution
Recital K

Motion for a resolution

Amendment

K. *whereas child sexual exploitation online is shaped by technological developments; whereas the vast amount of child sexual abuse material circulating online poses serious challenges for detection, investigation and, most of all, victim identification efforts;* **deleted**

Or. en

Amendment 64
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Recital K

Motion for a resolution

Amendment

K. whereas child sexual exploitation online is shaped by technological developments; whereas the vast amount of child sexual abuse material circulating online poses serious challenges for detection, investigation and, most of all, victim identification efforts;

K. whereas child sexual exploitation online is shaped by technological developments; whereas the vast amount of child sexual abuse material circulating online poses serious challenges for detection, investigation and, most of all, victim identification efforts; ***whereas the lockdown resulting from the Covid-19 health crisis has seen a 106% rise in online traffic in child pornography according to Europol^{1 a}***;

^{1 a} Catherine de Bolle, Executive Director of Europol, in an exchange of views with Parliament's LIBE Committee on 18 May 2020.

Or. fr

Amendment 65

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Recital K

Motion for a resolution

K. whereas child sexual exploitation online is shaped by technological developments; whereas the vast amount of child sexual abuse material circulating online poses serious challenges for detection, investigation and, most of all, victim identification efforts;

Amendment

K. whereas child sexual exploitation online is shaped by technological developments, ***such as the increased use of end-to-end encryption and the dark web***; whereas the vast amount of child sexual abuse material circulating online poses serious challenges for detection, investigation and, most of all, victim identification efforts;

Or. en

Amendment 66

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital K

Motion for a resolution

K. whereas child sexual exploitation online is shaped by technological developments; whereas the vast amount of child sexual abuse material circulating online poses serious challenges for detection, investigation and, most of all, victim identification efforts;

Amendment

K. whereas child sexual exploitation online is ***one of the forms of illegal content*** shaped by technological developments; whereas the vast amount of child sexual abuse material circulating online poses serious challenges for detection, investigation and, most of all, victim identification efforts;

Or. en

Amendment 67

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Recital L

Motion for a resolution

L. whereas according to the Court of Justice of the European Union (CJEU), jurisprudence host providers may have recourse to automated search tools and technologies to assess if content is equivalent to content previously declared unlawful, and should thus be removed following an order from a Member State;

Amendment

deleted

Or. en

Amendment 68

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital L

Motion for a resolution

L. whereas according to the Court of Justice of the European Union (CJEU), jurisprudence host providers may have

Amendment

L. whereas according to the Court of Justice of the European Union (CJEU), jurisprudence host providers may have

recourse to automated search tools and technologies to assess if content is equivalent to content previously declared unlawful, **and** should **thus** be removed following **an** order from a Member State;

recourse to automated search tools and technologies to assess if content is equivalent to content previously declared unlawful, **as long as it does not result in monitoring generally the information which it stores, or in actively seeking facts or circumstances indicating illegal activity, as provided for in Article 15(1) of Directive 2000/31; whereas such content** should be removed following **a court** order from a Member State;

Or. en

Amendment 69
Beata Kempa, Patryk Jaki

Motion for a resolution
Recital L

Motion for a resolution

L. whereas **according to the Court of Justice of the European Union (CJEU), jurisprudence host providers may have recourse to automated search tools and technologies to assess if content is equivalent to content previously declared unlawful, and should thus be removed following an order from a Member State;**

Amendment

L. whereas **automated search tools and technologies to assess if content is equivalent to content previously declared unlawful are unreliable and do not provide adequate protection for freedom of expression and civil liberties online; whereas any attempt to proactively filter content should be limited, and any automatic deletion of content must always be carried out under human supervision and action;**

Or. pl

Amendment 70
Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution
Recital L

Motion for a resolution

L. whereas according to the Court of

Amendment

L. whereas according to the Court of

Justice of the European Union (CJEU), jurisprudence host providers may have recourse to automated search tools and technologies to assess if content is equivalent to content previously declared unlawful, and should thus be removed following an order from a Member State;

Justice of the European Union (CJEU) jurisprudence, host providers may have recourse to automated search tools and technologies to assess if content is equivalent to content previously declared unlawful, and should thus be removed following an order from a Member State, ***but they are not obliged to use such automated tools;***

Or. en

Amendment 71

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Recital L a (new)

Motion for a resolution

Amendment

La. whereas a trusted electronic identification is elementary to ensure secure access to digital services and to carry out electronic transactions in a safer way; whereas currently only 15 Member States have notified an electronic identity scheme for cross-border recognition in the framework of the Regulation (EU) 910/2014;

Or. en

Amendment 72

Beata Kempa, Patryk Jaki

Motion for a resolution

Recital L a (new)

Motion for a resolution

Amendment

La. whereas the internet and internet platforms are still a key location for terrorist groups' activities, and they are used as a tool for sowing propaganda, recruitment and promotion of their

activities;

Or. pl

Amendment 73

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph -1 (new)

Motion for a resolution

Amendment

-1. Underlines that digital services and their underlying algorithms need to fully respect fundamental rights, especially the protection of privacy and personal data, non-discrimination and the freedom of speech and information, as enshrined in the Treaties and the Charter of Fundamental rights of the European Union;

Or. en

Amendment 74

Moritz Körner

Motion for a resolution

Paragraph -1 (new)

Motion for a resolution

Amendment

-1. Stresses that the reform of the current liability regime for digital service providers must be proportionate, must not disadvantage small and medium sized companies, and must not limit innovation, access to information, and freedom of expression.

Or. en

Amendment 75
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph -1 a (new)

Motion for a resolution

Amendment

-1a. Emphasises that the rapid development of digital services requires strong legislation to protect privacy; stresses therefore in this regard that all digital services need to fully respect Union data protection and privacy law, namely Regulation (EU) 2016/679 of the European Parliament and of the Council (GDPR) and Directive (EC) 2002/58 of the European Parliament and of the Council (ePrivacy) currently under revision, and the freedom of expression;

Or. en

Amendment 76
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph -1 b (new)

Motion for a resolution

Amendment

-1b. Stresses that in line with the principle of data minimisation established by the General Data Protection Regulation, the Digital Services Act shall require intermediaries to enable the anonymous use of their services and payment for them wherever it is technically possible, as anonymity effectively prevents unauthorized disclosure, identity theft and other forms of abuse of personal data collected online; only where existing legislation requires businesses to communicate their identity, providers of major market places could be

obliged to verify their identity, while in other cases the right to use digital services anonymously shall be upheld;

Or. en

Amendment 77
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph -1 c (new)

Motion for a resolution

Amendment

-1c. Notes that since the online activities of an individual allow for deep insights into their personality and make it possible to manipulate them, the general and indiscriminate collection of personal data concerning every use of a digital service interferes disproportionately with the right to privacy and the protection of personal data; confirms that users have a right not to be subject to pervasive tracking when using digital services; stresses that in the spirit of the jurisprudence on communications metadata, public authorities shall be given access to a user's subscriber and metadata only to investigate suspects of serious crime with prior judicial authorisation;

Or. en

Amendment 78
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph -1 d (new)

Motion for a resolution

Amendment

-1d. Is concerned that single sign-in services can be used to track users across platforms; therefore opposes the creation of a single Union sign-in system; recommends that providers which support a single sign-in 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;

Or. en

Amendment 79

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph -1 e (new)

Motion for a resolution

Amendment

-1e. Stresses that in order to overcome the lock-in effect of centralised networks and to ensure competition and consumer choice, users of dominant social media services and messaging services shall be given a right to cross-platform interaction via open interfaces (interconnectivity); highlights that these users shall be able to interact with users of alternative services, and that the users of alternative services shall be allowed to interact with them;

Or. en

Amendment 80

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 1

Motion for a resolution

Amendment

1. Stresses that illegal **content** online

1. ***Urges the Commission to adopt a***

should be tackled with the same rigour as illegal *content* offline;

comprehensive and tailored regulatory approach to address all challenges raised by the diversity of actors and services offered online; in particular, stresses that the new horizontal framework should distinguish commercial activities on online market places from other intermediaries' activities that have an impact on the freedom of expression and information; considers essential to apply different regulatory approaches to illegal and legal content. Stresses that illegal *activities* online should be tackled with the same rigour as illegal *activities* offline, *and with the same guarantees for citizens;*

Or. en

Amendment 81

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Stresses that illegal content online *should be tackled with* the same *rigour* as illegal content offline;

Amendment

1. Stresses that illegal content online *is* the same as illegal content offline; *takes therefore the position that any legally mandated content moderation measure in the Digital Services Act should concern only illegal content, as it is defined in European or national law, and the legislative text should not include any legally vague and undefined terms, such as "harmful content", as targeting such content would put fundamental rights and freedom of speech at serious risk and put the service providers in a legally unclear position;*

Or. en

Amendment 82

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando

Benifei

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Stresses that illegal content online should be tackled with the same rigour as illegal content offline;

Amendment

1. Stresses that illegal content ***and cyber-enabled crimes, such as child sexual exploitation*** online, should be tackled with the same rigour as illegal content ***and behaviour*** offline;

Or. en

Amendment 83

Moritz Körner

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Stresses that illegal content online should be tackled with the same rigour as illegal content offline;

Amendment

1. Stresses that illegal content online should be tackled with the same rigour ***and based on the same legal principles*** as illegal content offline;

Or. en

Amendment 84

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Points out that the Digital Services Act shall not use the legally undefined concept of “harmful content”, but shall address the publication of content that is unlawful; emphasizes that the spreading of false statements on social media should be contained by giving users control over

content proposed to them; stresses that curating content on the basis of tracking user actions shall require the user's consent; proposes that users of social networks should have a right to see their timeline in chronological order; suggests that dominant platforms shall provide users with an interface to have content curated by software or services of their choice

Or. en

Amendment 85

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Paragraph -1. Underlines that the modernisation of current e-Commerce rules can inevitably affect fundamental rights, including the protection of privacy and personal data, the freedom of expression and information, equality and non-discrimination, freedom of thought, conscience and religion, freedom of assembly and association, freedom of the arts and sciences, and the right to an effective remedy; therefore urges the Commission to be extremely vigilant in its approach and also integrate international human rights standards into its revision;

Or. en

Amendment 86

Moritz Körner

Motion for a resolution

Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. *Is convinced that it is solely the task of democratically accountable competent public authorities to decide on the legality of content online.*

Or. en

Amendment 87

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann, Paul Tang

Motion for a resolution

Paragraph 1 b (new)

Motion for a resolution

Amendment

1b. *Paragraph -1a. Notes how the current digital ecosystem encourages also problematic behaviour, such as hate speech and disinformation; is concerned how promoting controversial content has become the key to the targeted advertisement-based business models, where sensational and polarising content maximises the screen time of users, generating more profiling data, more advertising hours, and therefore more profits; underlines how this type of a business model can have very intrusive and negative effects, not only on individuals and their fundamental rights, but societies as a whole;*

Or. en

Amendment 88

Moritz Körner

Motion for a resolution

Paragraph 1 b (new)

Motion for a resolution

Amendment

1b. *Stresses that digital service*

providers must only be mandated to take their users' content offline based on sufficiently substantiated orders by democratically accountable competent public authorities.

Or. en

Amendment 89
Paul Tang

Motion for a resolution
Paragraph 2

Motion for a resolution

2. *Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights and data protection are respected; calls for a minimum level of intervention based on the principles of necessity and proportionality;*

Amendment

2. *Emphasises that the rapid development of digital services requires a strong futureproof legislative framework to protect personal data and privacy; Stresses therefore in this regard that all digital services need to fully respect Union data protection law, namely Regulation (EU) 2016/679 of the European Parliament and of the Council (GDPR)^{1a} and Directive (EC) 2002/58 of the European Parliament and of the Council (ePrivacy^{1a} currently under revision, the freedom of expression and non-discrimination;*

^{1a} *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1). Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications)*

(OJ L 201, 31.7.2002, p. 37).^{1a} Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1). Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

Or. en

Amendment 90

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights and data protection are respected; calls for a minimum level of intervention based on the principles of necessity and proportionality;

Amendment

2. Believes in the clear *societal and* economic benefits of a functioning digital single market for the EU and its Member States; **welcomes these benefits, in particular improved access to information and the strengthening of the freedom of expression**; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights and data protection are respected; calls for a minimum level of intervention based on the principles of necessity and proportionality;

Or. en

Amendment 91

Magdalena Adamowicz

**Motion for a resolution
Paragraph 2**

Motion for a resolution

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights and data protection are respected; calls for a minimum level of intervention based on the principles of necessity and proportionality;

Amendment

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights - ***including freedom of expression and information, and media freedom and pluralism*** - and data protection are respected; calls for a minimum level of intervention based on the principles of necessity and proportionality;

Or. en

**Amendment 92
Fabienne Keller, Nathalie Loiseau**

**Motion for a resolution
Paragraph 2**

Motion for a resolution

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights and data protection are respected; calls for a ***minimum*** level of intervention based on the principles of necessity and proportionality;

Amendment

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights and data protection are respected ***and in which citizens' online digital security is guaranteed***; calls for a level of intervention based on the principles of necessity and proportionality;

Or. fr

**Amendment 93
Malin Björk**

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Believes in the **clear economic** benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights and data protection are respected; calls for **a minimum level of** intervention based on the principles of necessity and proportionality;

Amendment

2. Believes in the benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights – **above all freedom of expression and information, and media freedom and pluralism** – and data protection are respected; calls for **an** intervention based on the principles of necessity and proportionality;

Or. en

Amendment 94
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights and data protection are respected; calls for a minimum level of intervention based on the principles of necessity and proportionality;

Amendment

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights, **including freedom of expression, privacy** and data protection, are respected; calls for a minimum level of intervention based on the principles of necessity and proportionality;

Or. en

Amendment 95
Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights **and** data protection **are respected; calls for a minimum level of intervention based on the principles of necessity and proportionality;**

Amendment

2. Believes in the clear economic benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights, **especially** data protection, **privacy and non-discrimination are at its core;**

Or. en

Amendment 96
Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Believes in the **clear economic** benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights **and** data protection are respected; calls for a **minimum level of** intervention based on the principles of necessity and proportionality;

Amendment

2. Believes in the benefits of a functioning digital single market for the EU and its Member States; stresses the important obligation to ensure a fair digital ecosystem in which fundamental rights, **including** data protection, are respected; calls for a **comprehensive and effective regulatory** intervention based on the principles of necessity and proportionality;

Or. en

Amendment 97
Paul Tang

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2a. Underlines that digital services and their underlying algorithms need to fully respect fundamental rights, especially privacy, the protection of personal data, non-discrimination and the freedom of expression and information, as enshrined in the Treaties and the Charter of Fundamental rights of the European Union; Calls therefore on the Commission to implement an obligation of transparency and explainability of algorithms, penalties to enforce such obligations, and the possibility of human intervention, as well as other measures, such as independent audits and specific stress tests to assist and enforce compliance; believes that such independent audits should be conducted annually, in analogy with the financial sector, to examine whether the used data policy, algorithms and checks and balances are in accordance with specified criteria and are supervised by an independent sufficient overseeing authority;

Or. en

Amendment 98
Moritz Körner

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2a. Is convinced that digital service providers must not retain data for law enforcement purposes unless a targeted retention of an individual user's data is directly ordered by a democratically accountable competent public authority in line with Union law.

Or. en

Amendment 99
Paul Tang

Motion for a resolution
Paragraph 2 b (new)

Motion for a resolution

Amendment

2b. Notes that digital services use advanced algorithms, which analyse or predict aspects concerning the user's personal preferences, interests or behaviour, for profiling; Emphasises that the quality of output of automated decision making algorithms is subject to the quality of used data and the chosen predetermined parameters; Stresses that the use of automated decision making algorithms requires a strong legislative framework which protects privacy and personal data, and together with a duty of care obligation overseeing the legitimate use of the algorithms, that does not apply to content moderation, ensures full compliance; Calls therefore on the Commission to work out a duty of care regime, which has its basis in the e-Commerce Directive, through detailed sectoral guidelines in order to use automated decision making algorithms in compliance with the fundamental rights of protection of personal data and privacy, laid down in the General Data Protection Regulation;

Or. en

Amendment 100
Moritz Körner

Motion for a resolution
Paragraph 2 b (new)

Motion for a resolution

Amendment

2b. Requests that digital services should to the maximum extent possible be

accessible without the need for users to reveal their identity.

Or. en

Amendment 101

Paul Tang

Motion for a resolution

Paragraph 2 c (new)

Motion for a resolution

Amendment

2c. Emphasises that there are certain differences still between online and offline worlds, for instance, in terms of anonymity, the absence of a governing entity, between the balances of power and technical capabilities; Calls therefore on the Commission to let the principles of human dignity and 'what is illegal offline is illegal online' prevail in its DSA-proposal and to introduce in the DSA the concept of digital dignity, which builds upon these principles and embodies the fundamental rights of individuals;

Or. en

Amendment 102

Moritz Körner

Motion for a resolution

Paragraph 2 c (new)

Motion for a resolution

Amendment

2c. Reiterates that digital service providers must respect and enable their users' right to data portability as laid down in Union law.

Or. en

Amendment 103

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Deems it necessary that illegal content is removed **swiftly** and consistently in order to address crimes and fundamental rights violations; considers that voluntary codes of conduct **only partially address the issue**;

Amendment

3. Deems it necessary that illegal content is removed **without undue delay** and consistently **where the hosting service provider has actual knowledge of it and its illegal nature** in order to address crimes and fundamental rights violations; considers that voluntary codes of conduct **and standard contractual terms of service are not appropriate for addressing illegal content in line with fundamental rights; stresses that the responsibility for enforcing the law, deciding on the legality of online activities and ordering hosting service providers to remove or disable access to illegal content as soon as possible shall rest with independent judicial authorities**;

Or. en

Amendment 104

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Deems it necessary that illegal content is removed **swiftly and consistently in order to address crimes and fundamental rights violations**; considers that voluntary codes of conduct only partially address the issue;

Amendment

3. Deems it necessary that illegal content is removed **swiftly and consistently, through a clear and harmonised notice-and-action procedure with the necessary safeguards in place, such as transparency of the process, the right to appeal and access to effective judicial redress**; considers that voluntary codes of conduct only partially address the issue;

Amendment 105
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Deems it necessary that illegal content is removed swiftly and consistently in order to address crimes and fundamental rights violations; considers that voluntary codes of conduct only partially address the issue;

Amendment

3. Deems it necessary that illegal content is removed swiftly and consistently in order to address crimes and fundamental rights violations; considers that voluntary codes of conduct only partially address the issue ***and that a more effective liability regime for platforms should be introduced;***

Or. fr

Amendment 106
Beata Kempa, Patryk Jaki

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Deems it necessary that illegal content is removed swiftly and consistently in order to address crimes and ***fundamental rights violations***; considers that voluntary codes of conduct ***only partially address the issue;***

Amendment

3. Deems it necessary that ***flagrantly*** illegal content is removed swiftly and consistently in order to address crimes and ***terrorist propaganda***; considers that voluntary codes of conduct ***have helped to reduce the appearance of illegal content on the internet and are a good mechanism that should be strengthened;***

Or. pl

Amendment 107
Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Deems it necessary that illegal **content is** removed swiftly and consistently in order to address **crimes** and fundamental rights violations; considers that voluntary codes of conduct **only partially address** the issue;

Amendment

3. Deems it necessary that illegal **activities are** removed swiftly and consistently in order to address **law infringements** and fundamental rights violations; considers that voluntary codes of conduct **lack adequate enforcement and have proven to be inefficient in addressing** the issue;

Or. en

Amendment 108

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando Benifei

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Deems it necessary that illegal content is removed swiftly and consistently in order to address crimes and fundamental rights violations; considers that voluntary codes of conduct only partially address the issue;

Amendment

3. Deems it necessary that illegal content is removed swiftly and consistently in order to address crimes, **especially those relating to children** and fundamental rights violations; considers that voluntary codes of conduct only partially address the issue;

Or. en

Amendment 109

Raphaël Glucksmann, Sylvie Guillaume

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Deems it necessary that illegal content is removed **swiftly and** consistently in order to address crimes and fundamental

Amendment

3. Deems it necessary that illegal content is removed consistently **within a strictly defined period of time** in order to

rights violations; considers that voluntary codes of conduct only partially address the issue;

address crimes and fundamental rights violations; considers that voluntary codes of conduct only partially address the issue;

Or. en

Amendment 110
Moritz Körner

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Calls on digital service providers to take content offline in a diligent, proportionate and non-discriminatory manner, and with due regard in all circumstances to the fundamental rights of the users and to take into account the fundamental importance of the freedom of expression and information in an open and democratic society with a view to avoiding the removal of content, which is not illegal. Requests digital service providers, which on their own initiative want to restrict certain legal content of their users, to explore the possibility of labelling rather than taking offline that content, giving users the chance to self-responsibly choose to access that content.

Or. en

Amendment 111
Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Recalls that illegal **content** online should not only be removed by online platforms, but should be followed up by

4. Recalls that illegal **information, services and products** online should not only be removed by online platforms, but

law enforcement and the judiciary; *finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but rather unopened ones*; calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be improved;

should be followed up by law enforcement and the judiciary; *calls on the Commission to consider obliging major hosting service providers to report serious crime to the competent law enforcement authority, upon obtaining actual knowledge of such a crime*; calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities, *as well as cross-border cooperation between national competent authorities* should be improved; *stresses in this regard the need to respect the legal order of the EU and the established principles of cross-border cooperation; stresses that competent authorities have to be provided with adequate resources in order to be effective.*

Or. en

Amendment 112
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Recalls that illegal content online should not only be removed by online platforms, but should be followed up by law enforcement and the judiciary; finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but rather unopened ones; calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent

Amendment

4. Recalls that illegal content online should not only be removed by online platforms, but should be followed up by law enforcement and the judiciary; finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but rather unopened ones; *considers that providing national judicial services with specialised staff and adequate financial resources is key to improving access to and the efficiency of the justice system in the area of digital services*; calls for barriers to filing complaints with competent authorities to

authorities should be improved;

be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be improved;

Or. fr

Amendment 113

Kris Peeters, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Recalls that illegal content online should not only be removed by online platforms, but should be followed up by law enforcement and the judiciary; finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but rather unopened ones; calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be improved;

Amendment

4. Recalls that illegal content online should not only be removed by online platforms, but should be followed up by law enforcement and the judiciary; finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but rather unopened ones; calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be improved; ***calls, to this end, on Member States to equip their law enforcement and judicial authorities with the necessary expertise, resources and tools to allow them to effectively deal with the increasing number of cases involving illegal content online;***

Or. en

Amendment 114

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Recalls that illegal content online should not **only** be removed by online platforms, but should be followed up by law enforcement and the judiciary; finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but **rather** unopened ones; ***calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be improved;***

Amendment

4. Recalls that illegal content online should not be **just** removed by online platforms, but should be followed up by law enforcement and, ***where needed***, the judiciary; finds, in this regard, that a key issue in some Member States is not that they **just** have unresolved cases but **also** unopened ones;

Or. en

Amendment 115

Beata Kempa, Patryk Jaki

Motion for a resolution

Paragraph 4

Motion for a resolution

4. ***Recalls that illegal content online should not only be removed by online platforms, but should be followed up by law enforcement and the judiciary; finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but rather unopened ones; calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be improved;***

Amendment

4. ***is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities, as well as between national competent authorities, should be improved, for instance by introducing tools based on cooperation and mutual trust between Member States, e.g. beyond the cross-border order to remove online content which is clearly and unquestionably illegal;***

Or. pl

Amendment 116

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Recalls that illegal content online should not only be removed by online platforms, but should be followed up by law enforcement and the judiciary; finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but rather unopened ones; calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be **improved**;

Amendment

4. Recalls that illegal content online should not only be removed by online platforms, but should be followed up by law enforcement and the judiciary **where criminal acts are concerned** ; finds, in this regard, that a key issue in some Member States is not that they have unresolved cases but rather unopened ones; calls for barriers to filing complaints with competent authorities to be removed; is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be **regulated based on the principles of necessity and proportionality**;

Or. en

Amendment 117

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 4 – subparagraph 1 (new)

Motion for a resolution

Amendment

Is convinced that, given the borderless nature of the internet and the fast dissemination of illegal content online, cooperation between service providers and national competent authorities should be improved;

Or. en

Amendment 118

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Stresses that proportionate sanctions should be applied to violations of the law, which shall not encompass excluding individuals from digital services;

Or. en

Amendment 119

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 5

Motion for a resolution

Amendment

5. Acknowledges the fact that, while the illegal nature of certain **types of** content can be easily established, the decision is more difficult for other **types of** content as it requires contextualisation; warns that **some** automated tools are not sophisticated enough to take contextualisation into account, which **could lead** to unnecessary restrictions being placed on the freedom of expression;

5. Acknowledges the fact that, while the illegal nature of certain content can be easily established, the decision is more difficult for other content as it requires contextualisation; warns that automated tools are not sophisticated enough to take contextualisation into account **and differentiate illegal content from content that is legal in a given context**, which **leads** to unnecessary restrictions being placed on the freedom of expression **and information; highlights that a review of automated reports by service providers, their staff or their contractors does not solve this problem as private staff lack the independence, qualification and accountability of public authorities; therefore stresses that the Digital Services Act shall explicitly prohibit any obligation**

on hosting service providers or other technical intermediaries to use automated tools for content moderation, and refrain from imposing notice-and-stay-down mechanisms; content moderation procedures used by providers shall not lead to any ex-ante control measures based on automated tools or upload-filtering of content;

Or. en

Amendment 120

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Acknowledges the fact that, ***while*** the illegal nature of ***certain types of content can be easily established, the decision is more difficult for other types of content*** as it requires contextualisation; warns that ***some*** automated tools are ***not sophisticated enough to take contextualisation into account***, which could lead to unnecessary restrictions being placed on the freedom of expression;

Amendment

5. Acknowledges the fact that ***the decision on the illegal nature of online information, products and services is*** difficult as it requires contextualisation; warns that automated tools are ***unable to differentiate illegal content from content that is legal in a given context***, which could lead to unnecessary restrictions being placed on the freedom of expression; ***highlights that a review of automated reports by service providers, their staff or their contractors does not solve this problem as private staff lack the independence, qualification and accountability of public authorities; therefore stresses that the Digital Services Act shall explicitly prohibit any obligation on hosting service providers or other technical intermediaries to use automated tools for content moderation, and refrain from imposing notice-and-stay-down mechanisms; content moderation procedures used by providers shall not lead to any ex-ante control measures based on automated tools or upload-filtering of content;***

Amendment 121

Kris Peeters, Tomáš Zdechovský, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as it requires contextualisation; warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary **restrictions being placed on** the freedom of expression;

Amendment

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as it requires contextualisation; warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary **takedowns and harm** the freedom of expression; **highlights that illegal content online can easily be multiplied which greatly amplifies the negative impact within a very short period of time; therefore believes that digital service providers should be allowed to have recourse to automated tools with human oversight to detect, remove or block access to content whose illegality has either been established by a court or can be easily determined without contextualisation;**

Amendment 122

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as

Amendment

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as

it requires contextualisation; *warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary restrictions being placed on the freedom of expression;*

it requires contextualisation; *reminds in this regard of the incapacity of current automated tools in grasping the importance of context for specific pieces of content, underlines that algorithms are not currently capable of critical analysis, and takes therefore the view that the Digital Services Act should not contain any obligation for compulsory use of automated tools in content moderation; believes that any voluntary automated measures put in place by the content hosting platforms should be subject to extensive human oversight and to full transparency of design and performance;*

Or. en

Amendment 123

Fabienne Keller, Nathalie Loiseau

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as it requires contextualisation; warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary restrictions being placed on the freedom of expression;

Amendment

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as it requires contextualisation; warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary restrictions being placed on the freedom of expression; *considers that the use of artificial intelligence in this area must comply with EU data protection and transparency legislation and principles and must be subject to human supervision;*

Or. fr

Amendment 124

Beata Kempa, Patryk Jaki

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as it requires contextualisation; warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary restrictions being placed on the freedom of expression;

Amendment

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as it requires contextualisation; warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary ***and harmful*** restrictions being placed on the freedom of expression, ***political views and the right to receive a variety of often controversial information, leading to the filtering and censorship of the internet;***

Or. pl

Amendment 125

Fabienne Keller, Nathalie Loiseau

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as it requires contextualisation; warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary restrictions being placed on the freedom of expression;

Amendment

5. Acknowledges the fact that, while the illegal nature of certain types of content can be easily established, the decision is more difficult for other types of content as it requires contextualisation; ***considers it necessary to provide a clear definition of ‘illegal’ content and ‘dangerous’ content;*** warns that some automated tools are not sophisticated enough to take contextualisation into account, which could lead to unnecessary restrictions being placed on the freedom of expression;

Or. fr

Amendment 126
Kris Peeters, Paulo Rangel

Motion for a resolution
Paragraph 5 – subparagraph 1 (new)

Motion for a resolution

Amendment

considers, in this regard, that other stakeholders in the online ecosystem, such as users, right holders and media, can also play an important role in establishing whether content is illegal based on the specific context; invites these stakeholders to cooperate closely and exchange information with platforms to help them to effectively identify and address illegal content;

Or. en

Amendment 127
Nadine Morano

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Stresses that the removal of online content must be consistent with the freedoms of expression and communication;

Or. fr

Amendment 128
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 6

Motion for a resolution

Amendment

6. Underlines that a specific piece of information may be deemed illegal in one Member State but is covered by the right to freedom of expression in another;

6. Underlines that a specific piece of information may be deemed illegal in one Member State but is covered by the right to freedom of expression in another; ***highlights that in order to protect freedom of speech standards, to avoid conflicts of laws, to avert unjustified and ineffective geo-blocking and to aim for a harmonised digital single market hosting service providers shall not be required to remove or disable access to information that is legal in their country of origin;***

Or. en

Amendment 129

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution Paragraph 6

Motion for a resolution

6. Underlines that a specific piece of information may be deemed illegal in one Member State but is covered by the right to freedom of expression in another;

Amendment

6. Underlines that a specific piece of information may be deemed illegal in one Member State but is covered by the right to freedom of expression in another; ***stresses, therefore, that national authorities should only be allowed to address and enforce removal orders to service providers established in their territory;***

Or. en

Amendment 130

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution Paragraph 6

Motion for a resolution

6. Underlines that a specific piece of information may be deemed illegal in one Member State but is covered by the right to

Amendment

6. Underlines that a specific piece of information may be deemed illegal in one Member State but is covered by the right to

freedom of expression in another;

freedom of expression in another; *calls for a structured dialogue between Member States in order to assess the risk of specific types of content;*

Or. en

Amendment 131
Moritz Körner

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Is convinced that digital service providers must not be mandated to apply one Member State's national restrictions on freedom of speech in another Member State where that restriction does not exist.

Or. en

Amendment 132
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Underlines that illegal content should be removed where it is hosted, and that mere conduit intermediaries shall not be required to block access to content;

Or. en

Amendment 133
Cornelia Ernst, Pernando Barrena Arza, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 7

Motion for a resolution

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity **and** respect for fundamental rights; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation and the Directive on privacy and electronic communications;

Amendment

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity, respect for fundamental rights, **and enhanced consumer protection**; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation and the Directive on privacy and electronic communications; ***calls on the Council to swiftly reach a general approach which does not lower current levels of protection for consumers to start trilogue negotiations with the European Parliament on the proposal for the ePrivacy Regulation as soon as possible***

Or. en

Amendment 134

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 7

Motion for a resolution

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity and respect for fundamental rights; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation and the Directive on privacy and electronic communications;

Amendment

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies ***such as the prevalence of all-encompassing profiling and algorithmic decision-making that permeates all areas of life***, and ensuring legal clarity and respect for fundamental rights; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation and the

Amendment 135

Malin Björk

Motion for a resolution

Paragraph 7

Motion for a resolution

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity and respect for fundamental rights; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation **and** the Directive on privacy and electronic communications;

Amendment

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity and respect for fundamental rights; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation, the Directive on privacy and electronic communications **and respect the primacy of sector-specific instruments such as the revised Audiovisual Media Services Directive;**

Amendment 136

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Paragraph 7

Motion for a resolution

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies **and** ensuring legal clarity and respect for fundamental rights; considers that the reform should build on the solid

Amendment

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by **the fragmentation between the Member States and** new technologies, **as well as** ensuring legal clarity and respect for fundamental

foundation of and full compliance with existing EU law, especially the General Data Protection Regulation and the Directive on privacy and electronic communications;

rights, *in particular the freedom of expression*; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation and the Directive on privacy and electronic communications;

Or. en

Amendment 137
Magdalena Adamowicz

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity and respect for fundamental rights; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation *and* the Directive on privacy and electronic communications;

Amendment

7. Strongly believes that the current EU legal framework governing digital services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity and respect for fundamental rights; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation, the Directive on privacy and electronic communications, *and the sector-specific instruments such as the revised Audiovisual Media Services Directive*;

Or. en

Amendment 138
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Strongly believes that the current EU legal framework governing digital

Amendment

7. Strongly believes that the current EU legal framework governing digital

services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity and respect for fundamental rights; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation and the Directive on privacy and electronic communications;

services should be updated with a view to addressing the challenges posed by new technologies and ensuring legal clarity and respect for fundamental rights **and privacy**; considers that the reform should build on the solid foundation of and full compliance with existing EU law, especially the General Data Protection Regulation and the Directive on privacy and electronic communications;

Or. fr

Amendment 139

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Highlights that the practical capacity of individuals to understand and navigate the complexity of the data ecosystems in which they are embedded is extremely limited, as is their ability to identify whether the information they receive and services they use are made available to them on the same terms as to other users; Calls on the Commission therefore to place transparency and non-discrimination at the heart of the Digital Services Act;

Or. en

Amendment 140

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 8

Motion for a resolution

Amendment

8. Deems it indispensable to have the widest-possible harmonisation of rules on liability ***exemptions and content moderation*** at EU level to guarantee the respect of fundamental rights and the freedoms of users across the EU; expresses its concern that recent national laws to tackle hate speech and disinformation lead to a fragmentation of rules;

8. Deems it indispensable to have the widest-possible harmonisation ***and clarification*** of rules on liability at EU level to guarantee the respect of fundamental rights and the freedoms of users across the EU; ***believes that such rules should maintain liability exemptions for intermediaries not having actual knowledge of the illegal activity or information on their platforms***; expresses its concern that recent national laws to tackle hate speech and disinformation lead to a fragmentation of rules ***and to a lower level of fundamental rights protection in the EU***;

Or. en

Amendment 141

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Deems it indispensable to have the widest-possible harmonisation of rules on liability ***exemptions and content moderation*** at EU level to guarantee the respect of fundamental rights and the freedoms of users across the EU; expresses its concern that recent national laws to tackle hate speech and disinformation lead to a fragmentation of rules;

Amendment

8. Deems it indispensable to have the widest-possible harmonisation ***and clarification*** of rules on liability at EU level to guarantee the respect of fundamental rights and the freedoms of users across the EU; ***believes that such rules should maintain liability exemptions for intermediaries not having knowledge of the illegal activity or information on their platforms***; expresses its concern that recent national laws to tackle hate speech and disinformation lead to a fragmentation of rules ***and to a lower level of fundamental rights protection in the EU***;

Or. en

Amendment 142

Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Deems it indispensable to have the widest-possible harmonisation of rules on liability exemptions and content moderation at EU level to guarantee the respect of fundamental rights and the freedoms of users across the EU; expresses its concern that recent national laws to tackle hate speech and disinformation lead to **a** fragmentation of rules;

Amendment

8. Deems it indispensable to have the widest-possible harmonisation of rules on liability exemptions and content moderation at EU level to guarantee the respect of fundamental rights and the freedoms of users across the EU; expresses its concern that recent national laws to tackle hate speech and disinformation lead to **an increasing** fragmentation of rules;

Or. fr

Amendment 143
Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Deems it indispensable to have **the widest-possible** harmonisation of rules on liability exemptions and content moderation at EU level to guarantee the respect of fundamental rights and the freedoms of users across the EU; expresses its concern that recent national laws to tackle hate speech and disinformation lead to a fragmentation of rules;

Amendment

8. Deems it indispensable to have **full** harmonisation of rules on liability exemptions and content moderation at EU level to guarantee the respect of fundamental rights and the freedoms of users across the EU; expresses its concern that recent national laws to tackle hate speech and disinformation lead to a fragmentation of rules;

Or. en

Amendment 144
Cornelia Ernst, Pernando Barrena Arza, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by **requiring** digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to **remove** illegal **content** in line with European **values**; firmly believes that this should be harmonised within the digital single market;

Amendment

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by **strengthening the rules on competition with regard to digital service providers to prevent harm to competition and consumers; requests for the Digital Services Act to require** digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to **tackle** illegal **activities** in line with European **law**; firmly believes that this should be harmonised within the digital single market;

Or. en

Amendment 145

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando Benifei

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to **remove** illegal content in line with European values; firmly believes that this should be harmonised within the digital single market;

Amendment

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to **prevent by actively detecting and reporting reliably identified child sexual abuse material (CSAM) online and removing** illegal content in line with European values; firmly believes that this should be harmonised within the digital single market;

Or. en

Amendment 146

Beata Kempa, Patryk Jaki

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to remove illegal content in line with **European** values; firmly believes that this should be harmonised within the digital single market;

Amendment

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to remove illegal content in line with **the values that derive from the Roman civilisation and the Christian ethics that underpin the existence of the European Community**; firmly believes that this should be harmonised within the digital single market;

Or. pl

Amendment 147

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to remove illegal content in line with European values; firmly believes that this should be harmonised within the digital single market;

Amendment

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to remove illegal content in line with European values, **while also establishing a procedure for collaboration with law enforcement and judicial authorities**; firmly believes that this should be harmonised within the digital single market;

Or. en

Amendment 148

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Calls, to this end, **for legislative proposals that keep** the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures **and** procedural safeguards to remove illegal content in line with European values; **firmly believes that this should be harmonised within the digital single market;**

Amendment

9. Calls, to this end, **that** the digital single market **is kept** open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures **with robust** procedural safeguards to remove illegal content **via a harmonised notice-and-action procedure** in line with European **legislation**;

Or. en

Amendment 149

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to **remove** illegal content in line with European values; firmly believes that this should be harmonised within the digital single market;

Amendment

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to **tackle** illegal content in line with **the law and** European values; firmly believes that this should be harmonised within the digital single market;

Or. en

Amendment 150
Moritz Körner

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to remove illegal content in line with European values; firmly believes that this should be harmonised within the digital single market;

Amendment

9. Calls, to this end, for legislative proposals that keep the digital single market open and competitive by requiring digital service providers to apply effective, coherent, transparent and fair procedures and procedural safeguards to remove illegal content in line with European values **and law**; firmly believes that this should be harmonised within the digital single market;

Or. en

Amendment 151
Moritz Körner

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Believes, ***in this regard, that online platforms that are actively hosting or moderating content should bear more, yet proportionate, responsibility for the infrastructure they provide and the content on it; emphasises*** that this should be achieved without resorting to general monitoring requirements;

Amendment

10. Believes that this should be achieved without resorting to general monitoring requirements;

Or. en

Amendment 152
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Believes, in this regard, that online platforms that are actively hosting or moderating content should bear more, yet proportionate, responsibility for the infrastructure they provide and the content on it; emphasises that this should be achieved without resorting to general monitoring requirements;

Amendment

10. Believes, in this regard, that online platforms that are actively hosting or moderating content should bear more, yet proportionate, responsibility for the infrastructure they provide and the content on it; emphasises that this should be achieved without resorting to general monitoring requirements; ***proposes the implementation of a common and permanent liability framework for platforms in order to effectively identify and remove illegal content; considers, in particular, that a harmonised EU framework should be based on due diligence obligations so that platforms implement proactive and effective measures, in addition to their obligations relating to transparency and information; considers it important to accompany 'notification and action' procedures for identifying new content with an obligation to monitor content which has already been deemed illegal and removed, in order to prevent it from reappearing online;***

Or. fr

Amendment 153

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Believes, in this regard, that online platforms that are actively hosting ***or*** moderating content should bear more, yet proportionate, ***responsibility*** for the infrastructure they provide and the ***content on it***; emphasises that this should be achieved without resorting to general monitoring requirements;

Amendment

10. Believes, in this regard, that ***large*** online platforms that are actively hosting, moderating ***or recommending*** content, ***services or products***, should bear more, yet proportionate, ***liability*** for the infrastructure they provide and the ***services they offer to users***; ***considers, in this sense, that online marketplaces must be liable upon obtaining credible evidence of***

illegal activities; emphasises that this should be achieved without resorting to general monitoring requirements, *nor to a general and undefined duty of care*; *Highlights that, in order to ensure legal certainty, the new legal framework shall exhaustively and explicitly spell out the obligations of digital service providers*;

Or. en

Amendment 154

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Believes, in this regard, that online platforms that are *actively* hosting *or moderating* content should bear *more, yet* proportionate, *responsibility for the infrastructure they provide and the content on it*; emphasises that this should be achieved without resorting to general monitoring requirements;

Amendment

10. Believes, in this regard, that online platforms that are hosting content should bear proportionate *liability for third-party* content *they host only where they have actual knowledge of illegal content and its illegal nature*; emphasises that this should be achieved without resorting to general monitoring requirements *and ex-ante control measures based on automated tools or upload-filtering of content*; *highlights that the legal regime for digital providers liability should not depend on uncertain notions such as the ‘active’ or ‘passive’ role of providers*;

Or. en

Amendment 155

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 10

Motion for a resolution

Amendment

10. Believes, in this regard, that online platforms *that are actively hosting or moderating content should bear more, yet proportionate, responsibility for the infrastructure they provide and the content on it*; emphasises that *this should be achieved without resorting to* general monitoring *requirements*;

10. Believes, in this regard, that *it is crucial for* online platforms *to have clarity provided for by setting clear rules, requirements and safeguards for a harmonised notice-and-action procedure*; emphasises that *any measure put in place for the removal of illegal content cannot constitute or imply a* general monitoring *requirement*;

Or. en

Amendment 156
Moritz Körner

Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. *Stresses that public authorities must not impose any obligation on digital service providers, neither de jure nor de facto, to monitor the information which they transmit or store, nor a general obligation to seek, moderate or filter content indicating illegal activity.*

Or. en

Amendment 157
Moritz Körner

Motion for a resolution
Paragraph 10 b (new)

Motion for a resolution

Amendment

10b. *Is convinced that digital service providers must not be required to prevent the upload of illegal content. Believes at the same time, where technologically feasible, based on sufficiently substantiated orders by democratically accountable competent public authorities,*

and taking full account of the specific context of the content, that digital service providers may be required to execute periodic searches for distinct pieces of content, which, in line with the ECJ Judgment in Case C-18/18, are identical or equivalent to content that a court had already declared unlawful, and to take that content offline.

Or. en

Amendment 158

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru

Motion for a resolution

Paragraph 11

Motion for a resolution

11. ***Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational capacities in order to address the appearance of illegal content on their services; supports a balanced duty-of-care approach and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;***

Amendment

11. Supports a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Or. en

Amendment 159

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 11

Motion for a resolution

Amendment

11. ***Highlights that this should include*** rules on ***the*** notice-and-action mechanisms and requirements for platforms to take ***proactive*** measures ***that are proportionate to their scale of reach and operational capacities*** in order to address the appearance of illegal ***content*** on their services; supports ***a balanced duty-of-care approach and*** a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

11. ***Urges the adoption of*** rules on ***transparent*** notice-and-action mechanisms and requirements for platforms to take measures in order to address the appearance of illegal ***activities*** on their services; ***these measures should include a robust business user authentication and verification process for services and products offered or facilitated in their platforms, while preserving consumer anonymity; stresses that independent public authorities should be ultimately responsible to determine whether an activity is legal or not;*** supports a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Or. en

Amendment 160

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational capacities in order to address the appearance of illegal content on their services; supports a balanced duty-of-care approach and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Amendment

11. Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational capacities in order to address ***and prevent*** the appearance of illegal content on their services, ***considers that this should entail an obligation for platforms to detect and remove reliably identified Child Sexual Abuse Material (CSAM);*** supports a balanced duty-of-care approach and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on

fundamental rights, including the freedom of expression;

Or. en

Amendment 161
Beata Kempa, Patryk Jaki

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take **proactive** measures that are proportionate to their scale of reach and operational capacities in order to address the appearance of illegal content on their services; supports a balanced duty-of-care approach and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, **including** the freedom **of** expression;

Amendment

11. Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take measures that are proportionate to their scale of reach **and technical** and operational capacities in order to address the appearance of illegal content on their services; supports a balanced duty-of-care approach and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, the freedom **to controversial and polemical** expression, **as well as to restrict the promotion of various philosophical, social and political ideas**;

Or. pl

Amendment 162
Raphaël Glucksmann, Sylvie Guillaume

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational

Amendment

11. Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational

capacities in order to address the appearance of illegal content on their services; supports a balanced duty-of-care approach and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

capacities in order to address the appearance of illegal content on their services; supports a balanced duty-of-care approach, ***based on an assessment of the risks incurred by the platforms and likely to encourage them to take proactive measures***, and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Or. en

Amendment 163
Moritz Körner

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Highlights that this should ***include rules on the notice-and-action mechanisms and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational capacities in order to address the appearance of illegal content on their services; supports a balanced duty-of-care approach and a clear chain of responsibility*** to avoid unnecessary regulatory burdens ***for the platforms*** and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Amendment

11. ***Expects digital service providers to establish fair and transparent notice mechanisms, which empower users to notify the relevant democratically accountable competent public authorities of potentially illegal content.*** Highlights that this should avoid unnecessary regulatory burdens and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Or. en

Amendment 164
Kris Peeters, Javier Zarzalejos, Paulo Rangel

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational capacities in order to address the appearance of illegal content on their services; supports a balanced duty-of-care approach and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Amendment

11. Highlights that this should include rules on the notice-and-action mechanisms and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational capacities in order to **effectively** address the appearance of illegal content on their services, **while leaving the choice of the concrete measures to the platforms**; supports a balanced duty-of-care approach and a clear chain of responsibility to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Or. en

Amendment 165

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Highlights that **this** should include rules on the notice-and-action mechanisms **and requirements for platforms to take proactive measures that are proportionate to their scale of reach and operational capacities** in order to address the appearance of illegal content **on their services; supports a balanced duty-of-care approach and a clear chain of responsibility** to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression;

Amendment

11. Highlights that **the new legislative framework** should include rules on the notice-and-action mechanisms in order to address the appearance of illegal content **online while refraining from imposing notice-and-stay-down mechanisms; applicable legislation shall exhaustively and explicitly spell out the obligations of digital service providers rather than imposing a general duty of care** to avoid unnecessary regulatory burdens for the platforms and unnecessary and disproportionate restrictions on fundamental rights, including the freedom of expression, **access to information and the right to privacy**;

Amendment 166
Bartosz Arłukowicz

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. Considers that greater regulatory clarity and dialogue with stakeholders is needed to encourage information society service providers to engage in additional voluntary activities to moderate their content in accordance with the law;

Or. pl

Amendment 167
Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. Stresses the need for appropriate safeguards and due process obligations, including human oversight and verification, in addition to counter notice procedures, to ensure that removal or blocking decisions are **accurate**, well-founded and respect fundamental rights; recalls that **the possibility of** judicial redress **should be made available to satisfy the right to effective** remedy;

12. Stresses the need for appropriate safeguards and due process obligations, including human oversight and verification, in addition to counter notice procedures, to ensure that removal or blocking decisions are **legal**, well-founded and respect fundamental rights; recalls that **while counter-notice procedures, complaint mechanisms and out-of-court dispute settlements can be valuable tools in protecting fundamental rights of the users of digital services, they cannot preclude access to effective** judicial redress **and** remedy;

Or. en

Amendment 168

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Stresses the need for appropriate safeguards and due process obligations, including human oversight and verification, in addition to counter notice procedures, to ensure that removal or blocking decisions are accurate, well-founded and respect fundamental rights; recalls that the possibility of judicial redress should **be made** available to satisfy the right to effective remedy;

Amendment

12. Stresses the need for appropriate safeguards and due process obligations, including **a requirement for** human oversight and verification, in addition to counter notice procedures, to ensure that removal or blocking decisions are accurate, well-founded and respect fundamental rights; **highlights that persons who systematically and repeatedly submit wrongful or abusive notices shall be sanctioned**; recalls that the possibility of judicial redress should **remain** available to satisfy the right to effective remedy;

Or. en

Amendment 169

Beata Kempa, Patryk Jaki

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Stresses the need for appropriate safeguards and due process obligations, including human oversight and verification, in addition to counter notice procedures, to ensure that removal or blocking decisions are accurate, well-founded and respect fundamental rights; recalls that the possibility of judicial redress should be made available to satisfy the right to effective remedy;

Amendment

12. Stresses the need for appropriate safeguards and due process obligations, including human oversight and verification, in addition to counter notice procedures, to ensure that removal or blocking decisions are accurate, well-founded and respect fundamental rights; recalls that the possibility of judicial redress, **following the final decision taken by the platforms in accordance with the internal complaints system**, should be made available to satisfy the right to effective remedy;

Amendment 170
Moritz Körner

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Stresses the need for appropriate safeguards and due process obligations, **including human oversight and verification**, in addition to counter notice procedures, to ensure that **removal or blocking** decisions are accurate, well-founded and respect fundamental rights; recalls that the possibility of judicial redress should be made available to satisfy the right to effective remedy;

Amendment

12. Stresses the need for appropriate safeguards and due process obligations in addition to counter notice procedures, to ensure that decisions **to take content offline** are accurate, well-founded and respect fundamental rights; recalls that the possibility of judicial redress should be made available to satisfy the right to effective remedy, **believes that all decisions to take users' content offline must be subject to human oversight and verification**;

Or. en

Amendment 171
Cornelia Ernst, Pernando Barrena Arza, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Stresses the need for appropriate safeguards and due process obligations, including human oversight and verification, in addition to counter notice procedures, to ensure that removal **or blocking** decisions are accurate, well-founded and respect fundamental rights; recalls that the possibility of judicial redress should be made available to satisfy the right to effective remedy;

Amendment

12. Stresses the need for appropriate safeguards and due process obligations, including human oversight and verification, in addition to counter notice procedures, to ensure that removal decisions are accurate, well-founded, **protect consumers** and respect fundamental rights; recalls that the possibility of **effective** judicial redress should be made available to satisfy the right to effective remedy;

Amendment 172

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. Stresses that, in order to protect the freedom of expression and information, it is crucial to maintain the limited liability regime for intermediaries not having knowledge of the illegal activity or information; highlights that the legal regime for digital providers liability should not depend on uncertain notions such as the ‘active’ or ‘passive’ role of providers;

Or. en

Amendment 173

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando Benifei

Motion for a resolution

Paragraph 13

Motion for a resolution

Amendment

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions should apply to those service providers that fail to comply with legitimate orders;

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions should apply to those service providers that fail to comply with legitimate orders; ***calls for the creation of an EU Centre for Preventing and Combating child sexual***

abuse that would ensure an effective and coordinated response to child sexual abuse cases online, as requested in the European Parliament Resolution on children's rights in the occasion of the 30th anniversary of the UN Convention on the Rights of the Child of 26 November 2019;

Or. en

Amendment 174

Cornelia Ernst, Fernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution Paragraph 13

Motion for a resolution

13. Supports *limited liability for content and* the country of origin principle, *but* considers improved coordination for removal requests between national competent authorities to be *essential*; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions should apply to those service providers that fail to comply with *legitimate* orders;

Amendment

13. Supports the country of origin principle *including its consumer contracts derogation, but clarifications to the liability regime, particularly for online marketplaces, is needed*; considers improved coordination for removal requests between national competent authorities to be *important*; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that *an effective oversight and enforcement mechanism, including sanctions, should apply to those service providers that fail to comply with transparency obligations, judicial orders, and other provisions of the Digital Services Act*;

Or. en

Amendment 175

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that **sanctions** should apply to those service providers that fail to comply with legitimate orders;

Amendment

13. Supports ***the preservation of the current framework on the*** limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be ***issued by a judicial authority of the Member State in which a hosting service provider is located and*** subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that ***enforcement mechanisms*** should apply to those service providers that fail to comply with legitimate orders;

Or. en

Amendment 176

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions should apply to those service providers that fail to comply with legitimate orders;

Amendment

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; ***highlights that removal requests from competent authorities should be specific and clearly state the legal basis for removal;*** stresses that sanctions should apply to those service providers that fail to comply with legitimate orders;

Amendment 177

Beata Kempa, Patryk Jaki

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions should apply to those service providers that fail to comply with legitimate orders;

Amendment

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights **and civil rights and freedoms**; stresses that **proportionate** sanctions should apply to those service providers that fail to comply with legitimate orders **even though they possess the technical and operational capacities**;

Amendment 178

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Supports limited liability **for content** and the country of origin principle, **but** considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions should apply to those service providers that

Amendment

13. Supports limited liability **exemption for all types of intermediaries** and the country of origin principle, **and** considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions

fail to comply with legitimate orders;

should apply **only** to those service providers that fail to comply with legitimate orders;

Or. en

Amendment 179
Moritz Körner

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions should apply to those service providers that fail to comply with **legitimate** orders;

Amendment

13. Supports limited liability for content and the country of origin principle, but considers improved coordination for removal requests between national competent authorities to be essential; emphasises that such orders should be subject to legal safeguards in order to prevent abuse and ensure full respect of fundamental rights; stresses that sanctions should apply to those service providers that fail to comply with **lawful** orders;

Or. en

Amendment 180
Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Stresses that the responsibility for enforcing the law, deciding on the legality of online activities and ordering hosting service providers to remove or disable access to content as soon as possible shall rest with independent judicial authorities; only a hosting service provider that has actual knowledge of illegal content and its illegal nature shall be subject to content

removal obligations

Or. en

Amendment 181
Bartosz Arłukowicz

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. *Notes that user-oriented actions (so-called 'targeting') is an area that requires careful supervision; points out that this practice has been included in GDPR and should be properly enforced across the EU before new legislation is considered;*

Or. pl

Amendment 182
Moritz Körner

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. *Requires digital service providers that become aware of alleged illegal content of their users to notify the competent public authorities without undue delay.*

Or. en

Amendment 183
Bartosz Arłukowicz

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Calls on all digital actors to comply with the disclosure rules required under the GDPR, including as regards the collection and recording of users' choices and the transmission of those users' choices to technology partners before the processing of personal data;*

Or. pl

Amendment 184
Moritz Körner

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Requests Member States and digital service providers to put in place transparent, effective, fair, and expeditious complaint and redress mechanisms to allow users to challenge the taking offline of their content.*

Or. en

Amendment 185
Moritz Körner

Motion for a resolution
Paragraph 13 c (new)

Motion for a resolution

Amendment

13c. *Requests Member States to improve access to and the efficiency of their justice and law enforcement systems in relation to determining the illegality of online content and in relation to dispute resolution concerning the taking offline of content, and to consider to this end the*

establishment of specialised courts and law enforcement units within their national judicial and law enforcement systems.

Or. en

Amendment 186
Moritz Körner

Motion for a resolution
Paragraph 13 d (new)

Motion for a resolution

Amendment

13d. Believes that neither infrastructure service providers, payment providers, and other companies offering services to digital service providers, nor digital service providers with a direct relationship with the user must be held liable for the content a user on his own initiative uploads or downloads. Believes at the same time that digital service providers, which have a direct relationship with the user who uploaded the illegal content and which have the ability to take distinct pieces of the user's content offline, must be held liable for failing to expeditiously respond to sufficiently substantiated orders by democratically accountable competent public authorities to take the illegal content offline.

Or. en

Amendment 187
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Believes that terms of services of digital service providers should be clear, transparent and fair; *deplores the fact that some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety*;

14. Believes that terms of services of digital service providers should be clear, transparent and fair; *underlines that the fairness and compliance with fundamental rights standards of standard contractual terms imposed by intermediaries to the users of their services shall be subject to judicial review; considers that standard contractual terms unduly restricting users' fundamental rights, such as the right to privacy and to freedom of expression, shall not be binding*;

Or. en

Amendment 188
Malin Björk

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Believes that terms of services of digital service providers should be clear, transparent and fair; deplores the fact that some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety;

Amendment

14. Believes that terms of services of digital service providers should be clear, transparent and fair *and be made available in an easy and accessible manner to users*; deplores the fact that some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety;

Or. en

Amendment 189
Magdalena Adamowicz

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Believes that terms of services of digital service providers should be clear, transparent and fair; deplores the fact that some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety;

14. Believes that terms of services of digital service providers should be clear, transparent and fair ***and be made available in an easy and accessible manner to users***; deplores the fact that some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety;

Or. en

Amendment 190
Kris Peeters

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Believes that terms of services of digital service providers should be clear, transparent ***and fair***; deplores the fact that some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety;

Amendment

14. Believes that terms of services of digital service providers should be clear, transparent, ***fair and be made available in an easy and accessible manner to users***; deplores the fact that some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety;

Or. en

Amendment 191
Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Believes that terms of services of digital service providers ***should*** be clear, transparent and fair; ***deplores the fact that***

Amendment

14. Believes ***that in order to protect consumers' fundamental rights and interests, the Digital Services Act should***

some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety;

introduce rules aiming to ensure that terms of services of digital service providers be clear, transparent and fair;

Or. en

Amendment 192

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 14

Motion for a resolution

14. Believes that terms of *services* of digital service providers should be clear, transparent and fair; *deplores the fact that some terms of services from content platforms do not allow law enforcement to use non-personal accounts, which poses a threat both to possible investigations and to personal safety;*

Amendment

14. Believes that *the* terms of *service* of digital service providers should be clear, transparent and fair; *recalls that any take-down-notice from an authority has to always be based on law, not on the terms of service of the service providers;*

Or. en

Amendment 193

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Stresses that in line with the principle of data minimisation established by the General Data Protection Regulation, the Digital Services Act shall require intermediaries to enable the anonymous use of their services and payment for them wherever it is technically possible, as anonymity effectively prevents unauthorized disclosure, identity theft and other forms

of abuse of personal data collected online; only where existing legislation requires businesses to communicate their identity, providers of major market places could be obliged to verify their identity, while in other cases the right to use digital services anonymously shall be upheld

Or. en

Amendment 194
Beata Kempa, Patryk Jaki

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Underlines that *certain types of legal, yet harmful, content should also be addressed to ensure a fair digital ecosystem; expects guidelines to include increased transparency rules on content moderation or political advertising policy to ensure that removals and the blocking of harmful content are limited to the absolute necessary;*

Amendment

15. Underlines that *any attempt to regulate or moderate* political advertising *should be prohibited;*

Or. pl

Amendment 195
Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Underlines *that certain types of legal, yet harmful, content should also be addressed to ensure a fair digital ecosystem; expects guidelines to include increased transparency rules on content moderation or political advertising policy to ensure that removals and the blocking*

Amendment

15. Underlines *the need to regulate content curation and tracking-based targeted advertisement through giving more choice and control to users; emphasises that users should be able to choose to opt out completely of any content curation, decide whether to opt in*

of harmful content are limited to the absolute necessary;

to tracking, and have more options on the way content is ranked to them, including a ranking outside their ordinary content consumption habits; strongly believes that the design and performance of such recommendation systems should be subject to full transparency, presented in a user-friendly manner;

Or. en

Amendment 196

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Paragraph 15

Motion for a resolution

15. *Underlines that certain types of legal, yet harmful, content should also be addressed to ensure a fair digital ecosystem;* expects guidelines to include increased transparency rules on content moderation or political advertising policy to ensure that *removals and the blocking of harmful content are limited to the absolute necessary;*

Amendment

15. Expects guidelines to include increased transparency rules on content moderation or political advertising policy to ensure that *legal content is not removed;*

Or. en

Amendment 197

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Underlines that certain types of legal, yet harmful, content should also be addressed to ensure a fair digital ecosystem; expects guidelines to include increased transparency rules on content moderation *or political* advertising policy

Amendment

15. Underlines that certain types of legal, yet harmful, content should also be addressed to ensure a fair digital ecosystem; expects guidelines to include increased transparency rules on content moderation *and* advertising policy to

to ensure that **removals** and the blocking of harmful content are limited to the absolute necessary;

ensure that **the removal** and the blocking of harmful content are limited to the absolute necessary; ***calls on the commission to consider this in a specific instrument accompanying the Digital Services Act;***

Or. en

Amendment 198

Nadine Morano

Motion for a resolution

Paragraph 15

Motion for a resolution

15. ***Underlines that certain types of legal, yet harmful, content should also be addressed to ensure a fair digital ecosystem; expects guidelines to include increased transparency rules on content moderation or political advertising policy to ensure that removals and the blocking of harmful content are limited to the absolute necessary;***

Amendment

15. ***Stresses that, given the need to reconcile the removal of content with freedom of expression, only content, which is illegal, or presumed to be illegal, should be blocked or removed, with the possibility of effective legal redress. Legal content should not, by nature, be subject to any removal or blocking;***

Or. fr

Amendment 199

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 15

Motion for a resolution

15. ***Underlines that certain types of legal, yet harmful, content should also be addressed to ensure a fair digital ecosystem; expects guidelines to include increased transparency rules on content moderation or political advertising policy to ensure that removals and the blocking of harmful content are limited to the***

Amendment

15. ***Expects the Digital Services Act to include rules on content moderation or political advertising policy to ensure that removals of content are in line with human rights standards and limited to content which is illegal beyond doubt or has been found illegal by the judiciary;***

absolute necessary;

Or. en

Amendment 200
Moritz Körner

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Underlines that certain types of legal, yet harmful, content should also be addressed *to ensure a fair digital ecosystem*; expects guidelines to include increased transparency rules on content moderation or political advertising policy to ensure that removals and the blocking of harmful content are *limited to the absolute necessary*;

Amendment

15. Underlines that certain types of legal, yet *potentially* harmful, content should also be addressed; expects guidelines to include increased transparency rules on content moderation or political advertising policy to ensure that removals and the blocking of *potentially* harmful content are *avoided*;

Or. en

Amendment 201
Paul Tang

Motion for a resolution
Paragraph 24 b (new)

Motion for a resolution

24b. Notes the potential negative impact of personalised advertising, in particular micro-targeted and behavioural advertisements, and of assessments of individuals, especially minors, by interfering in the private life of individuals, posing questions as to the collection and use of the data used to personalise advertising, offering products or services or setting prices; Calls therefore on the Commission to introduce a phase-out prohibition on personalised advertisements, starting with minors, and

a prohibition on the use of discriminatory practices for the provision of services or products;

Or. en

Amendment 202

Kris Peeters, Tomáš Zdechovský, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Paragraph 15 – subparagraph 1 (new)

Motion for a resolution

Amendment

Maintains that these forms of harmful content include micro targeting based on characteristics exposing physical or psychological vulnerabilities, health related content such as disinformation on COVID-19 causes or remedies and emerging issues such as the organised abuse of multiple platforms, artificial intelligence applications creating fake profiles or manipulating online content; points out that special attention should be paid to harmful content in the context of minors using the internet, especially in regard to their exposure to cyberbullying, sexual harassment, pornography, violence or self-harm;

Or. en

Amendment 203

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Paragraph 15 – indent 1 (new)

Motion for a resolution

Amendment

- Considers that, as a general principle, targeted advertising can have a positive economic and societal impact and points to the fact that GDPR needs to be

fully and properly enforced to ensure the respect of users' privacy;

Or. en

Amendment 204

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. *Points out that the Digital Services Act shall not use the legally undefined concept of “harmful content”, but shall address the publication of content that is unlawful; emphasizes that the spreading of false and racist information on social media should be contained by giving users control over content proposed to them; stresses that curating content on the basis of tracking user actions shall require the user’s consent; proposes that users of social networks should have a right to see their timeline in chronological order; suggests that dominant platforms shall provide users with an interface to have content curated by software or services of their choice;*

Or. en

Amendment 205

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann, Paul Tang

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. *Highlights how the personalisation of informational environments that data-driven profiling makes possible brings*

with its new capacities to manipulate individuals in subtle, yet highly effective ways; underlines that when the profiling is deployed at scale for political micro targeting to manipulate voting behaviour, it can seriously undermine the foundations of democracy; therefore expects the Commission to provide guidelines on the use of such persuasive digital technologies in electoral campaigns and political advertising policy;

Or. en

Amendment 206
Dragoş Tudorache

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Deems that misleading or obscure political advertising is a special class of online threat because it influences the core mechanisms that enable the functioning of our democratic society, especially when such content is sponsored by third-parties and foreign actors; calls, in this regard, for the establishment of strict transparency requirements for the display of paid political advertisement;

Or. en

Amendment 207
Moritz Körner

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Calls on digital service providers to

*take the necessary measures to identify
and label content uploaded by social bots.*

Or. en

Amendment 208

**Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël
Glucksmann, Paul Tang**

Motion for a resolution

Paragraph 15 b (new)

Motion for a resolution

Amendment

15b. Is concerned of platforms and services that deliberately lock in their users onto that specific platform, thus amplifying their dominant market power and their ability to profile their users even more thoroughly, creating extremely invasive and revealing profiles of their users; calls therefore on the Commission to guarantee the interoperability of digital services; considers in this regard the application programming interfaces (APIs), enabling a user to interconnect between platforms and to import content moderation rules on the content they view on a platform, to be useful tools in bringing true interoperability to users and thus increasing their options to choose between different kinds of recommendation systems and services;

Or. en

Amendment 209

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 15 b (new)

Motion for a resolution

Amendment

15b. Notes the potential negative impact of micro-targeted advertising, micro-targeted content curation and of assessment of individuals, especially on minors and other vulnerable groups, by interfering in the private life of individuals, posing questions as to the collection and use of the data used to target said advertising, offering products or services or setting prices; reconfirms that the ePrivacy Directive makes targeted content curation subject to an opt-in decision and is otherwise prohibited;

Or. en

Amendment 210

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann, Paul Tang

Motion for a resolution

Paragraph 15 c (new)

Motion for a resolution

Amendment

15c. Notes that policies for monetisation of content affect what kind of content is seen by users and therefore finally also what kind of content will be uploaded by users; calls therefore for online content hosting platforms to be required to have transparent, non-discriminatory content demonetisation policies in order to guarantee fully the right to freedom of expression online;

Or. en

Amendment 211

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 16

Motion for a resolution

Amendment

16. Deems that accountability- *and* evidence-based policy making *requires* robust data on the prevalence and removal of illegal content online;

16. *Underlines the wedge between the speed and capacity of machines relative to the capacity of humans to monitor these machines; therefore* deems that accountability *always lies with the human overseers - and calls for* evidence-based policy making, *requiring* robust data on the prevalence and removal of illegal content online, *in order to ensure a transparent system that can be trusted by all;*

Or. en

Amendment 212

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando Benifei

Motion for a resolution Paragraph 16

Motion for a resolution

16. Deems that accountability- and evidence-based policy making requires robust data on the prevalence and removal of illegal content online;

Amendment

16. Deems that accountability- and evidence-based policy making requires robust data on the prevalence and removal of illegal content online, *as well as the incidence and prevention of illegal activity online, particularly against children and other vulnerable groups;*

Or. en

Amendment 213

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 16

Motion for a resolution

16. Deems that accountability- and evidence-based policy making requires robust data on the prevalence and removal

Amendment

16. Deems that accountability- and evidence-based policy making requires robust data on the prevalence and removal

of illegal content online;

of illegal content online, *as well as on the content curation algorithms of online platforms*;

Or. en

Amendment 214

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Deems that accountability- and evidence-based policy making *requires* robust data on the prevalence and removal of illegal content online;

Amendment

16. Deems that accountability, *both in the private and public sector*, and evidence-based policy making *require* robust data on the prevalence and removal of illegal content online;

Or. en

Amendment 215

Kris Peeters, Tomáš Zdechovský, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Calls, in this regard, for a regular public reporting obligation for platforms, proportionate to their scale of reach and operational capacities;

Amendment

17. Calls, in this regard, for a regular public reporting obligation for platforms, proportionate to their scale of reach and operational capacities, *more specifically on their content moderation procedures, including standardised data about the amount of content removed and the underlying reasons, the type and justification of removal requests received, the number of requests whose execution was refused and the reasons therefore*;

Or. en

Amendment 216

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Calls, in this regard, for a regular public reporting obligation for platforms, proportionate to their scale of reach and operational capacities;

Amendment

17. Calls, in this regard, for a regular, ***comprehensive and consistent*** public reporting obligation for platforms, proportionate to their scale of reach and operational capacities, ***including inter alia information on adopted measures against illegal activities online, number of removed illegal material, number and outcome of internal complaints and judicial remedy***;

Or. en

Amendment 217

Beata Kempa, Patryk Jaki

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Calls, in this regard, for a regular public reporting obligation for platforms, proportionate to their scale of reach and operational capacities;

Amendment

17. Calls, in this regard, for a regular ***annual*** public reporting obligation for platforms, proportionate to their scale of reach and operational capacities; ***stresses that such reports, covering actions taken in the year preceding the year of submission, should be submitted by the end of the first quarter of that year***;

Or. pl

Amendment 218

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando Benifei

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Calls, in this regard, for a regular public reporting obligation for platforms, proportionate to their scale of reach and operational capacities;

Amendment

17. Calls, in this regard, for a regular public reporting obligation for platforms, proportionate to their scale of reach and operational capacities; ***in the case of child sexual abuse, the reporting should be done to the EU Centre for Preventing and Combating child sexual abuse;***

Or. en

Amendment 219

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Calls, in this regard, for a regular public reporting obligation for platforms, proportionate to their scale of reach and operational capacities;

Amendment

17. Calls, in this regard, for a regular, ***comprehensive and consistent*** public reporting obligation for platforms, proportionate to their scale of reach and operational capacities;

Or. en

Amendment 220

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Calls, ***in this regard, for a regular public reporting obligation for platforms, proportionate to their scale of reach and operational capacities;***

Amendment

17. Calls ***for large commercial online platforms to make their procedures and decisions to remove content publicly available;***

Or. en

Amendment 221

Kris Peeters, Tomáš Zdechovský, Javier Zarzalejos, Paulo Rangel

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Calls, moreover, for a regular public reporting obligation for national authorities;

Amendment

18. Calls, moreover, for a regular public reporting obligation for national authorities, ***including standardised data on the number of removal requests and their legal bases, on the number of removal requests which were subject to administrative or judicial remedies, on the outcome of these proceedings, and on the total number of decisions imposing penalties, including a description of the type of penalty imposed;***

Or. en

Amendment 222

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Calls, moreover, for a regular public reporting obligation for national authorities;

Amendment

18. Calls, moreover, for a regular public reporting obligation for national authorities, ***including inter alia information on the number of removal orders, on the number of identified illegal content or activities which led to investigation and prosecution, and the number of cases of content or activities wrongly identified as illegal;***

Or. en

Amendment 223

Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Calls, moreover, for a regular public reporting obligation for national authorities;

Amendment

18. Calls, moreover, for a regular public reporting obligation for national authorities, ***including inter alia information on the number of removal orders, on the number of identified illegal content or activities which led to investigation and prosecution, and the number of cases of content or activities wrongly identified as illegal;***

Or. en

Amendment 224
Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Calls, moreover, for a regular public reporting obligation for national authorities;

Amendment

18. Calls, moreover, for a regular public reporting obligation for national authorities ***on their requests for deletion of illegal content from digital platforms;***

Or. en

Amendment 225
Beata Kempa, Patryk Jaki

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Calls, moreover, for a regular public reporting obligation for national

Amendment

18. Calls, moreover, for a regular ***annual*** public reporting obligation for

authorities;

national authorities;

Or. pl

Amendment 226

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Expresses its concern regarding the ***fragmentation of public oversight and supervision of platforms and the frequent*** lack of financial and human resources for the oversight bodies needed to properly fulfil their tasks; ***calls for increased cooperation with regard to regulatory oversight of digital services;***

Amendment

19. Expresses its concern regarding the ***documented*** lack of financial and human resources for the ***supervision and*** oversight bodies needed to properly fulfil their tasks;

Or. en

Amendment 227

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Expresses its concern regarding the fragmentation of public oversight and supervision of platforms and the frequent lack of financial and human resources ***for*** the oversight bodies ***needed*** to properly fulfil their tasks; calls for increased cooperation with regard to regulatory oversight of digital services;

Amendment

19. Expresses its concern regarding the fragmentation of public oversight and supervision of ***online*** platforms ***and other digital service providers*** and the frequent lack of financial and human resources ***that*** the oversight bodies ***need*** to properly fulfil their tasks; calls for increased cooperation with regard to regulatory oversight of digital services;

Or. en

Amendment 228

Marina Kaljurand, Birgit Sippel, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. Considers that in order to guarantee proper enforcement of the Digital Services Act, the oversight of compliance with this Act should be entrusted in an independent authority, while any decisions relating to content should always remain with the judiciary; emphasises in this regard that sanctioning for non-compliance with the Digital Services Act should be based on an assessment of a clearly defined set of factors, such as proportionality, technical and organisational measures and negligence, and the resulting sanctions should be based on a percentage of the annual global turnover of a company;

Or. en

Amendment 229

Beata Kempa, Patryk Jaki

Motion for a resolution

Paragraph 20

Motion for a resolution

Amendment

20. Supports the creation of an independent EU body to exercise effective oversight of compliance with the applicable rules; believes that it should enforce procedural safeguards and transparency and provide quick and reliable guidance on contexts in which legal content is to be considered harmful;

deleted

Or. pl

Amendment 230

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Supports the creation of an independent EU body to exercise effective oversight of compliance with the applicable rules; believes that it should enforce procedural safeguards and transparency and provide quick and reliable guidance on contexts in which legal content is to be considered harmful;

Amendment

deleted

Or. en

Amendment 231

Moritz Körner

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Supports the creation of an independent EU body to exercise effective oversight of compliance with the applicable rules; believes that it should enforce procedural safeguards and transparency and provide quick and reliable guidance on contexts in which legal content is to be considered harmful;

Amendment

20. Calls on the Commission to set up, similarly to the European system of financial supervision (ESFS), a European system of digital services' supervision and to task existing EU agencies and competent national supervisory authorities to audit digital service providers' internal policies and algorithms with due regard to Union law and in all circumstances to the fundamental rights of the services' users, taking into account the fundamental importance of non-discrimination and the freedom of expression and information in an open and democratic society, and without publishing commercially sensitive data. Requests that this European system of digital services' supervision ensures that the rules applicable to digital service providers are adequately implemented and

enforced across Member States in order to provide protection for the services' users and to facilitate a European digital single market.

Or. en

Amendment 232
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 20

Motion for a resolution

20. *Supports the creation of an independent EU body to exercise effective oversight of compliance with the applicable rules; believes that it should enforce procedural safeguards and transparency and provide quick and reliable guidance on contexts in which legal content is to be considered harmful;*

Amendment

20. *Calls on the Commission to exercise effective oversight of compliance with the applicable rules, in particular the enforcement of procedural safeguards and transparency;*

Or. fr

Amendment 233
Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Supports the creation of an independent EU body to exercise effective oversight of compliance with the applicable rules; *believes* that it should enforce procedural safeguards and transparency *and* provide *quick and reliable* guidance on contexts in which legal content is to be considered harmful;

Amendment

20. Supports the creation of an independent EU body to exercise effective oversight of compliance with the applicable rules; *stresses* that it should *guarantee a harmonised implementation of these rules across the Union and* enforce procedural safeguards and transparency; *believes that it should* provide reliable guidance on contexts in which legal content is to be considered harmful;

Amendment 234

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Supports the **creation of an independent EU body to** exercise effective oversight of compliance with the applicable rules; believes that it should enforce procedural safeguards and transparency and provide quick and reliable guidance on **contexts in which legal** content is **to be considered harmful**;

Amendment

20. Supports the exercise **of** effective oversight of compliance with the applicable rules; believes that it should enforce procedural safeguards and transparency and provide quick and reliable guidance on **how illegal** content is **addressed**;

Amendment 235

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Supports the creation of an **independent EU body** to exercise effective oversight of compliance with the applicable rules; believes that it should enforce procedural safeguards and transparency **and provide quick and reliable guidance on contexts in which legal content is to be considered harmful**;

Amendment

20. Supports the creation of an **enforcement mechanism coordinated at EU level, with clear allocation of responsibilities and necessary enforcement tools** to exercise effective oversight of compliance with the applicable rules; believes that it should enforce procedural safeguards and transparency;

Amendment 236

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 21

Motion for a resolution

Amendment

21. Considers that the transparency reports drawn up by platforms and national competent authorities should be made available to this EU body, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content removal and blocking at EU level;

deleted

Or. en

Amendment 237

Beata Kempa, Patryk Jaki

Motion for a resolution

Paragraph 21

Motion for a resolution

Amendment

21. Considers that the transparency reports drawn up by platforms and national competent authorities should be made available to **this EU body**, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content removal and blocking at EU level;

21. Considers that the transparency reports drawn up by platforms and national competent authorities should be made available to **the EU bodies**, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content removal and blocking at EU level; **stresses that these reports should be published annually on the public services of the EU institutions;**

Or. pl

Amendment 238

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Considers that the transparency reports drawn up by platforms and **national** competent authorities should be made available **to this EU body, which should be tasked with** drawing up yearly reports that provide a structured analysis of **illegal** content removal **and blocking** at EU level;

Amendment

21. Considers that the transparency reports drawn up by platforms and competent authorities should be made **publicly** available, **including** drawing up yearly reports that provide a structured analysis of content removal at EU level; **considers that cases which did not result in the removal or disabling access to content shall also be reported;**

Or. en

Amendment 239

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Considers that the transparency reports drawn up by platforms and national competent authorities should be made available to this EU **body**, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content removal and blocking at EU level;

Amendment

21. Considers that the transparency reports drawn up by platforms and national competent authorities should be made available to this EU **enforcement mechanism**, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content removal and blocking at EU level;

Or. en

Amendment 240

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando Benifei

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Considers that the transparency reports drawn up by platforms and national

Amendment

21. Considers that the transparency reports drawn up by platforms and national

competent authorities should be made available to this EU body, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content removal and blocking at EU level;

competent authorities should be made available to this EU body, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content, ***detection***, removal and blocking at EU level;

Or. en

Amendment 241
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Considers that the transparency reports drawn up by platforms and national competent authorities should be made available to ***this EU body***, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content removal and blocking at EU level;

Amendment

21. Considers that the transparency reports drawn up by platforms and national competent authorities should be made available to ***the Commission***, which should be tasked with drawing up yearly reports that provide a structured analysis of illegal content removal and blocking at EU level;

Or. fr

Amendment 242
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Stresses that this EU body should not take on the role of content moderator, but that it should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content; calls for this regulator to have the power to impose proportionate fines or other corrective actions when platforms do not provide sufficient information on their procedures or algorithms in a timely

deleted

Amendment

manner;

Or. fr

Amendment 243

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 22

Motion for a resolution

Amendment

22. Stresses that this EU body should not take on the role of content moderator, but that it should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content; calls for this regulator to have the power to impose proportionate fines or other corrective actions when platforms do not provide sufficient information on their procedures or algorithms in a timely manner;

deleted

Or. en

Amendment 244

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 22

Motion for a resolution

Amendment

22. Stresses that this EU body should not take on the role of content moderator, but that it should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content; calls for *this regulator* to have the power to impose proportionate fines or other corrective actions when platforms do not provide sufficient information on their procedures or algorithms in a timely

22. Calls for *the competent authority* to have the power to impose proportionate fines or other corrective actions when platforms do not provide sufficient information on their procedures or algorithms in a timely manner;

manner;

Or. en

Amendment 245

Kris Peeters, Tomáš Zdechovský, Paulo Rangel

Motion for a resolution

Paragraph 22

Motion for a resolution

22. Stresses that this EU body should not take on the role of content moderator, but that it should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content; calls for this regulator to have the power to impose proportionate fines or other corrective actions when platforms do not provide sufficient information on their procedures or algorithms in a timely manner;

Amendment

22. Stresses that this EU body should not take on the role of content moderator, but that it should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content, ***for example recommendation engines and optimisation features such as autocomplete and trending***; calls for this regulator to have the power to impose proportionate fines or other corrective actions when platforms do not provide sufficient information on their procedures or algorithms in a timely manner;

Or. en

Amendment 246

Beata Kempa, Patryk Jaki

Motion for a resolution

Paragraph 22

Motion for a resolution

22. Stresses that ***this EU body*** should not take on the role of content moderator, but that ***it*** should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content; calls for ***this regulator*** to have the power to ***impose proportionate fines or other*** corrective actions when platforms do not provide sufficient information on their

Amendment

22. Stresses that ***the EU institutions*** should not take on the role of content moderator, but that ***they*** should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content; calls for ***the EU institutions*** to have the power to ***indicate*** corrective actions when platforms do not provide sufficient information on their

procedures or algorithms in a timely manner;

procedures or algorithms in a timely manner;

Or. pl

Amendment 247

Cornelia Ernst, Pernando Barrena Arza, Clare Daly

Motion for a resolution

Paragraph 22

Motion for a resolution

22. Stresses that this EU **body** should not take on the role of content moderator, but that it should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content; calls for this regulator to have the power to impose proportionate fines or other corrective actions when platforms do not provide sufficient information on their procedures or algorithms in a timely manner;

Amendment

22. Stresses that this EU **enforcement mechanism** should not take on the role of content moderator, but that it should analyse, upon complaint or on its own initiative, whether and how digital service providers amplify illegal content; calls for this regulator to have the power to impose proportionate fines or other corrective actions when platforms do not provide sufficient information on their procedures or algorithms in a timely manner;

Or. en

Amendment 248

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Is concerned that the increased use of automated decision making and machine learning for purposes such as identification, prediction of behaviour or targeted advertising leads to exacerbated direct and indirect discrimination based on grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a

national minority, property, birth, disability, age or sexual orientation when using digital services; insists that the Digital Services Act must aim to ensure a high level of transparency as regards the functioning of online services and a digital environment free of discrimination;

Or. en

Amendment 249
Fabienne Keller, Nathalie Loiseau

Motion for a resolution
Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Considers it necessary, given the increasing fragmentation of national laws on tackling illegal content, to strengthen cooperation mechanisms between the Member States, including with the support of the Commission and the EU agencies; underlines the importance of such a dialogue, in particular on countries' differing opinions as to whether content is illegal or not and its potential impact;

Or. fr

Amendment 250
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Welcomes the Commission initiative to create a European Digital Media Observatory to support

*independent fact-checking services,
increase public knowledge on online
disinformation and support public
authorities in charge of monitoring digital
media;*

Or. en

Amendment 251

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 22 b (new)

Motion for a resolution

Amendment

22b. Is concerned that the increased use of automated decision making and machine learning for purposes such as identification, prediction of behaviour or targeted advertising may lead to exacerbated direct and indirect discrimination based on grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation when using digital services; insists that the Digital Services Act must aim to ensure a high level of transparency as regards the functioning of online services and a digital environment free of discrimination;

Or. en

Amendment 252

Fabienne Keller, Nathalie Loiseau

Motion for a resolution

Paragraph 22 b (new)

Motion for a resolution

Amendment

22b. *Considers it necessary also to strengthen marketplace liability by means of a specific liability regime in order to protect consumers from dangerous products, particularly through information and transparency, and to guarantee their rights;*

Or. fr

Amendment 253

Caterina Chinnici, Hilde Vautmans, Javier Moreno Sánchez, Laura Ferrara, Brando Benifei

Motion for a resolution

Paragraph 23

Motion for a resolution

23. Underlines the importance of empowering users to enforce their own fundamental rights online, including by means of easily accessible complaint procedures, legal remedies, educational measures *and* awareness-raising on data protection issues;

Amendment

23. Underlines the importance of empowering users to enforce their own fundamental rights online, including by means of easily accessible complaint procedures, *reporting mechanisms for illegal content and criminal behaviour for individuals and companies*, legal remedies, educational measures, , *including the sharing of advice on child online safety*, awareness-raising on data protection issues *and online safety and the provision of access to cost-free child helplines and age-appropriate services*;

Or. en

Amendment 254

Cornelia Ernst, Pernando Barrena Arza, Clare Daly, Anne-Sophie Pelletier

Motion for a resolution

Paragraph 23

Motion for a resolution

Amendment

23. Underlines the importance of empowering users to enforce their own fundamental rights online, including by means of easily accessible complaint procedures, legal remedies, educational measures and awareness-raising on data protection issues;

23. Underlines the importance of empowering users to enforce their own fundamental rights online, including by means of ***transparency obligations for online services and*** easily accessible, ***impartial, efficient and free*** complaint procedures, legal remedies, educational measures and awareness-raising on data protection issues;

Or. en

Amendment 255

Patrick Breyer

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 23

Motion for a resolution

23. Underlines the importance of empowering users to enforce their own fundamental rights online, including by means of easily accessible complaint procedures, legal remedies, educational measures and awareness-raising on data protection issues;

Amendment

23. Underlines the importance of empowering users to enforce their own fundamental rights online, including by means of easily accessible, ***impartial, efficient and free*** complaint procedures, legal remedies, educational measures and awareness-raising on data protection issues;

Or. en

Amendment 256

Magdalena Adamowicz

Motion for a resolution

Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Underlines that in order to fully enjoy fundamental rights, such as freedom of expression and access to information, developed media literacy skills remain crucial; recalls the

fundamental role of media literacy as one of the primary solutions to growing disinformation- and hate speech-related issues, and calls on the Commission and Member States to improve media literacy through support for educational initiatives aimed at both students and professional educators, as well as through targeted awareness-raising campaigns within civil society;

Or. en

Amendment 257

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru, Raphaël Glucksmann

Motion for a resolution

Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Emphasises the indispensability of agreed standards of essential security in cyberspace in order for digital services to provide their full benefits to citizens; notes therefore the urgent need for Member States to take coordinated action to ensure basic cyber hygiene and to prevent avoidable dangers in cyberspace, including through legislative measures;

Or. en

Amendment 258

Malin Björk

Motion for a resolution

Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Further to empowering users to their fundamental rights online, calls on the Commission to ensure that users have access to diverse and quality content

online as a mean towards an informed citizenship; in this respect calls on the Commission to propose safeguards ensuring quality media content is easy to access and easy to find on third-party platforms;

Or. en

Amendment 259
Tomas Tobé

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Further calls on the Commission to establish a framework that avoids platforms from exercising a second layer of control over content that is provided under a media service provider's responsibility and which is subject to specific standards and oversight;

Or. en

Amendment 260
Moritz Körner

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Requests that digital services providers to the maximum extent possible give their users the possibility to choose which content they want to be presented and in which order.

Or. en

Amendment 261

Marina Kaljurand, Tanja Fajon, Tudor Ciuhodaru

Motion for a resolution

Paragraph 23 b (new)

Motion for a resolution

Amendment

23b. Stresses that the only way for digital services to achieve their full potential is to enable users to be identified unambiguously in an equivalent manner to offline services; notes that online identification can be improved by enforcing eIDAS Regulation's cross-border interoperability of electronic identifications across the European Union; reminds that Member States and European institutions have to guarantee that the electronic identifications are secure, enable data minimisation and comply with all other aspects of GDPR;

Or. en

Amendment 262

Magdalena Adamowicz

Motion for a resolution

Paragraph 23 b (new)

Motion for a resolution

Amendment

23b. Further to empowering users to their fundamental rights online, calls on the Commission to ensure that users have access to diverse and quality content online as a mean towards an informed citizenship; in this respect calls on the Commission to propose safeguards ensuring quality media content is easy to access and easy to find on third party platforms;

Or. en

Amendment 263
Malin Björk

Motion for a resolution
Paragraph 23 b (new)

Motion for a resolution

Amendment

23b. Further calls on the Commission to establish new rules that proscribe platforms' practices interfering with media freedom and pluralism, in particular by prohibiting platforms from exercising a second layer of control over content that is provided under a media service provider's responsibility and which is subject to specific standards and oversight;

Or. en

Amendment 264
Moritz Körner

Motion for a resolution
Paragraph 23 b (new)

Motion for a resolution

Amendment

23b. Requests, based on the principles above, that the Digital Services Act harmonises and replaces the liability measures laid down in the Digital Single Market Copyright Directive, the Audiovisual Media Services Directive and the Terrorist Content Online Regulation.

Or. en

Amendment 265
Malin Björk

Motion for a resolution
Paragraph 23 c (new)

Motion for a resolution

Amendment

23c. *Strongly underlines the importance of media pluralism, public service media and independent as well as non-commercial media for citizen's access to quality information; firmly believes that disinformation and "fake news" can only be curbed by public access to high-quality information and education; underlines the importance of mechanisms that support independent media and public service media;*

Or. en

Amendment 266

Paul Tang

Motion for a resolution

Paragraph 24 a (new)

Motion for a resolution

Amendment

24a. *Recommends the Commission to create a verification system for users of digital services, in order to ensure the protection of personal data and age verification, especially for minors, which shall not be used to track the users cross-site nor used commercially;*

Or. en

Amendment 267

Paul Tang

Motion for a resolution

Paragraph 24 c (new)

Motion for a resolution

Amendment

24c. *Notes unnecessary collection of personal data by digital services at the point of registration for a service, such as*

date and place of birth, cell phone number and postal address, often caused by the use of single-sign in possibilities; Underlines that the GDPR clearly describes the data minimisation principle, thereby limiting the collected data to only that strictly necessary for the purpose; Asks therefore the Commission to create a single European sign-in system and to introduce an obligation to always also offer a manual sign-in option;

Or. en